Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at City Hall, Council Chambers, 300 Sixth Street, in Rapid City, South Dakota on Monday, April 18, 2022, at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Greg Strommen, Jason Salamun, John Roberts, Ritchie Nordstrom, Ron Weifenbach, Pat Jones, Bill Evans, Darla Drew, Laura Armstrong and Lance Lehmann; the following were absent: None; the following Alderpersons arrived during the course of the meeting: None.

Staff members present included: Assistant City Attorney Kinsley Groote, Police Chief Don Hedrick, Public Works Director Dale Tech, Fire Chief Jason Culberson, Finance Director Pauline Sumption, Community Development Director Vicki Fisher, Parks and Recreation Director Jeff Biegler, IT Director Jim Gilbert, Planning Project Manager Sarah Hanzel, Code Enforcement Manager Matt Owczarek, Communications Coordinator Darrell Shoemaker, and Administrative Coordinator Heidi Weaver.

ADOPTION OF AGENDA
Motion was made by Jones, second by Drew and carried to adopt the agenda. Motion carried 10-0.

PROCLAMATIONS AND AWARDS
Mayor Allender presented the Earth Day Proclamation to the Sustainability Committee. Ria Harper of the Sustainability Committee presented the Sustainability Award to Stef Lee, the owner of Home-Grown Goods. Mayor Allender presented the Sexual Assault Awareness Month & Denim Day Proclamation to Heidi Mecham and Ashley Wasserburger of WAVI. Ms. Mecham spoke on the impact of sexual assault in Rapid City and thanked the community for their help and support.

GENERAL PUBLIC COMMENT (3-minute time limit per speaker)
Dan Mulally spoke to the council regarding crime rising in North Rapid. He suggested the city follow a grid system and concentrate on the areas with the most repeat offenders. He wants to protect the people and his property north of Rapid City. Tina Mulally spoke about owning rentals for twelve years in North Rapid. She stated our city has one of the highest crime rates in America. The police have a tough job, but she thinks they need to be more present. Ed Manzano would like the city to put up more surveillance cameras due to crime. He thinks Memorial Park needs more protection. April Spencer spoke regarding the violence in North Rapid and asked how it was going to be taken care of.

NON-PUBLIC HEARING ITEMS -- Items 4 – 27
Robert Schaff addressed the council and said he paid the assessment on his property at 604 Lemmon Ave to avoid the $100 late fee. He explained his situation and requested a refund of the clean-up amount due to the circumstances surrounding this clean-up. Judd Nielsen said he was there to answer any questions regarding the special event licenses for 2022 Summer Nights. Patty Brown asked about the qualifications for the affordable housing projects being offered by Rapid City Strategic Housing. She does not believe the people can afford these low-income houses because they cost too much.

CONSENT ITEMS – Items 4 – 26
The following items were removed from the Consent Items:

17. LF041322-07 – Approve Resolution No. 2022-028 a Resolution Levying Assessment for Abatement of Nuisances.
18. LF041322-08 – Approve Resolution No. 2022-036 a Resolution Levying Assessment for Abatement of Nuisances.
22. LF041322-11 – Authorize Mayor and Finance Director to Sign Agreement with Rapid City Strategic Housing Trust Fund/Black Hills Area Community Foundation to Outline the Conditions and Requirements Regarding an Award of Vision Funds in the amount of $5 million dollars.

23. CC041822-04.1 - Award bid total for Hot Mixed Asphaltic Concrete for various city departments opened on April 12, 2022 to the lowest responsible bidder, Western Construction, Inc. in the amount of $161,805.00.

Motion was made by Roberts, second by Lehmann and carried 10-0 to approve Consent Items 4-26 with the exception of 17, 18, 22 and 23.

Approve Minutes
4. Approve Minutes for the April 4, 2022 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (May 2, 2022)
5. Black Hills Provisions LLC, DBA Pack Mule, 100 Saint Joseph Street for a Package (off-sale) Liquor License TRANSFER from Tiki Holdings, LLC DBA Tiki Liquor, 615 E North Street
6. Rapid City Summer Nights, 2360 Deadwood Ave Unit P, for a SPECIAL EVENT on-sale malt beverage license for events scheduled for every Thursday between June 2 – Sept 1, 2022 at the 500 Block of 7th and the 600-700 Block of St. Joseph
7. Rapid City Summer Nights, 2360 Deadwood Ave, Unit P for a SPECIAL EVENT (on-sale) malt beverage license for the event for the Combat Vets Motorcycle Association scheduled for July 30, 2022 at the 500 Block of 7th Street and between Main Street and Saint Joseph Street
8. Rushmore German Club, 800 San Francisco Street for a SPECIAL EVENT (on-sale) malt beverage license for the Central States Fair scheduled for August 18-27, 2022.

Public Works Committee Consent Items
9. PW041222-01: Authorize staff to submit transit grant to FTA for FFY19 and FFY20 5339 Formula funds for capital assistance in the amount of $175,707. This grant will allow for RTS to replace two (2) ADA accessible paratransit vehicles at a cost ratio of 85/15.
10. PW041222-02: Authorize Staff to Advertise Bids for 2022 Street Patching, Project No. 22-2705 / CIP 50549.22A. Estimated Cost $170,000.
11. PW041222-03: Authorize the Public Works Director to Accept and Record Deeds for the Transfer of two (2) Drainage Properties Located in Homestead Subdivision Which Contain Regional Detention Facilities.

Legal and Finance Committee Consent Items
12. LF041322-04 – Authorize Staff to Purchase 4 Ford SUV Interceptors ($43,415.00) for a Total Amount of $173,660.00 from Lamb Motors in Onida, SD
13. LF041322-05 – Authorize Staff to Purchase 2 Ford Explorers ($28,947.00) for a Total Amount of $57,894.00 from McKie Ford in Rapid City, SD
14. LF041322-06 – Authorize Staff to Purchase a 2021 Chrysler Pacifica AWD for a Total amount of $42,000.00 from Liberty Superstores in Rapid City, SD
15. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Ricky Eckhart (RSVP+), Barry Furze (RSVP+), Sharon Herr (RSVP+), Darleen Plunkett (RSVP+)
16. LF041322-02 – Authorize Mayor and Finance Director to Sign Electric Cooperative Revenue Agreement for 2023.
19. LF041322-09 – Approve Consumption (not sale) of Alcohol on City Property by Approval of a Closed-Door Meeting on April 20, 2022 at Minneluzahan Senior Citizens Center, 315 N. 4th Street.
21. LF041322-01 – Approve Amendment to Agreement between the City of Rapid City and Pyrotechnic Display, Inc. for Annual Fireworks Displays to Transfer Rights and Duties to J&M Displays, Inc.
Bid Award Consent Items

24. CC041822-04.2 - Award bid total for Limestone Gravel for various city departments opened on April 12, 2022 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of $59,783.75.

25. CC041822-04.3 - Award bid total for Ready Mixed Concrete for various city departments opened on April 12, 2022 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of $90,050.00.

26. CC041822-04.4 - Continue the award of two new current model year tandem axle roll-off trucks with hook lift systems opened on April 12, 2022 to the May 2, 2022 City Council Meeting.

END OF CONSENT ITEMS

Mayor Allender read in item (LF041322-07) Approve Resolution No. 2022-028 a Resolution Levying Assessment for Abatement of Nuisances. Sumption stated the assessments for Jerry and Patti Houge; and Tyler Peterson, were paid. Motion was made by Lehmann, second by Jones to remove the two paid assessments from the assessment roll, approve all other property assessments. Motion carried 10-0.

RESOLUTION NO. 2022-028
RESOLUTION LEVYING ASSESSMENTS FOR
ABATEMENT OF NUISANCES

BE IT RESOLVED by the City Council of the City of Rapid City, South Dakota, as follows:

1. The City Council has made all investigations which it deems necessary and has found and determined that the condition of your property had constituted a nuisance. The City abated this nuisance. The cost of the abatement, including administrative costs, is the amount stated in the proposed Assessment Roll for Abatement of Nuisances.

2. The Assessment Roll for Abatement of Nuisances is hereby approved and assessments thereby specified are levied against each and every lot, piece, or parcel of land thereby described.

3. Such assessments, unless paid within thirty (30) days after the filing of the assessment roll in the Office of the Finance Officer, shall be certified as delinquent to the Pennington County Auditor and payable through the Pennington County Treasurer’s Office with the statutory interest rate.

Dated this 18th day of April, 2022.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

ASSESSMENT ROLL FOR
CLEANUP OF MISCELLANEOUS PROPERTY
Resolution 2022-028

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>Legal Description/Clean-up Address</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>Tax ID#</td>
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</tr>
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</table>
1. Daniel Balisco & Tamra Sime
   318 E Philadelphia St
   Rapid City, SD 57701
   PIN: 31097
   $370.00

2. Boyce and Amanda James
   Lot 33-34, Block 9, Nowlin & Wood
   425 2nd Ave N
   Greybull, WY 82426
   AND
   Estes Land Co
   24054 Palmer Gulch Rd
   Hill City, SD 57745
   PIN: 24789
   $1250.00

3. Helen Black Bear
   in Care of Julie Red Leaf
   630 Sitting Bull
   Rapid City, SD 57701
   PIN: 1631
   $2628.00

4. Leslie Green
   Lot 23-24, Block 9, Nowlin & Wood
   110 E College Ave
   Rapid City, SD 57701
   PIN: 27484
   $2250.00

5. Delores Killspotted
   Lot 19-20 Block 9, Nowlin & Wood
   104 E College Ave
   Rapid City, SD 57701
   PIN: 27482
   $1950.00

6. Stephanie Goldy
   Lot 20, Block 18, Schnasse Add
   PO Box 1557
   Rapid City, SD 57709
   PIN: 31098
   $1000.00

Mayor Allender read in item (LF041322-08) Approve Resolution No. 2022-036 a Resolution Levying Assessment for Abatement of Nuisances. Sumption stated the assessment for Satish Kumar and Jessica Lopez were paid. Motion was made by Lehmann, second by Evans to remove the two paid assessments from the assessment roll, approve all other property assessments. Motion carried 10-0.

RESOLUTION NO. 2022-036
RESOLUTION LEVYING ASSESSMENTS FOR
ABATEMENT OF NUISANCES

BE IT RESOLVED by the City Council of the City of Rapid City, South Dakota, as follows:
1. The City Council has made all investigations which it deems necessary and has found and determined that the condition of your property had constituted a nuisance. The City abated this nuisance. The cost of the abatement, including administrative costs, is the amount stated in the proposed Assessment Roll for Abatement of Nuisances.

2. The Assessment Roll for Abatement of Nuisances is hereby approved and assessments thereby specified are levied against each and every lot, piece, or parcel of land thereby described.

3. Such assessments, unless paid within thirty (30) days after the filing of the assessment roll in the Office of the Finance Officer, shall be certified as delinquent to the Pennington County Auditor and payable through the Pennington County Treasurer’s Office with the statutory interest rate.

Dated this 18th day of April, 2022.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

ASSESSMENT ROLL FOR
CLEANUP OF MISCELLANEOUS PROPERTY
Resolution 2022-036

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<td>1. Randahl and Denise</td>
<td>Lot 7-8, Block 14, North Rapid Add</td>
<td>$300.00</td>
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<tr>
<td>Jenson</td>
<td>817 Taylor Ave</td>
<td></td>
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<td>Rapid City, SD 57701</td>
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<td></td>
<td>PIN: 26967</td>
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<tr>
<td>2. First Light Properties LLC</td>
<td>E13’ of Lot 47 &amp; All of Lot 48, South Park Add</td>
<td>$600.00</td>
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<tr>
<td></td>
<td>1601 Mt. Rushmore Rd #3205</td>
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<td>3. David Schlinkert</td>
<td>Lot 17 &amp; W1/2 of Lot 15 Exc S79.1, Block 4, South Robbinsdale Add</td>
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<td>2516 Elm Ave</td>
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<td></td>
<td>PIN: 32609</td>
<td>$750.00</td>
</tr>
<tr>
<td>4. Gary and Paul Hermanson</td>
<td>Lot 1 &amp; E10’ of Lot 2, Block 2, West Boulevard Add</td>
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</table>
Mayor Allender read in item (LF041322-11) Authorize Mayor and Finance Director to Sign Agreement with Rapid City Strategic Housing Trust Fund/Black Hills Area Community Foundation to Outline the Conditions and Requirements Regarding an Award of Vision Funds in the amount of $5 million dollars. Motion was made by Salamun, second by Armstrong to approve. Salamun asked Liz Hamburg, Chief Executive Officer, to explain the project. This award was through Vision Funds. BH Area Community Foundation supports local community housing needs primarily through low interest loans and loan guarantees. Funds will be used for the middle to lower income households with primary focus on assisting the rental market with particular emphases on multi-family rental housing. She indicated their group also received funds from the Vucurevich Foundation. $200 million additional funds will be allocated and will be given out by the SD Housing Authority. Motion carried 10-0.

Mayor Allender read in item (CC041822-04.1) Award bid total for Hot Mixed Asphaltic Concrete for various city departments opened on April 12, 2022 to the lowest responsible bidder, Western Construction, Inc. in the amount of $161,805.00. Motion was made by Nordstrom, second by Roberts to approve. Nordstrom stated that some of the prices are coming in lower than the advertising authority, which is good. Motion carried 10-0.

**NON-CONSENT ITEMS** – Item 27

**Ordinances**

Mayor Allender read in item (LF041322-03) Approve the Introduction and First Reading of Ordinance No. 6463 an Ordinance to Revise the Regulations Relating to Alarm Monitoring Services by Amending Chapter 5.24 and Creating a New Chapter 5.26 of the Rapid City Municipal Code. Motion was made by Roberts, second by Lehmann to approve. Motion carried 10-0 that Ordinance 6463 be placed upon its first reading and title fully and distinctly read and the second reading was set for May 2, 2022.

**PUBLIC HEARING ITEMS** – Items 28 – 35

Regarding item (No. 21PD047) Joe Mailander, Michelle Gomez and Demoine Whitworth all spoke in favor of SDRC Terra Kennedy MHP 2, LLC. The company proposed to expand the mobile home park by 27 spaces for a total of 42 mobile homes and an office. Jay Schmit, Bruce Rook, Cody Champion, Steven Klutz and Dottie Kruthoff all spoke to the council in opposition of the mobile home park expansion. Reasons cited for opposition were: the current owner doesn’t take care of any clean-up; the property is in the flood plain; they don’t want to experience another tragedy like the 1972 Flood; residents had to live near a property selling drugs in that mobile home court; the owners and managers are from out of town and out of state and they don’t keep up the property.

**CONSENT PUBLIC HEARING ITEMS** – Items 28 – 29

**Alcohol Licenses**

28. Lifesavings, LLC DBA Autumn Hills Liquor, 5312 Sheridan Lake Rd, Suite 103, for a Package (off-sale) Liquor License TRANSFER from Fischers, Inc. DBA Autumn Hill Liquor, 5312 Sheridan Lake Road, Suite 103

29. Lifesavings, LLC DBA Autumn Hills Liquor II (Inactive), 5312 Sheridan Lake Rd, Suite 103, for a Package (off-sale) Liquor License TRANSFER from Fat Boys Inc. DBA Firehouse Brewing Co., 610 Main Street

Motion was made by Lehmann, second by Weifenbach and carried 10-0 to approve.

END OF CONSENT PUBLIC HEARING CALENDAR

**NON-CONSENT PUBLIC HEARING ITEMS** – Items 30 – 35
Mayor Allender read in item (No. 21CA001) A request to approve Resolution 2021-052 by KTM Design Solutions, Inc. for 605 Storage LLC for a Comprehensive Plan Amendment to the Major Street Plan for property generally described as being located at 3276 and 3300 Cambell Street. This item was continued from the March 21, 2022 City Council meeting. Motion was made by Weifenbach, second by Evans to continue to the June 20, 2022 City Council meeting. Motion carried 10-0.

Mayor Allender read in item (No. 22RZ001) Second Reading, Ordinance 6534, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc for Doeck, LLC for a Rezoning request from General Agricultural District to Low Density Residential District for property generally described as being located southwest of the existing terminus of Cobalt Drive. Having passed its first reading on April 4, 2022, motion was made by Lehmann, second by Strommen that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Strommen, Salamun, Jones, Lehmann, Evans, Armstrong, Weifenbach, Roberts and Drew; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6534 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 22RZ002) Second Reading, Ordinance 6535, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc for Doeck, LLC for a Rezoning request from General Agricultural District to Low Density Residential District for property generally described as being located southwest of the existing terminus of Cobalt Drive. Having passed its first reading on April 4, 2022, motion was made by Drew, second by Nordstrom that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Strommen, Salamun, Jones, Lehmann, Evans, Armstrong, Weifenbach, Roberts and Drew; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6535 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 21PD047) Appeal of Planning Commission’s Decision on a request by Joseph Mailander of Clearwell Engineering for SDRC Terra Kennedy MHP 2, LLC for an Initial Planned Development Overlay to allow the expansion of an existing mobile home park for property generally described as being located at 2412 S. Valley Drive. Motion was made by Jones, second by Evans to overturn the Planning Commission’s decision. Jones, Weifenbach, Roberts, and Evans all spoke against the expansion. They don’t think the minimum standards have been met for the current mobile home park. They don’t agree with the expansion being in the floodplain. This project is multi-layered, people and streets matter. There is no floodway study because the property is in the floodplain and not the floodway. Drew and Nordstrom, think the developers have done the work to make this a good development. Motion carried 8-2 to overturn the Planning Commission’s decision with Drew and Nordstrom voting no.

Mayor Allender read in item (No. 22VR001) Approve Resolution 2022-026 - A request by Renner Associates, LLC for Shiny and Dry Rapid City Eglin, LLC for a Vacation of Right-of-Way for property generally described as being located between 716 Eglin Street and 1630 Pine Street. Motion was made by Roberts, second by Lehmann and carried 10-0 to approve.

Resolution 2022 - 026
RESOLUTION OF VACATION OF RIGHT-OF-WAY

WHEREAS, it appears that the right-of-way of Luna Avenue and Spruce Street located in the NW1/4 of the SE1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being the Luna Avenue right-of-way located east of Pine Street and the Spruce Street right-of-way located north of Eglin Street, is not needed for public purposes; and

WHEREAS, the owner(s) of property adjacent to the above-described right-of-way desires said public right-of-way to be vacated and released.
NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the public right-of-way heretofore described, and as shown on Exhibit "A", (at the City Finance Office), and incorporated herein, is hereby vacated.

BE IT FURTHER RESOLVED, that the Mayor and Finance Director are hereby authorized to execute a release of public right-of-way in regard thereto.

Dated this 18th day of April, 2022.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

Mayor Allender read in item (No. 22VR002) Approve Resolution 2022-027 - A request by Renner Associates, LLC for Shiny and Dry Rapid City Eglin, LLC for a Vacation of Right-of-Way for property generally described as being located between 716 Eglin Street and 1630 Pine Street. Motion was made by Roberts, second by Lehmann and carried 10-0 to approve.

Resolution 2022-027
Resolution of Vacation of Right-of-Way

WHEREAS, it appears that the alley right-of-way lying adjacent to Lot L and Lot M of the NW1/4 of the SE1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being the alley right-of-way lying between Pine Street and Spruce Street, is not needed for public purposes; and

WHEREAS, the owner(s) of property adjacent to the above-described right-of-way desires said public right-of-way to be vacated and released.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the public right-of-way heretofore described, and as shown on Exhibit "A", (at the City Finance Office), and incorporated herein, is hereby vacated.

BE IT FURTHER RESOLVED, that the Mayor and Finance Director are hereby authorized to execute a release of public right-of-way in regard thereto.

Dated this 18th day of April, 2022.

CITY OF RAPID CITY
s/Steve Allender
Mayor

ATTEST:
s/Pauline Sumption
Finance Director
(SEAL)

BILLS
BILL LIST - APRIL 18, 2022

P/ROLL PERIOD END 03/26/22, PD 04/01/22 2,236,697.93
Sumption presented the bill list of $8,148,973.13. Motion was made by Salamun, second by Jones and carried to authorize (No. CC041822-01) the Finance Director to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Motion carried 10-0.

**ADJOURN**

There being no further business to come before the Council at this time, motion was made by Lehmann, second by Jones and carried to adjourn the meeting at 8:26 p.m.

Dated this 18th day of April, 2022.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

Published at the approximate cost: ______________