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 20, 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, and Lance Lehmann; the following were absent: John Roberts; the following Alderpersons arrived during the course of the meeting: Darla Drew.

Staff members present included: City Attorney Joel Landeen, 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, Human Resources Director Nick Stroot, Airport Executive Director Patrick Dame, Code Enforcement Division Supervisor Matt Owczarek, Communications Coordinator Darrell Shoemaker, and Administrative Coordinator Heidi Weaver.

ADOPTION OF AGENDA
Motion was made by Jones, second by Lehmann and carried 8-0 to approve. Drew arrived at 6:39 p.m.

PRESENTATION
The Journey Museum Director Troy Kilpatrick, Updated the Council on The Journey Museum and Shoebox Project. He was very satisfied with how the commemoration committee did. He thanked Shoemaker for all of his efforts concerning the events. Kilpatrick will look into more funding options for future projects. There are bus tours at the Journey. Kilpatrick said bus tours are running. They can accommodate approximately 350 groups, which can average up to 48 people

The Annual Bridge Inspection Program Report Presentation by Bruce Wilsey and Spencer Dockter from Brosz Engineering. They inspected 31 structures and reported a summary of all recommended repairs and/or upgrades through the Bridge Inspection Report, Report Summary and Significant Findings documentation. There are seven structures that need repair or rehabilitation: Idlehurst Lane (.8 miles SW Canyon Lake Dam), San Marco Blvd (.1 miles S JCT S. Canyon Road and San Marco Blvd), Chapel Lane (.2 miles, south of its intersection with SD44), Tomahawk Drive (175’ SW of intersection with Country Club Dr), Summerset Drive (50’E Sheridan Lake Road), Eighth Street (.1-mile N junction Omaha and 8th Street) and Creek Drive (.4 miles S JCT St Patrick St and Creek Drive). A critical finding was submitted to SDDOT on the San Marco Blvd structure due to the continued deterioration. This structure was awarded a 2020 Federal Grant for replacement of this structure. The San Marco Bridge is the only one that gets a yearly check. The Chapel Lane structure was awarded a 2022 BIG Preliminary Engineering Grant through the SDDOT. Tech stated that the priority regarding bridge repair comes down to condition, traffic and location. Tech will prioritize structure repair based on the significant findings report.

GENERAL PUBLIC COMMENT
Councilman Jones expressed concern about graffiti tagging. He encouraged citizens to call the police department when they see it. The community needs to take an active role to fix this problem. Colleen Ragan spoke to the council. She lives in Ward Two and is a small business owner. She does not approve of the health insurance for the council. Free health insurance is not a way to get people to run for office. She thinks their decision was self-serving.

NON-PUBLIC HEARING ITEMS -- Items 3 – 47
Ted Standing Soldier spoke on item 19 (LF061522-04) and said he it was unclear as to what he was supposed to clean up. He was charged $575 and thought that was very high. He'd like the council to consider lowering the amount.

**CONSENT ITEMS** – Items 3 – 38
The following items were removed from the Consent Items:

19. LF061522-04 – Approve Resolution No. 2022-041 a Resolution Levying Assessment for Abatement of Nuisances

Motion was made by Lehmann, second by Weifenbach and carried 9-0 to approve Consent Items with the exception of item 19.

**Approve Minutes**
3. Approve Minutes for the June 6, 2022 Regular Council meeting and approve the minutes from the June 14, 2022 Special Council meeting.

**Alcoholic Beverage License Applications Set for Hearing (Tuesday, July 5, 2022)**
4. China Star Buffet LLC DBA China Star Buffet, 927 E North Street for a Retail (on-off sale) Malt Beverage and SD Farm Wine License TRANSFER from Rapid 168 Inc. DBA Hong Kong Buffet, 927 E North Street
5. Performing Arts Center of Rapid City Inc., 601 Columbus Street, for a SPECIAL EVENT on-sale malt beverage license; an on-sale wine license; an off-sale package wine dealer license; and an off-sale package dealer license for an event scheduled for July 23, 2022 at Canyon Lake Resort located at 2720 Chapel Lane
6. Elevate Rapid City, 18 E Main Street, for a SPECIAL EVENT on-sale malt beverage license and an on-sale wine license for an event scheduled for August 9, 2022 at First Interstate Bank, 333 West Blvd Suite 100; and an event scheduled for September 13, 2022 at MARC – Dale Aviation, 3900 Airport Road

**Public Works Committee Consent Items**
7. PW061422-01: Approve Change Order #4 to Simon Contractors of SD Inc. for 12th Street Reconstruction – West Main to Fulton Street, Project 19-2499 / CIP No. 50927, for an increase of $59,404.87
8. PW061422-02: Approve Change Order #1F to Western Construction Inc. for Pavement Rehabilitation Project – Creek Drive, Project 20-2627 / CIP No. 50844, for an increase of $120,431.85
9. PW061422-04: Approve Change Order #1 to Prime Excavation LLC, 2021 Fire Hydrant Installation Annual Project, Project 21-2645 / CIP No. 50808, for an increase of $1,489.94
10. PW061422-05: Approve Change Order #1 to Western Construction, Tower Road Stabilization Project – Road Reconstruction Phase, Project 19-2537 / CIP No. 51254, for a decrease of $3,125.80
11. PW061422-06: Approve Authorization for Staff to Seek Proposals for Engineering Services for Red Rock Canyon Drainage Basin Design Plan (DBDP) Update, Project No. 22-2711 / CIP No. 51183
12. PW061422-09: Award contract for farming at the Water Reclamation Remediation Site to highest bidder, Grandview LLC (Dan Lewis) for $19,950.00 per year to the City of Rapid City
13. PW061422-03: Approve Change Order 3F to Mainline Contracting Inc. for Una Del Drive Reconstruction, Project 19-2505 / CIP No. 50914, for a decrease of $205.00

**Legal and Finance Committee Consent Items**
14. LF061522-07 – Authorize City of Rapid City Employees to Receive an Additional Cost of Living Adjustment (COLA) in July of 2022 to Account for Unusually High Inflation Rates.
15. LF061522-06 – Authorize Staff to Apply for and Accept Continuation of Funding/Bureau of Land Management’s Community Assistance Program for a Minimum of $125,000.00 for 2022, and an Equal or Greater Amount in the Subsequent Four Years for a Total of up to $1,000,000.00.

16. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Stephanie Kirchmeier (Library), Mary Ann fisher (RSVP+), Gail Rentz (RSVP+).

17. LF061522-02 – Acknowledge April 2022 General Fund Cash Balance Report

18. LF061522-03 – Acknowledge April 2022 Sales Tax Report

19. LF061522-08 – Deny the Request from Josh Amundson to Waive Clean Up Assessment Fees at 327 Crestwood Drive.

CIP Committee Consent Items

21. No. CIP061722-01 - Approve CIP Minutes for May 20, 2022

22. No. CIP061722-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, Summary)

23. No. CIP061722-04 – Approve Capital Plan for Fire Vehicles

24. No. CIP061722-05 – Approve Capital Plan for Parks & Recreation

25. No. CIP061722-06 – Approve Capital Plan for Information Technology


27. No. CIP061722-02 – Approve Capital Plan for PW Infrastructure

28. No. CIP052022-03 – Approve 2023-2027 Five Year Government Facilities Plan

29. LF06122-04 – Acknowledge Discussion on adjusting some of the Vision Funds toward increasing infrastructure funding – Jason Salamun

Community Development Consent Items

30. 22TP005 – Approve the 2021 Population Estimate.

31. LF061522-05 – Approve Preliminary FY20 CDBG-CV Reallocation Funding

Bid Award Consent Items

32. CC060622-04.1 - Reject all bids for Enchantment Road PRV CP and Repair, Project No. 20-2590 / CIP No. 51261 opened on May 31, 2022. (This item was continued from the June 6, 2022 City Council Meeting.)

33. CC062022-04.1 - Approve award of total bid for Miscellaneous Improvements Projects, Facility Type and Fencing Improvements, Project No. 20-2608 / CIP No. 51132.4 opened on June 7, 2022 to the lowest responsible bidder, PKG Contracting, Inc. in the amount of $7,358,312.00.

34. CC062022-04.2 - Approve award of total bid for 2022 Chip Seal, Project No. 22-2706 / CIP No. 50549.22B opened on June 14, 2022 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of $198,934.25.

35. CC062022-04.3 - Approve award of total bid for Adams Street Water Main – West Blvd North Through Allen Ave., Project No. 19-2530 / CIP No. 50960 opened on June 14, 2022 to the lowest responsible bidder, Underground Construction, LLC in the amount of $990,995.00.

36. CC062022-04.4 - Approve award of total bid for Adams Street Water Main – West Blvd North Through Allen Ave., Project No. 19-2530 / CIP No. 50960 opened on June 14, 2022 to the lowest responsible bidder, Underground Construction, LLC in the amount of $990,995.00.

37. CC062022-04.5 – Continue the award of one new current model year 1 ½ ton 4x4 diesel pickup trucks with and without utility body. PW042622-10 opened on June 14, 2022 to the July 5, 2022 City Council Meeting.

38. CC062022-04.6 - Award bid for Farming at the Water Reclamation Facility Site to highest bidder, Chris Wells and direct staff to enter into an agreement for farming rights.

38A. CC062022-04.7 - No bids were received for Spring Brook Acres Water Main & PRV Abandonment, Project No. 21-2643 / CIP No. 51262 opened on June 14, 2022. Staff recommends re-bidding this project late this summer with revisions to construction schedule requirements.
Mayor Allender read in item (LF061522-04) Approve Resolution No. 2022-041 a Resolution Levyng Assessment for Abatement of Nuisances. Fisher went over the charges on the invoice. Sumption spoke with the owner and he asked that the $100 stay off his account until he could talk to the council. Both Sumption and Fisher went over the process of nuisance abatements with the council. Several council members thought the charge of $575 was high. Motion was made by Armstrong, second by Weifenbach to waive the $50 administrative fee and the $100 late fee. The total would be $525. Evans said this was ridiculously high and it seems like a form of bullying. Substitute motion was made by Drew, second by Evans to lower the entire invoice from $575 to a total of $200. Mr. Standing Soldier said he was unclear as to what code enforcement wanted him to clean up. He picked up tree limbs and trash but did not consider lumber or concrete to be trash. He was going to use the lumber to make a tree house for his sons. Sumption stated that the city has already paid for this clean up. She sympathized with the owner but stated this has to be paid in some way, otherwise the tax payer’s foot the bill. Fisher stated that Code Enforcement works with people to extend the date if they need more time to pay. Salamun asked Owczarek what the normal steps are on the code enforcement side. Weifenbach called point of order. Strommen thinks the notice should be more specific. Mayor Allender received a message from Sumption that it’s possible that his assessment be pulled off the roll and the city can do a separate agreement with him. Sumption verified the remaining balance of the original invoice, would come out of the General Fund. Motion carried 5-4 with Evans, Drew, Weifenbach, Strommen and Armstrong voting aye; and Jones, Lehmann, Salamun and Nordstrom voting no. Motion was made by Drew, second by Nordstrom to approve resolution as amended. Motion carried 8-1 with Jones voting no.

RESOLUTION NO. 2022-041
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 20th day of June, 2022.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

ASSESSMENT ROLL FOR
CLEANUP OF MISCELLANEOUS PROPERTY
Resolution 2022-041
CITY COUNCIL

JUNE 20, 2022

<table>
<thead>
<tr>
<th>Property Owner</th>
<th>Legal Description/Clean-up Address</th>
<th>Assessment</th>
</tr>
</thead>
<tbody>
<tr>
<td>Theodore J Standing Soldier</td>
<td>Lot 23-24, Block 24, South Blvd Add 624 Indian St</td>
<td>$200.00</td>
</tr>
<tr>
<td>Rapid City, SD 57701</td>
<td>624 Indiana St</td>
<td>PIN: 31877</td>
</tr>
<tr>
<td>Kenneth R Scheer</td>
<td>Lot 15-17, Block 9, Millard Add 915 Willisie Ave</td>
<td>$775.00</td>
</tr>
<tr>
<td>Rapid City, SD 57701</td>
<td>915 Willisie Ave</td>
<td>PIN: 25863</td>
</tr>
<tr>
<td>Ann Prairie Chicken</td>
<td>Lot 9-10, Block 27, North Rapid Add 715 Holcomb Ave</td>
<td>$525.00</td>
</tr>
<tr>
<td>Rapid City, SD 57701</td>
<td>715 Holcomb Ave</td>
<td>PIN: 27152</td>
</tr>
<tr>
<td>John Amundson</td>
<td>Lot 13, Blk 4, Knollwood Heights #2 327 Crestwood Dr</td>
<td>$425.00</td>
</tr>
<tr>
<td>Rapid City, SD 57701</td>
<td>327 Crestwood Dr</td>
<td>PIN: 24712</td>
</tr>
<tr>
<td>David and Brenda Rohrer</td>
<td>Lot 18, Block, Melody Acres #2 4805 Cactus Drive</td>
<td>$1140.00</td>
</tr>
<tr>
<td>Rapid City, SD 57701</td>
<td>2803 Cactus Drive</td>
<td>PIN: 6185</td>
</tr>
<tr>
<td>David Schlinkert</td>
<td>Lot 17 &amp; W1/2 of Lot 15 EXC S79.1’ 2516 Elm Ave</td>
<td>$1125.00</td>
</tr>
<tr>
<td>Rapid City, SD 57701</td>
<td>Block 4, South Robbinsdale Add 2516 Elm Ave</td>
<td>PIN: 32609</td>
</tr>
</tbody>
</table>

Mark Millar submitted his speaker request form late. Council allowed him to speak on item 14 (LF061522-07). He asked if Civic Center employees would receive the additional cost of living raise since they work for the city. Mayor Allender confirmed those employees would receive it.

NON-CONSENT ITEMS – Items 39 – 47

Ordinances
Mayor Allender read in item (No. 22RZ007) First Reading, Ordinance 6540, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc for Muth Holdings, LLC for a Rezoning request from Low Density Residential District II to Medium Density Residential District for property generally described as being located north of Catron Boulevard between Wellington Drive and Tartan Court. Motion was made by Salamun, second by Jones to approve. Motion carried 9-0 that Ordinance 6540 be placed upon its first reading and title was fully and distinctly read and the second reading set for July 5, 2022.
Mayor Allender read in item (No. 22RZ008) First Reading, Ordinance 6541, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, A request by Aaron Shaw for a Rezone request from General Commercial District to Medium Density Residential District for property generally described as being located at 731 Franklin Street. Motion was made by Jones, second by Lehmann to approve. Motion carried 9-0 that Ordinance 654 be placed upon its first reading and title was fully and distinctly read and the second reading set for July 5, 2022.

Mayor Allender read in item (LF061522-01) First Reading of Ordinance No. 6542 Regarding Supplemental Appropriation #2 for 2022. Motion was made by Drew, second by Lehmann to approve. Motion carried 9-0 that Ordinance 6542 be placed upon its first reading and title was fully and distinctly read and the second reading set for July 5, 2022.

Public Works Committee Items
Mayor Allender read in item (PW061422-07) Authorize Staff to Advertise for Bids Fire Station #1 Improvements, Project 2612 / CIP No. 51310. Motion was made by Salamun, second by Jones to approve. Evans wants council to review all major projects including blueprints and plans. Nordstrom said this would delay projects tremendously. Weifenbach stated he went over the plans with Fire Chief Culberson in depth and no changes have been made. Motion carried 9-0.

Community Development Items
Mayor Allender read in item (No. 22PL050) A request by Renner Associates, LLC for Larry Teuber for a Preliminary Subdivision Plan for proposed Lots 1RA, Lot 1RB and Lot 4R of Spring Canyon Estates generally described as being located northwest of the intersection of Clarkson Road and Pioneer Circle and south of the intersection of Pathfinder Place and Pioneer Circle. Motion was made by Drew, second by Lehmann to approve 8-0 with Strommen abstaining. Approve with the following stipulations: 1. Prior to submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure that fire suppression systems are installed in any new residential structures or expansions to the existing residence that results in the expansion of the fire flow calculation area as defined by the International Fire Code. The system design and installation shall meet the system requirements of NFPA 13, 13R and 13D, as applicable. In addition, a signed copy of the executed agreement shall be submitted with the Final Plat application; 2. Prior to submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City to ensure that exterior building construction materials, building separations and landscaping provisions are in conformance with the best practices established by the Rapid City Fire Department Survivable Space Initiative. In addition, a signed copy of the executed agreement shall be submitted with the Final Plat application; 3. Prior to submittal of a Final Plat application, the applicant shall enter into a Wild Fire Mitigation Plan for the property. In addition, a signed copy of the approved plan shall be submitted with the Final Plat application; and, 4. Upon submittal of a Final Plat application, all necessary easements shall be shown on the plat document.

Mayor Allender read in item (No. 22PL053) A request by KTM Design Solutions, Inc for BH Capital, LLC for a Preliminary Subdivision Plan for proposed Lots 2-11 of Block 2, Lots 1 thru 25 of Block 3, Lots 2 thru 48 of Block 4, Lots 17 thru 36 of Block 5, Lots 3 thru 18 of Block 9, Drainage Lot of Shepherd Hills South Subdivision generally described as being located north of E. Anamosa Street, south of E. Philadelphia Street. Motion was made by Jones, second by Drew and approved 9-0 with the following stipulations: 1. Prior to submittal of a Development Engineering Plan application, the Preliminary Subdivision Plan shall be revised to show the proposed greenway/walking paths as shown on the Master Plan or the Master Plan shall be revised removing these features; 2. Prior to submittal of a Development Engineering Plan application, the Phasing Plan shall be revised to show the proposed development as Phases 2 through 5 instead of Phases 1 through 4 since Phase 1 of this subdivision currently exists; 3. Prior to submittal of a Development Engineering Plan application, the plat document shall be revised to show Aaron Court as Aaron Street since “Court” is reserved for cul-de-sac streets; 4. Prior to submittal of a Development Engineering Plan application, the Phasing Plan shall be revised to show the drainage lot
located between Phases 2 and 3 and Lot 18, Block 9 as a part of Phase 2 since these properties are needed to convey drainage for Phase 2. In addition, the plat document shall be revised to show Lot 18, Block 9 as a “Drainage Lot” to ensure the use of the property; 5. Upon submittal of a Development Engineering Plan application, construction plans for N. Valley Drive shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a collector street or shall meet criteria for obtaining an Exception. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 6. Upon submittal of a Development Engineering Plan application, construction plans for Isaac Street shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a local street or shall meet criteria for obtaining an Exception. In addition, the plat document shall be revised to show the dedication of an additional 10 feet of right-of-way the first 200 feet as the street extends north from E. Anamosa Street or shall meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application; 7. Upon submittal of a Development Engineering Plan application, construction plans for Anita Court and Miriam Court shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a local street and shall include a cul-de-sac at the terminus of the street(s) in compliance with Section 2.13 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application; 8. Upon submittal of a Development Engineering Plan application, construction plans for Rebecca Street, Aaron Street and Noah Street shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a local street or shall meet criteria for obtaining an Exception. If Exception(s) are obtained, a copy of the approved document(s) shall be submitted with the Development Engineering Plan application; 9. Upon submittal of a Development Engineering Plan application, the plat document shall show the vacation of the section line highway or the lot layout shall be revised to ensure building envelopes on all of the lots impacted by the section line highway. In addition, construction plans showing the relocation of the overhead power line extending through proposed Lot 21, Block 3 and Lot 14, Block 9, Block 9 shall be submitted to ensure building envelopes on these lots or the lots shall be reconfigured to provide adequate building envelopes; 10. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval; 11. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 12. Prior to approval of the Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) required for construction approval shall be accepted and agreements required for construction approval shall be executed pursuant to Chapter 1.15 of the Infrastructure Design Criteria Manual. In addition, permits required for construction shall be approved and issued and construction plans shall be accepted in accordance with the Infrastructure Design Criteria Manual. All final engineering reports shall be signed and sealed by a Professional Engineer and contain a Certification Statement of Conformance with City Standards, as required by the Infrastructure Design Criteria Manual; 13. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured; 14. Prior to approval of the Development Engineering Plan application, any necessary off-site easements shall be recorded; 15. Prior to submittal of a Final Plat application, the portion of the property zoned General Commercial District shall be rezoned to Medium Density Residential District; 16. Prior to submittal of a Final Plat application, downstream detention ponds located southwest and southeast of the subject property shall be constructed and accepted in order to accommodate drainage from this phase of the development; 17. Prior to submittal of a Final Plat application, the right-of-way for Isaac Street and E. Anamosa Street located outside of the boundaries of this plat shall be dedicated or included on the plat document for Phase 2; 18. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of any proposed drainage elements created with the proposed development. In addition, Major Drainage Easements shall be dedicated for all drainage improvements; 19. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; and, 20.
Prior to the City’s acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

**Alcoholic Beverage License Renewals for 2022-023**
Mayor Allender read in item (CC062022-02.1) 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 Jones, second by Nordstrom to carry and approve 9-0.

**Staff Items**
Mayor Allender read in item (CC062022-02.1) Approve Resolution No. 2022-056 A Resolution Authorizing Mayor and Finance Director to Sign Corrected Resolution No. 2022-026; and read in item (CC062022-02.2) Approve Resolution No. 2022-057 A Resolution Authorizing Mayor and Finance Director to Sign Corrected Resolution No. 2022-027. Motion was made by Nordstrom, second by Evans and carried 9-0 to approve all four resolutions.

**RESOLUTION NO. 2022-056**
**RESOLUTION AUTHORIZING MAYOR AND FINANCE DIRECTOR TO SIGN CORRECTED RESOLUTION NO. 2022-026**

WHEREAS, on April 18, 2022 the City Council approved item Resolution No. 2022-026 A request by Renner Associations, 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; and

WHEREAS, Resolution No. 2022-026 described the right-of-way to be vacated as “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”; and

WHEREAS, Resolution No. 2022-026 was approved by the Council, was published in its entirety on April 30, 2022, in accordance with SDCL 9-19-8, and was therefore effective on May 20, 2022, pursuant to SDCL 9-19-13;

WHEREAS, Resolution No. 2022-026 was effective to vacate the right-of-way; and

WHEREAS, after Resolution No. 2022-026 was approved by the City Council but before the resolution was recorded at the Pennington County Register of Deeds, property adjacent to the right-of-way was platted; and

WHEREAS, the Pennington County Register of Deeds requires an accurate legal description for the Resolution that reflects the newly-platted property in order to correctly describe the vacated right-of-way; and

WHEREAS, the correct and accurate legal description for the right-of-way to be vacated is “the right-of-way of Luna Avenue and Spruce Street laying in Lots 1 and 2 of Shiny Subdivision and laying adjacent to Lot B of Tract 1 of Flack Hendricksen Subdivision and adjacent to N1/2 of SE1/4 laying south of I-90 right-of-way, 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”; and

WHEREAS, the Common Council wishes to approve the language of Resolution No. 2022-026 with the updated, correct legal description.
NOW, THEREFORE, BE IT RESOLVED that the Common Council authorizes the Mayor and Finance Director to sign the Corrected Resolution 2022-026 as follows:

Corrected Resolution No. 2022 - 026

STATE OF SOUTH DAKOTA    )
COUNTY OF PENNINGTON     ) ss.

WHEREAS, it appears that the right-of-way of Luna Avenue and Spruce Street laying in Lots 1 and 2 of Shiny Subdivision and laying adjacent to Lot B of Tract 1 of Flack Hendricksen Subdivision and adjacent to N1/2 of SE1/4 laying south of I-90 right-of-way, 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", attached hereto, 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 20th day of June, 2022.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

RESOLUTION NO. 2022-057
RESOLUTION AUTHORIZING MAYOR AND FINANCE DIRECTOR
TO SIGN CORRECTED RESOLUTION NO. 2022-027

WHEREAS, on April 18, 2022 the City Council approved item Resolution No. 2022-027 A request by Renner Associations, 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; and

WHEREAS, Resolution No. 2022-027 described the right-of-way to be vacated as “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”; and

WHEREAS, Resolution No. 2022-027 was approved by the Council, was published in its entirety on April 30, 2022, in accordance with SDCL 9-19-8, and was therefore effective on May 20, 2022, pursuant to SDCL 9-19-13; and

WHEREAS, Resolution No. 2022-027 was effective to vacate the right-of-way; and
WHEREAS, after Resolution No. 2022-027 was approved by the City Council but before the resolution was recorded at the Pennington County Register of Deeds, Lots L and M were replatted into Lots 1 and 2 of Shiny Subdivision; and

WHEREAS, the Pennington County Register of Deeds requires an accurate legal description for the Resolution that reflects the newly-platted property in order to correctly describe the vacated right-of-way; and

WHEREAS, the correct and accurate legal description for the right-of-way to be vacated is “the alley right-of-way laying in Lots 1 and 2 of Shiny Subdivision, located in Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being the alley right-of-way to the east of Pine Street”; and

WHEREAS, the Common Council wishes to approve the language of Resolution No. 2022-027 with the updated, correct legal description.

NOW, THEREFORE, BE IT RESOLVED that the Common Council authorizes the Mayor and Finance Director to sign the Corrected Resolution 2022-027 as follows:

**Corrected Resolution No. 2022-027**

STATE OF SOUTH DAKOTA  ) 
COUNTY OF PENNINGTON  )

RESOLUTION OF VACATION OF RIGHT-OF-WAY

WHEREAS, it appears that the alley right-of-way laying in Lots 1 and 2 of Shiny Subdivision, located in Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being the alley right-of-way to the east of Pine 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", attached hereto, 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 20th day of June, 2022.

CITY OF RAPID CITY

s/ Steve Allender
Mayor

ATTEST:

s/ Pauline Sumption
Finance Director

(SEAL)

PUBLIC HEARING ITEMS – Items 48-49

CONSENT PUBLIC HEARING ITEMS – Item 48

Alcohol Licenses

48. 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
Mayor Allender read in item 48. Motion was made by Drew, second by Evans and carried to approve 9-0.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Item 49
Mayor Allender read in item (No. 21CA001) A request 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. Motion was made by Lehmann, second by Weifenbach to acknowledge the request to withdrawal by the applicant. Motion carried 9-0.

BILLS
BILL LIST - JUNE 20, 2022

<table>
<thead>
<tr>
<th>Description</th>
<th>Amount</th>
</tr>
</thead>
<tbody>
<tr>
<td>P/ROLL PERIOD END 06/04/22, PD 06/10/22</td>
<td>2,226,229.74</td>
</tr>
<tr>
<td>CDEV P/ROLL PERIOD END 06/04/22, PD 06/10/22</td>
<td>2,983.48</td>
</tr>
<tr>
<td>SUPP P/ROLL PERIOD END 05/21/22, PD 06/13/22</td>
<td>3,680.49</td>
</tr>
<tr>
<td>PIONEER BANK &amp; TRUST, 06/04/22 P/ROLL TAXES, PD 06/10/22</td>
<td>580,085.35</td>
</tr>
<tr>
<td>PIONEER BANK &amp; TRUST, SUPP 05/21/22 P/ROLL TAXES, PD 06/13/22</td>
<td>281.56</td>
</tr>
<tr>
<td>CDEV PIONEER BANK &amp; TRUST, 06/04/22 P/ROLL TAXES, PD 06/10/22</td>
<td>669.29</td>
</tr>
<tr>
<td>WELLMARK INC, HEALTH CLAIMS THROUGH 06/03/22, PD 06/09/22</td>
<td>148,545.60</td>
</tr>
<tr>
<td>WELLMARK INC, HEALTH CLAIMS THROUGH 06/10/22, PD 06/16/22</td>
<td>132,400.41</td>
</tr>
<tr>
<td>WAGE WORKS, SECTION 125 PAYMENTS THROUGH 06/06/22, PD 06/07/22</td>
<td>3,692.18</td>
</tr>
<tr>
<td>WAGE WORKS, SECTION 125 PAYMENTS THROUGH 06/13/22, PD 06/14/22</td>
<td>6,164.46</td>
</tr>
<tr>
<td>SOUTH DAKOTA RETIREMENT SYSTEM, MAY22 RETIREMENT, PD 06/06/22</td>
<td>543,929.32</td>
</tr>
<tr>
<td>SD RETIREMENT SYSTEM-SPECIAL PAY PLAN FEE-CARR, M. MILLER, D. PD 06/10/22</td>
<td>90.00</td>
</tr>
<tr>
<td>RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 06/08/22, PD 06/09/22</td>
<td>4,841.66</td>
</tr>
<tr>
<td>RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 06/15/22, PD 06/16/22</td>
<td>5,702.43</td>
</tr>
<tr>
<td>BANK WEST, TID78 UNNAMED TRIBUTARY, 06/03/22</td>
<td>(280,186.81)</td>
</tr>
<tr>
<td>BANK WEST, TID78 UNNAMED TRIBUTARY, PD 06/03/22</td>
<td>250,262.87</td>
</tr>
<tr>
<td>WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 06/14/22</td>
<td>48,092.56</td>
</tr>
<tr>
<td>BLACK HILLS ENERGY, ELECTRICITY, PD 06/14/22</td>
<td>59,882.27</td>
</tr>
<tr>
<td>MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 06/14/22</td>
<td>9,284.92</td>
</tr>
<tr>
<td>COMPUTER BILL LIST</td>
<td>5,002,764.92</td>
</tr>
<tr>
<td>CDEV COMPUTER BILL LIST</td>
<td>7,664.91</td>
</tr>
<tr>
<td>SUBTOTAL</td>
<td>8,757,061.61</td>
</tr>
<tr>
<td>RSVP, P/ROLL PERIOD END 06/04/22, PD 06/10/22</td>
<td>1,988.74</td>
</tr>
<tr>
<td>RSVP, PIONEER BANK &amp; TRUST, 06/04/22 P/ROLL TAXES, PD 06/10/22</td>
<td>529.23</td>
</tr>
<tr>
<td>RSVP, COMPUTER BILL LIST</td>
<td>2,118.57</td>
</tr>
<tr>
<td>TOTAL</td>
<td>8,761,698.15</td>
</tr>
</tbody>
</table>

Sumption presented the bill list of $8,761,698.15. Motion was made by Salamun, second by Jones and carried to authorize (No. CC062022-01) the Finance Director to issue warrants or treasurer checks, drawn on proper funds, in payment thereof. Motion carried 9-0.

ADJOURN
There being no further business to come before the Council at this time, motion was made by Jones, second by Weifenbach and carried to adjourn the meeting at 8:00 p.m.

Dated this 20th day of June, 2022.

CITY OF RAPID CITY
s/ Steve Allender
Mayor
ATTEST:
s/ Pauline Sumption
Finance Director
(SEAL)

Published at the approximate cost: ______________