

PROCEEDINGS FOR THE CITY COUNCIL
City of Rapid City, South Dakota
Monday, October 3, 2022

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, October 3, 2022, at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Greg Strommen, John Roberts, Pat Jones, Jason Salamun, Jesse Ham, Ritchie Nordstrom, Pat Roseland and Lance Lehmann; the following were absent: None; the following joined the meeting by telephone: None; the following Alderpersons arrived during the course of the meeting: Bill Evans

Staff members present included: City Attorney Joel Landeen, Assistant Police Chief Scott Sitts, Public Works Director Dale Tech, Fire Chief Jason Culberson, Interim Finance Director Tracy Davis, Community Development Director Vicki Fisher, Parks and Recreation Manager Jeff Biegler, IT Director Jim Gilbert Communications Coordinator Darrell Shoemaker, and Administrative Coordinator Heidi Weaver.

ADOPTION OF AGENDA

Mayor Allender asked that the Proclamation for World Habitat for Humanity Day be added to the agenda. Motion was made by Salamun, second by Jones to approve the agenda with the addition of the proclamation. Motion carried 9-0. Evans arrived at 6:33 p.m.

PROCLAMATION

Mayor Allender presented the Proclamation for World Habitat for Humanity Day to Board Member Tammie Morin. She was thankful the organization was recognized.

PRESENTATION

Laura Jones, Housing Coordinator, Elevate Rapid City, presented an update to the council on the Rapid City Housing Study. She spoke on population growth between 2010-2020, the 2030 population projections, the future demand and strategy recommendations.

GENERAL PUBLIC COMMENT

CONSENT ITEMS – Items 2 – 37

Laura Blankman spoke on item 41, regarding Rapid City Cannabis applying for a new malt beverage and wine license. She stated she used to be in law enforcement and is not in favor of having alcohol sold along with cannabis. She does not think this is the right or safe choice for the citizens of Rapid City.

7. PW092722-02: Authorize Mayor and Finance Director to sign the Agreement between the City of Rapid City and Creek Drive LLC for Construction of Public Water Main and for Oversize Water Main Cost Reimbursement, not to exceed \$115,000.

Motion was made by Evans, second by Lehmann to approve the Consent Items with the exception of item 7. Motion carried 10-0.

Approve Minutes

2. Approve Minutes for the September 19, 2022 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (October 17, 2022)

3. Black Hills Provisions LLC DBA The Pack Mule for a new Retail (on-off sale) Malt Beverage and SD Farm Wine License and a Retail (on-off sale) Wine and Cider License at 100 St. Joseph St

4. Naja Shrine for a SPECIAL EVENT (On-Sale) Malt Beverage License and (On-Sale) Wine License for an event scheduled for November 12, 2022 at Rapid City Shrine Temple at 4091 Sturgis Road
5. Naja Shrine for a SPECIAL EVENT (On-Sale) Malt Beverage License for an event scheduled for November 5, 2022, at Black Hills Harley Davison, 2820 Harley Drive

Public Works Committee Consent Items

6. PW092722-01: Authorize Mayor and Finance Director to Sign Amendment No. 5 to the Agreement between the City of Rapid City and FMG Engineering for Professional Engineering Services for Perrine and Unnamed Tributary Drainage Basin Design Plans (DBDPs) Amendment – Phase 2, Project No. 18-2430, CIP No. 51189.2. This is a no cost amendment.
8. PW092722-03: Approve Change Order #5 to Complete Concrete Inc. dba Complete Concrete Sol for Lacrosse Street Interchange Utility Improvements, Project# 2318, CIP# 51108, for an increase of \$13,439.08.
9. PW092722-04: Approve Change Order #1F to Simon Contractors of SD, Inc. for Pavement Rehabilitation Project – Locust & Ivy, Project# 2623, CIP# 50844, for an increase of \$14,442.57.
10. PW092722-05: Approve Change Order #1F to Simon Contractors of SD, Inc. for 2022 Chip Seal, Project# 2706, CIP# 50549.22B, for a decrease of \$6,108.94.
11. PW092722-06: Approve Change Order #2F to Layne Christensen Company for Well 11 Pump and Motor Replacement, Project# 2717, CIP# 51363, for a decrease of \$1,725.00
12. PW092722-07: Authorize Mayor and Finance Director to sign the “State of South Dakota Department of Transportation Bridge Improvement Grant Agreement for Preliminary Engineering – State Administration” for the Tomahawk Drive Bridge (Structure #52-391-316). Tomahawk Drive Bridge Replacement, Project 22-2721 / CIP 51370.
13. PW092722-08: Authorize Staff to Advertise for Bids for One (1) Current Model Year ½ Ton 4x4 Pickup Truck for Water Division. Estimated Cost \$42,000.
14. PW092722-09: Authorize Staff to Advertise for Bids for One (1) Current Model Year 1 Ton 4x4 Pickup Truck for Water Division. Estimated Cost \$62,000
15. PW092722-10: Confirm the appointment of Laura Jones to the TIF District Review Committee.

Legal and Finance Committee Consent Items

16. LF092822-03 – Request Authorization to Sign the 2022-2023 Grant Agreement with the South Dakota Department of Health for the Community Health Worker Grant (SD DOH-CHW) in an Amount up to \$50,000.00
17. LF092822-04 - Authorize Staff to Apply for and Accept if Awarded the Community Wildfire Defense Grant in the Amount of \$2,316,439.68
18. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Barbara Carlson (RSVP+), Carol Hess (RSVP+), Lori Johnson (RSVP+), Connie Uris (RSVP+)
19. LF092822-01 – Acknowledge Update from the Opportunity Capture Fund Committee
20. LF092822-02 – Approve Moving Opportunity Capture Fund Vision Allocation from 2024 to 2022
21. LF092822-05 – Authorize Mayor and Finance Director to Sign Agreement between the City of Rapid City, Central States Fair, Inc., and First Interstate Bank Assigning Vision Funds to the Bank that have been Awarded to Central States Fair, Inc. in order for them to obtain a Loan for Advance Funding to Construct Renovations Contemplated by the Award
22. LF092822-06 – Youth City Council Requests Authorization for Expenditure of \$1,200.00 of Approved Budget for Marketing and Community Relations
23. LF092822-07 – Approve the Tentative Real Estate Purchase Agreement for Lots 4 & 5 of Owen Hibbard Subdivision and Authorize Mayor and Staff to Execute Any Documents Necessary to Complete the Transfer of the Property Consistent with the Purchase Agreement.
24. LF092822-08 – Acknowledge August 2022 General Fund Cash Balance Report.
25. LF092822-09 – Acknowledge July 2022 Sales Tax Report.

CIP Committee Consent Items

26. No. CIP081922-00 - Approve August 19, 2022 Capital Improvement Plan Minutes
27. No. CIP091622-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, Summary)
28. No. CIP091622-04 – Approve Capital Plan for Fire Vehicles
29. No. CIP091622-05 – Approve Capital Plan for Parks & Recreation
30. No. CIP091622-06 – Approve Capital Plan for Information Technology
31. No. CIP091622-02 – Acknowledge Capital Plan for PW Infrastructure
32. No. CIP091622-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
33. No. CIP091622-07 – Approve \$250,000 from undesignated cash for Fire Station 1 remodel and build that came in over budget – Chief Culberson
34. No. CIP091622-08 – Approve moving \$375,000 from Fire Station 1 Asphalt Project to Fire Station 1 Remodel Project, all within Government Facilities – Chief Culberson
35. No. CIP091622-09 – Approve transfer of \$11,480 from CIP Government Facilities Fire Station 2 to the Fire Department General Fund operating budget, to replace flooring – Chief Culberson

Bid Award Consent Items

36. CC100322-04.1 - Approve award of total bid for Saint Patrick Street Reconstruction – Mt. Rushmore Road to 5th Street, Project No. 20-2582 / CIP No. 51126 opened on September 27, 2022 to the lowest responsible bidder, Heavy Constructors, Inc. in the amount of \$5,280,947.00.
37. CC100322-04.2 - No bids were received for two current model year tandem axle roll-off trucks with hook lift systems opened on September 27, 2022. Staff recommends negotiating a contract in accordance with SDCL 5-18A-5(9).

END OF CONSENT ITEMS

Mayor Allender read in item (PW092722-02) Authorize Mayor and Finance Director to sign the Agreement between the City of Rapid City and Creek Drive LLC for Construction of Public Water Main and for Oversize Water Main Cost Reimbursement, not to exceed \$115,000. Motion was made by Nordstrom, second by Armstrong to approve. Nordstrom thanked everyone involved with the compromise. This waterline is needed for the homeowners. Tech explained the residents will be water service. He has spoken with landowners to make sure the waterline is fair and equitable. Staff is making sure these properties have a viable water source instead of the private wells that they are on. Motion carried 10-0 to approve.

NON-CONSENT ITEMS – Item 38

Ordinances

Mayor Allender read in item (LF091422-01) Approve Second Reading of Ordinance No. 6552 Regarding Supplemental Appropriation #4 for 2022. Having passed its first reading on September 19, 2022, motion was made by Jones, second by Nordstrom that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Strommen, Jones, Evans, Armstrong, Roseland; Lehmann, Salamun, Ham and Roberts; whereupon the Mayor declared the motion passed 10-0 and Ordinance No. 6552 was declared duly passed upon its second reading

PUBLIC HEARING ITEMS – Items 39 – 41

CONSENT PUBLIC HEARING ITEMS – Items 39 – 41

The following item was removed from the Consent Public Hearing Items:

41. Rapid City Cannabis, Inc. DBA Rapid City Cannabis for a new Retail (on-off sale) Malt Beverage and SD Farm Wine License and a Retail (on-off sale) Wine and Cider License at 3075 N. Plaza Drive, Suite B (*This item was continued from the September 19, 2022, City Council Meeting.*)
Finance received a written request from the applicant stating he is out of town and requested to continue this item to the October 17, 2022 meeting.

Motion was made by Jones, second by Ham to approve Consent Items 39-41 with the exception of item 41. Motion carried 10-0.

Alcohol Licenses

- 39. BE LLC, DBA Benevolent Beauty for a new Retail (on-off sale) Malt Beverage and SD Farm Wine License and a Retail (on-off sale) Wine and Cider License at 623 St Joseph Street
- 40. Elevate Rapid City for a SPECIAL EVENT (On-Sale) Malt Beverage License and an (On-Sale) Wine License for an event scheduled for November 8, 2022, at Western Dakota Tech, 800 Mickelson Drive

END OF CONSENT PUBLIC HEARING CALENDAR

Mayor Allender read in item 41: Rapid City Cannabis, Inc. DBA Rapid City Cannabis for a new Retail (on-off sale) Malt Beverage and SD Farm Wine License and a Retail (on-off sale) Wine and Cider License at 3075 N. Plaza Drive, Suite B. Motion was made by Jones, second by Ham to continue the item to the October 17, 2022 City Council Meeting per the applicant’s request. Motion carried 10-0.

EXECUTIVE SESSION - Motion was made by Armstrong, second by Roberts and carried to go into Executive Session at 7:03 p.m. for the purpose permitted by SDCL 1-25-2(3) to consult with legal counsel about proposed or pending litigation and contractual matters. Motion was made by Armstrong, second by Roseland and carried to come out of Executive Session at 7:37 p.m. with all members present. There was no action taken.

BILLS

BILL LIST - OCTOBER 3, 2022

P/ROLL PERIOD END 09/10/22, PD 09/16/22	2,337,429.64
CDEV P/ROLL PERIOD END 09/10/22, PD 09/16/22	307.00
SUPP P/ROLL PERIOD END 08/27/22, PD 09/19/22	(17.09)
SUPP P/ROLL PERIOD END 08/27/22, PD 09/19/22	640.94
PIONEER BANK & TRUST, 09/10/22 P/ROLL TAXES, PD 09/16/22	614,744.27
PIONEER BANK & TRUST, SUPP 08/27/22 P/ROLL TAXES, PD 09/19/22	(1.31)
PIONEER BANK & TRUST, SUPP 08/27/22 P/ROLL TAXES, PD 09/19/22	98.95
CDEV PIONEER BANK & TRUST, 09/10/22 P/ROLL TAXES, PD 09/16/22	67.92
SOUTH DAKOTA DEPARTMENT OF REVENUE, AUG22 SALES TAX PAYABLE, PD 09/26/22	81,012.99
SOUTH DAKOTA DEPARTMENT OF REVENUE, AUG22 EXCISE TAX PAYABLE, PD 09/26/22	593.39
SOUTH DAKOTA DEPT OF REVENUE, AUG22 CCTR SALES TAX PAYABLE, PD 09/26/22	2,187.82
WELLMARK INC, HEALTH CLAIMS THROUGH 09/16/22, PD 09/22/22	202,597.87
WELLMARK INC, HEALTH CLAIMS THROUGH 08/23/22, PD 09/28/22	98,352.38
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 09/19/22, PD 09/20/22	3,711.58
WAGE WORKS, SECTION 125 PAYMENTS THROUGH 09/26/22, PD 09/27/22	6,109.27
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 09/21/22, PD 09/22/22	5,204.10
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 09/28/22, PD 09/29/22	11,133.52
BANK WEST, TID47 TOWER RD, PD 09/22/22	975.57
BANK WEST, TID65 MINNESOTA ST, PD 09/22/22	1,628.60
BANK WEST, TID70 CATRON BLVD, PD 09/22/22	27,179.12
HDRK PROPERTIES LLC TID56 RUSHMORE CROSSING - HDRK, PD 09/22/22	58,343.49
CITY OF RAPID CITY, TID64 CABELA'S, PD 09/22/22	22,286.40
BLACK HILLS ELECTRIC COOPERATIVE, ELECTRICITY, PD 09/27/22	2,655.32
BLACK HILLS ENERGY, ELECTRICITY, PD 09/27/22	115,391.58

MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 09/27/22	19,020.38
COMPUTER BILL LIST	3,417,410.71
CDEV COMPUTER BILL LIST	20,954.26
SUBTOTAL	7,050,018.67
RSVP, P/ROLL PERIOD END 09/10/22, PD 09/16/22	2,505.61
RSVP, PIONEER BANK & TRUST, 09/10/22 P/ROLL TAXES, PD 09/16/22	576.12
RSVP, COMPUTER BILL LIST	834.70
TOTAL	7,053,935.10

Davis presented the bill list of \$7,053,935.10. Motion was made by Salamun, second by Jones and carried to authorize (No. CC100322-01) the Interim 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 Armstrong, second by Nordstrom and carried to adjourn the meeting at 7:38 p.m.

Dated this 3rd day of October, 2022.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Tracy Davis
 Interim Finance Director
 (SEAL)

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