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, June 6, 2022, at 6:30 P.M.

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

Staff members present included: Deputy City Attorney Kinsley Groote, Assistant Police Chief Scott Sitts, 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, Communications Coordinator Darrell Shoemaker, and Administrative Coordinator Heidi Weaver.

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

SPECIAL GUEST SPEAKER
Mayor Don Barnett spoke on the 50th Anniversary of the 1972 Flood. He also spoke on elections and supporting each during this time.

GENERAL PUBLIC COMMENT
Michael Piegza spoke to the council regarding Kingsbury Associates. He indicated it was a meat packing plant that was looking to locate to Rapid City in 2023. He is opposed to this business locating here.

Chuck Henrie apologized to Rapid City Fire and Rapid City PD for speaking harshly about helping him during the incident he spoke of at the May 16, 2022 city council meeting. He understands they have protocol to follow. He spoke about circumstances during the 1972 Flood and helping people during that time.

NON-PUBLIC HEARING ITEMS -- Items 1 – 34
Chuck Henrie spoke on items 10-18. He doesn’t agree with waiving requirements for sidewalks for anyone. He has noticed more violence than usual. He’s glad to see more people helping the homeless.

CONSENT ITEMS – Items 1 – 30
The following items were removed from the Consent Items:

9. PW053122-07: Authorize Staff to Purchase 13 3rd Eye Positive Verification Camera Systems for Installation on the Solid Waste Collection Trucks from Northern Truck Equipment Corp. The price is $50,115.00 for product and installation and is a sole source/technology purchase.

14. LF060122-10 – Authorize Staff to Apply for and Accept if Awarded the FY22 Office of Justice Programs Community Based Violence Intervention and Prevention Initiative Grant in the Amount of $2,000,000

17. LF060122-11 – Authorize the Mayor and Finance Director to Sign Great Plains Co-Response Services Contract in the Amount of up to $114,000 in a Calendar Year
CITY COUNCIL  

JUNE 6, 2022

18. LF060122-12 – Authorize the Mayor and Finance Director to Sign Journey-On Co-Response Services Contract in the Amount of $113,360.00.

25. LF060122-16 – Approve to Allow City Council Members and their Beneficiaries to be Included on the City’s Health Insurance Plan

Motion was made by Weifenbach, second by Lehmann and carried 10-0 to approve Consent Items with the exception of 9, 14, 17, 18, and 25.

Approve Minutes
1. Approve Minutes for the May 16, 2022 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (June 20, 2022)
2. WR Hospitality LLC DBA Dakotah Steakhouse, 1325 N Elk Vale Rd, for a Retail (on-sale) Liquor License TRANSFER from Dakotah Steakhouse LLC DBA Dakotah Steakhouse, 1325 N Elk Vale Rd

Public Works Committee Consent Items
3. PW053122-01: Approve Change Order #2F to Precision Grading LLC for Perrine/Unnamed Tributary DBDP Phase 3 – East Saint Patrick Street Box Culvert, Project 18-2430 / CIP No. 51189.3, for a decrease of $12,255.27
4. PW053122-02: Approve Change Order #2 to Mainline Contracting Inc. for Elk Vale Lift Station Gravity Main & Force Main Upgrades, Project 18-2480 / CIP No. 507229, for an increase of $29,942.50
5. PW053122-03: Approve Change Order #2F to Lind-Exco Inc. for IGT Subdivision Improvements, Project 20-2632 / CIP No. 51306, for a decrease of $5,542.48
6. PW053122-04: Approve Change Order #1F to Prime Excavation LLC for Nebraska Street and Windslow Drive Storm Sewer Inlet, Project 21-2671 / CIP No. 51333, for a decrease of $1,373.11
7. PW053122-05: Authorize Staff to Advertise Bids for 5th Street Panel Repair Parkview to Minnesota, Project No. 22-2709 / CIP 50445.22B. Estimated Cost $640,000.
8. PW053122-06: Authorize Staff to Purchase a Software and Computer for the SCADA systems at the Mt. View and Jackson Springs Water Treatment Facilities from Dakota Pump in the amount of $49,825.77.
9. PW053122-08: Approve Request from Muth Holdings LCC for a variance to waive the requirement to install sidewalk along Country Road, Rapid City, per City Ordinance 12.08.060.
10. PW053122-09: Approve Request from TDG on behalf of owner Magic Canyon, LP for a variance to waive the requirement to install sidewalk along Industrial Avenue, per City Ordinance 12.08.060.
11. PW053122-10: Approve Request from Towey Design Group for a variance to waive the requirement to install sidewalk along Samco Road, Rapid City, per City Ordinance 12.08.060.
12. PW053122-11: Approve Request from Crane Properties LLC for a variance to waive the requirement to install sidewalk along Seger Dr. and Dyess Ave, Rapid City, per City Ordinance 12.08.060.

Legal and Finance Committee Consent Items
15. LF060122-13 – Authorize Staff to Apply for and Accept if Awarded the FY 22 COPS Recruiter Grant in the Amount of $106,450.00
16. LF060122-09 – Authorize the Mayor and Finance Director to Sign Agreement between the International Association of Fire Fighters Local 1040, and the City of Rapid City for the Period of January 1, 2023 through December 31, 2026
19. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Renee Bisgaard (RSVP+), John Kieffer (RSVP+), Todd Smith (RSVP+), Merna Schirber (RSVP+)
20. LF060122-01 – Approve Resolution No. 2022-048 a Resolution Declaring Miscellaneous Personal Property Surplus

Resolution #2022-048

RESOLUTION DECLARING MISCELLANEOUS PERSONAL PROPERTY SURPLUS

WHEREAS the below-described property is no longer necessary, useful or suitable for municipal purposes

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statutes:

From: Solid Waste MRF (7103)
For Deletion (Auction):
   (1) 2006 International Roll-Off Vin# 1HTWGAZR06J262913
   (2) CoCompost Agitators SN 001AGIT/002AGIT
   (1) S220 Bobcat Skidsteer A5GK35368

BE IT FURTHER RESOLVED that the Mayor and Finance Director may do all acts necessary to dispose of this property according to state law.

Dated this 6th day of June, 2022.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

21. LF060122-08 – Approve Request for Property Tax Abatements as follows: Rural America Initiatives (Tax ID 68003) 2019, $88,625.66; Rural America Initiatives (Tax ID 68003) 2020, $119,288.90; Rural America Initiatives (Tax ID 68003) 2021; [Total for City of Rapid City: $326,092.76].

22. LF060122-14 – Approve Request for Property Tax Abatements as follows: Dustan Gilyard (TAX ID 65397) 2021; $1579.18; James Cerone (TAX ID 59284) 2021; $939.74; Foothills Homes Inc. (TAX ID 8011696) 2020; $673.10; [Total for City of Rapid City: $3,192.02]

23. LF060122-02 – Approve Revised Youth City Council By-Laws.

24. LF060122-15 – Approve Expenditure Request from Youth City Council in the Amount of $150.00 to have a Table at the Pride in the Park Event being Held on July 10, 2022

**Community Development Consent Items**

25. LF060122-05 – Approve the FY21 CDBG Consolidated Annual Performance and Evaluation Report (CAPER)

26. LF060122-06 – Authorize the Mayor and Finance Director to Sign the Community Development Block Grant FY22 Application for Federal Assistance SF-424, SF424D, and Certifications

27. LF060122-07 – Authorize the Mayor and Finance Director to Sign the Professional Services Agreement for the Preparation of the U.S. Department of Housing and Urban Development (HUD) 2023-2027 CDBG Consolidated Plan, 2023 Annual Action Plan and Analysis of Impediments to Fair Housing Choice between the City of Rapid City and MSA Professional Services, Inc.

**Bid Award Consent Items**
28. CC060622-04.1 Continue the award of Enchantment Road PRV CP and Repair, Project No. 20-2590 / CIP No. 51261 opened on May 31, 2022 to the June 20, 2022 City Council Meeting.

29. CC060622-04.2 Authorize Mayor and Finance Director to Sign the Purchase Agreement between the City of Rapid City and Liberty Superstores to purchase Two (2) Three-Quarter Ton 4X4 Pickups in the amount of $94,240.00

END OF CONSENT ITEMS

Mayor Allender read in item (PW053122-07) Authorize Staff to Purchase 13 3rd Eye Positive Verification Camera Systems for Installation on the Solid Waste Collection Trucks from Northern Truck Equipment Corp. The price is $50,115.00 for product and installation and is a sole source/technology purchase. Weifenbach voiced his support for the purchase. Motion was made by Weifenbach, second by Roberts and carried 10-0 to approve.

Mayor Allender read in item (LF060122-10) Authorize Staff to Apply for and Accept if Awarded the FY22 Office of Justice Programs Community Based Violence Intervention and Prevention Initiative Grant in the Amount of $2,000,000. Salamun asked Asst. Police Chief Sitts about the grant. Sitts indicated there are no strings and no city match. This is for the addition of three people to the Journey On program. It is not for gun control or criminals/victims. Motion was made by Lehmann, second by Strommen to approve. Armstrong asked to abstain. Motion carried 9-0 with Armstrong abstaining.

Mayor Allender read in item (LF060122-11) Authorize the Mayor and Finance Director to Sign Great Plains Co-Response Services Contract in the Amount of up to $114,000 in a Calendar Year. Motion was made by Jones, second by Nordstrom to approve. Fire Chief Culberson said this is independent from Journey On. This service contract is designed to add a case manager from Great Plains Tribal Leader’s Health Board to work with Journey-On and co-response efforts in Rapid City. Armstrong asked to abstain. Motion carried 9-0 with Armstrong abstaining.

Mayor Allender read in item (LF060122-12) Authorize the Mayor and Finance Director to Sign Journey-On Co-Response Services Contract in the Amount of $113,360.00. Motion was made by Jones, second by Salamun to approve. This service contract is designed to add a Director of Operations for Journey-On to enhance co-response efforts in Rapid City. The contractor agrees to provide oversight and administration of team outreach activities. They agree to provide outreach, assessment, mentoring, case management, and transportation services to the houseless community throughout the city limits of Rapid City. Lehmann and Armstrong asked to abstain. Motion carried 8-0 with Lehmann and Armstrong abstaining.

Mayor Allender read in item (LF060122-16) Approve to Allow City Council Members and their Beneficiaries to be Included on the City’s Health Insurance Plan. Stroot said this benefit would start on July 1, 2022. The estimated cost for ten members would be approximately $105K annually. This has not been implemented before and not all members will be taking the benefits, so the number could be different. The benefit is optional. Armstrong voiced opposition. Motion was made by Salamun, second by Weifenbach to approve. Motion carried 9-1 with Armstrong voting no. Sumption asked for a funding source. Motion was made by Lehmann, second by Roberts to move money from the Council Contingency Fund to the Health Insurance line item within the Council’s organizational budget code. Armstrong said she doesn’t like that this is taking place in the middle of a budget. Mayor Allender said they would wait to see how many enroll and the cost of enrollment and transfer the needed funds when they know that number. This is for 2022. Next year for 2023, this item could be budgeted separately. Motion to approve funding source carried 9 to 1 with Armstrong voting no.

NON-CONSENT ITEMS – Items 31 – 34

Ordinances
Mayor Allender read in item (LF051122-08) Second Reading of Ordinance No. 6539, An Ordinance Amending Section 15.04.030 of the Rapid City Municipal Code Regarding the Authority of the Building Official. Having passed its first reading on May 16, 2022, motion was made by Drew, second by Roberts that the title be read the second time. Upon vote being taken, the following voted AYE: Weifenbach, Lewis, Drew, Nordstrom, Strommen, Evans, Lehmann, Armstrong, Salamun and Jones and; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6539 was declared duly passed upon its second reading.

**Legal and Finance Committee Items**
Mayor Allender read in item (LF051122-13) Authorize Staff to Negotiate with Gallagher Consulting to Enter into an Agreement for a Non-Union Compensation Study, to be Completed in 2022 (continued from the May 11, 2022 Legal and Finance Meeting). Motion was made by Salamun, second by Jones to approve. Stroot said this is a 6-9-month process. Gallagher expects the study to be completed by November 2022. Gallagher comes up with a pay scale and it’s up to the council to examine and adopt if they want. City Directors have talked about rotating the wage study between the four different unions with no wage study being done every fifth year. That was just an idea the Directors talked about. Nordstrom said the wage is not about an individual, it’s about the position. Motion carried 10-0.

**Community Development Items**
Mayor Allender read in item (No. 22PL047) A request by Baseline Surveying for Gordon Howie for a Preliminary Subdivision Plan for proposed Lots 4, 5 and Drainage Lot 1 of Block 22 of Trailwood Village, generally described as being located northwest of the intersection of Long View Road and Reservoir Road. Motion was made by Lehmann, second by Jones and carried 10-0 to approve with the following stipulations: 1. Upon submittal of a Final Plat application, the 20-foot wide pedestrian access easement label on the plat document shall be revised to read, “20-foot wide Pedestrian Access Easement for the Residents of the Planned Unit Development to Access Turtle Pond this Plat.”; and, 2. Upon submittal of a Final Plat application, the approved Declaration for Maintenance of Drainage Easement for Drainage Lot 1 of Trailwood Village shall be submitted for recording.

**Alcoholic Beverage License Renewals for 2022-2023**
Mayor Allender read in item (CC060622-02.1) Approve the attached list of 2022-2023 alcohol renewals per verification through Rapid City Police Department and Rapid City Fire Department. Motion was made by Weifenbach, second by Jones to approve. Motion carried 10-0.

**PUBLIC HEARING ITEMS** – Items 35 – 40
**CONSENT PUBLIC HEARING ITEMS** – Item 35 – 38

**Alcohol Licenses**
35. Seed Studios LLC DBA Seed Studios, 406 5th Street, Suite 500, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License TRANSFER from Charles Moore & Stephen Briggs, DBA Seed Studios, 412 5th Street
36. X Golf Rapid City, LLC DBA X Golf Rapid City, LLC, 2200 North Maple, for a Retail (on-sale) Liquor License TRANSFER from B&B Kelley, LLC DBA Poker Joe’s, 211 Cambell Street
37. Storybook Island Inc., 1301 Sheridan Lake Rd for a SPECIAL EVENT (on-sale) malt beverage license and a (on-sale) wine license for an event scheduled for June 25, 2022

**Other Items Requiring Public Hearings**
38. Mayor Allender read in item (LF060122-03) Authorize Mayor and Finance Director to Sign Resolution No. 2022-043 a Resolution to Enter into a Concessionaire Agreement with Canyon Lake Resort.

RESOLUTION NO. 2022-043
A RESOLUTION TO ENTER INTO A CONCESSIONAIRE AGREEMENT WITH CANYON LAKE RESORT
BE IT RESOLVED by the City Council that the City of Rapid City authorizes the Mayor and Finance Director to sign the Canyon Lake Resort Concession Agreement and any other necessary documentation involving entering into a concessionaire agreement with Derby Advertising, Inc. dba Canyon Lake Resort for real property that is located at 2610 Chapel Valley Road, Rapid City, South Dakota, and legally described as follows:

A portion of Tract 1-2 and Lot A-B of Tract 3, Rapid City Greenway Tract, Rapid City, Pennington County, South Dakota

which property generally consists of a boat launch, upon the terms and conditions as reflected in the Canyon Lake Resort Concession Agreement between the City of Rapid City and Derby Advertising, Inc. dba Canyon Lake Resort.

Dated this 6th day of June, 2022. CITY OF RAPID CITY

s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

Motion was made by Evans, second by Lehmann to approve items 35-38. Motion carried 10-0.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 39-40
Mayor Allender read in item (No. 22RZ004) Second Reading, Ordinance 6537, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Historic Rapid City for a Rezoning request from Medium Density Residential District to General Commercial District for property generally described as being located at 727 South Street. Having passed its second reading on June 6, 2022, motion was made by Drew, second by Evans that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Strommen, Salamun, Jones, Lehmann, Evans, Weifenbach, Armstrong, Roberts and Drew; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6537 was declared duly passed upon its second reading.

Mayor Allender read in item (No. 22RZ005) Second Reading, Ordinance 6538, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Stoneridge LLC for a Rezoning request from Low Density Residential District I to General Commercial District for property generally described as being located southeast of the intersection of 5th Street and Enchanted Pines Drive. Having passed its second reading on June 6, 2022, motion was made by Drew, second by Evans that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Strommen, Salamun, Jones, Lehmann, Evans, Weifenbach, Armstrong, Roberts and Drew; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6538 was declared duly passed upon its second reading.

BILLS
BILL LIST - JUNE 6, 2022

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Sumption presented the bill list of $14,340,625.35. Motion was made by Salamun, second by Lehmann and carried to authorize (No. CC060622-01) the Finance Director to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Motion carried 10-0.

Mayor Allender reminded the public that Tuesday, June 7, 2022, was Election Day. He encouraged everyone to vote.

**ADJOURN**

There being no further business to come before the Council at this time, motion was made by Lehmann, second by Roberts and carried to adjourn the meeting at 7:38 p.m.

Dated this 6th day of June, 2022.

CITY OF RAPID CITY

s/ Steve Allender

Mayor

ATTEST:

s/ Pauline Sumption

Finance Director

(SEAL)

Published at the approximate cost: ______________