

PROCEEDINGS FOR THE CITY COUNCIL
City of Rapid City, South Dakota
Tuesday, January 17, 2023

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 Tuesday, January 17, 2023, at 6:30 P.M.

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

Staff members present included: City Attorney Joel Landeen, Police Chief Don Hedrick, Fire Chief Jason Culberson, Public Works Director Dale Tech, 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

Motion was made by Salamun, second by Jones to approve the adoption of the agenda. Motion carried 7-0.

Jones asked for a point of privilege. He promoted the West River Health Science Center. It is a coordinated effort between BHSU, SDSU and the West River Area Health Education Center. Their goals include serving the nursing and healthcare workforce in the Black Hills region and coordinating efforts between BHSU Applied Health Sciences associates degree and SDSU Bachelor of Science in Nursing degree so that students have a seamless transition in their degree plan, if they choose to get their BS degree. This allows students to pursue their entire degree in the Black Hills.

PRESENTATION

1. Human Relations Commission Annual Review Presentation

Lafon janesse, economic impact, karen Mortimer, framework, 2019, human relations commission, appointed a task force, continue the commission but look at it in another way; be responsive in building relationships; created relationship with the MOA; work in progress, community building work, we do see growth; BEAM, Build, Educate, Advocate and Model. Would like to change the name to community relations commission from human relations commission. Acknowledge the community investors. Lloyd lacroix, proposed name change, updated the bylaws, retreat learning experience, commission is made up for task masters; bill may.....every member is important; jess rogers, helped with discrimination cases, pastor of Emmanuel episcopal church, Malcolm chapman started this and outreach in the city.

2. National League of Cities Summit Presentation – Ritchie Nordstrom

Took place in Kansas city; nov 17-19, 2022; retiring from league of cities, approx. 4000 attendees; involved with the networking part of it; solution sessions; racial healing course, passed along to HRC.

GENERAL PUBLIC COMMENT (3-minute time limit per speaker)

A time for the members of the public to discuss or express concerns to the Council on any issue not on the agenda. Action will not be taken at the meeting on any issue not on the agenda, except by placement on the agenda by unanimous vote of the Council members present.

Wes johnson, Rebecca chapman; ownership of rc marshalls; thank you for the arena, extremely fortunate to have a business from RC;

NON-PUBLIC HEARING ITEMS -- Items 3 – 40

Open Public Comment – Items 3 – 31 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 3 – 31

Remove Items from the “Consent Items” and Vote on Remaining Consent Items

Armstrong Strommen 3-31 approve 7-0

Approve Minutes

3. Approve Minutes for the January 3, 2023 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (Monday, February 6, 2023)

4. Naja Shrine for a SPECIAL EVENT (on-sale) Dealer License for an event scheduled for June 24, 2023 at Naja Shrine, 4091 Sturgis Road
5. American Heart Association for a SPECIAL EVENT (on-sale) Wine License and and (off-sale) Wine License for an event scheduled for February 25, 2023 at The Monument, 444 Mt. Rushmore Road

Enter into Lease Set for Hearing (Monday, February 6, 2023)

6. A Resolution to Enter into a Lease - Concessionaire Agreement with Dinosaur Park.

Vacation of Right-of-Way Set for Hearing (Tuesday, February 21, 2023)

7. No. 22VR008 - A request by KTM Design Solutions, Inc for Peerless Tyre Co for a Vacation of Right-of-Way for property generally described as being located at 1221 E. St. Joseph Street.

Public Works Committee Consent Items

8. PW011023-01: Authorize Staff To Advertise For Bid Well 12 VFD Upgrade Equipment Installation, Project No. 22-2723.2, CIP No. 51372. Estimated Cost: \$350,000.00.
9. PW011023-02: Authorize Staff To Advertise For Bids For Saint Joseph Street Valve Repair – West Boulevard to 4th Street, Project No. 22-2731 / CIP 50445.23C for \$1,340,000.
10. PW011023-03: Authorize Mayor and Finance Director to sign a Three-Year Contract with Azteca Systems, LLC – CityWorks for an upgrade to the Standard AMS Enterprise License Agreement (ELA) licensing already in place in the amount of \$50,000.00 for year, \$58,000.00 for year two and \$65,000.00 for year three, for a total expenditure of \$173,000.00
11. PW011023-04: Approve Change Order #2F to Lind-Exco, Inc. for Anamosa Street Water Main Extension, Project# 2541, CIP# 51256, for a decrease of \$6,082.11.
12. PW011023-05: Authorize Staff to Purchase Two (2) 2023 Dodge Ram 1500 Tradesman Reg Cab 4x4 for Water Division in the amount of \$76,638.00.
13. PW011023-06: Authorize Staff to Purchase One (1) 2023 Dodge Ram 2500 Tradesman Reg Cab 4x4 for Water Division in the amount of \$50,132.00.
14. PW011023-07: Authorize Mayor and Finance Director to Sign Resolution No. 2023-003 Construction Fee Resolution for Auburn Hills Phase 8 Oversize Water - Per Acre Fee, Project No. DEV1561.

15. PW011023-08: Authorize Mayor and Finance Director to Sign Professional Services Agreement Between the City of Rapid City and Bartlett & West, Inc. for EAFB Meter Facility Reconstruction, Project No. 22-2733, CIP No. 51384, for an amount not to exceed \$535,000.00.

Legal and Finance Committee Consent Items

16. LF011123-01 – Confirm the Reappointments of Nick Patton and Rick Denherder to the Downtown Business Improvement District (BID) Board
17. LF011123-09 – Confirm the Appointment of Walt Swan and the Reappointments of Paula Long Fox and Lloyd Lacroix to the HRC/MOA Commission
18. LF011123-10 – Authorize Mayor and Interim Finance Director to sign Co-Responder Agreement with Journey On! , Inc. in the Amount of up to \$360,000.00 to continue provide collaborative street level responses to those in crisis and in need of services in Rapid City
19. LF011123-11 – Authorize Mayor and City Finance Officer to sign Co-Responder Agreement with the Volunteers of America to provide collaborative support to those in crisis and in need of services in Rapid City, in an amount up to the maximum approved budgeted amount of \$150,000
20. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Sandy Monger (Police Department)
21. LF011123-02 – Approve Resolution No. 2023-002 A Resolution Establishing 2023 Encumbrances
22. LF011123-04 – Approve Resolution No. 2022-090 a Resolution Levying Assessment for Abatement of Nuisances
23. LF011123-05 – Acknowledge October 2022 General Fund Cash Balance Report
24. LF011123-06 – Acknowledge November 2022 General Fund Cash Balance Report
25. LF011123-07 – Acknowledge September 2022 Sales Tax Report
26. LF011123-08 – Acknowledge October 2022 Sales Tax Report
27. LF011123-03 – Approve Resolution No. 2023-006 a Resolution of Intent to Enter into a Concessionaire Agreement with Dinosaur Park
28. LF011123-12 – 2023 Insurance Renewals for Property, Liability and Excess Worker’s Compensation

Community Development Consent Items (NONE)

Bid Award Consent Items

29. CC011723-04.1 - Approve award of total bid for Well 10 and Well 11 Improvement Project, Project No. 22-2727 / CIP No. 51362 opened on January 10, 2023 to the lowest responsible bidder, Layne Christensen, Company in the amount of \$835,559.00
30. CC011723-04.2 - Approve award of total bid for 12th Street Reconstruction Fulton Street to Fairview Street, Project No. 21-2642 / CIP No. 51324 opened on January 10, 2023 to the lowest responsible bidder, Underground Construction, in the amount of \$1,528,795.65.
31. CC011723-04.3 - Reject and re-advertise for Reservoir Road Rehabilitation and Manhole Repair, Project No. 22-2712 / CIP No. 51356 opened on January 10, 2023 as no bids were received. Will open new bids for the project Winter/Spring 2023. Project will be bid using the 2007 Standard Specifications.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 32-40

Open Public Comment – Items 32-40 (3-minute time limit per speaker)

Close Public Comment

Ordinances

32. No. 22RZ015 – First Reading, Ordinance 6554, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Yasmeen Dream II, LLC for a Rezoning from General Agricultural District to Low Density

Residential District II for property generally described as being located south of the intersection of Diamond Ridge Boulevard and Cadillac Drive.

Recommendation: Approve

Nordstrom, evans approve 7-0

33. No. 22RZ017 – First Reading, Ordinance 6577, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Substance Architecture for NDN Holdings, LLC for a Rezoning request from Low Density Residential District I to Low Density Residential District II for property generally described as being located at 315 Wright Street.

Recommendation: Approve

Nordstrom, Armstrong approve 7-0

34. No. 22RZ018 – First Reading, Ordinance 6558, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Yasmeen Dream III, LLC for a Rezoning request from Medium Density Residential District to Public District for property generally described as being located southeast of the intersection of E. Philadelphia Street and E. Anamosa Street.

Recommendation: Approve

Jones, nordstrom approve 7-0

35. No. 22RZ019 – First Reading, Ordinance 6559, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Eric Willadsen for John Samuelson for a Rezoning request from General Commercial District to Office Commercial District for property generally described as being located northwest of the intersection of Mount Rushmore Road and Golden Eagle Drive.

Recommendation: Approve

Salamun, evans approve 7-0

36. No. 22RZ020 –First Reading, Ordinance 6560, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by FMG Engineering for Fifth Park LLC for a Rezoning request from General Commercial District to Office Commercial District for property generally described as being located at 4908 5th Street.

Recommendation: Approve

Strommen, nordstrom approve 7-0

Public Works Committee Items (NONE)

Legal and Finance Committee Items (NONE)

Community Development Items

37. No. 22PL137 - A request by Howe Land Surveying for Wind River, LLC for a Preliminary Subdivision Plan for proposed Lot 15A and Lot 15B of Pleasant View Subdivision, property generally described as being located at 6920 Long View Road.

Recommendation: Approve with stipulations

Ritchie, approve with stips, jones second; one of the stipulations is the water situation, fisher, existing well serving one lot, want to ensure it will be a shared well; service lines, outside city but within 3-mile. Approve 7-0

- 38. No. 22PL138 - A request by Longbranch Civil Engineering, Inc at Lage Construction, Inc. for a Preliminary Subdivision Plan for proposed Lot 5R and 6 through Lot 9 and Reservoir Lot 1 of Block 4 of the Ranch at Black Gap, property generally described as being located east of the intersection of Highway 79 and Ambush Ranch Road.

Recommendation: Approve with stipulations

Nordstrom, evans approve 7-0

- 39. No. 22PL144 - A request by PLS Interstate Engineering, Inc for Carey Kassube for a Preliminary Subdivision Plan for proposed Lot 1A and 2A of Lot J in Parcel No. 2 of Canyon Park, property generally described as being located at 5900 West Highway 44.

Recommendation: Approve with stipulations

Evans, jones approve 7-0

Other Board, Commission & Committee Items (NONE)

Bid Awards (NONE)

Alcoholic Beverage 2023 Renewal License Application

- 40. Justin Henrichson DBA Windsor Block Bar for a renewal of Retail (on-sale) Liquor License RL-5859 (Inactive) at 627 Saint Joseph Street

Recommendation: Approve (This license was approved by PD and FD.)

Jones, Strommen approve; vicki, hard liquor license; approve 7-0.

Mayor’s Items (NONE)

Council Items & Liaison Reports (NONE)

Staff Items (NONE)

Appeals (NONE)

PUBLIC HEARING ITEMS – Items 41-42

Open Public Hearing (comment) - Items 41-42 (3-minute time limit per speaker)

[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 41 – 42

CONSENT PUBLIC HEARING ITEMS – Items 41 – 42

Remove Items from the “Consent Public Hearing Items” and Vote on Remaining Consent Items

Community Development Items (NONE)

Alcohol Licenses

- 41. Moyle Petroleum Company DBA Sheridan Lake Common Cents #105 for a new Package (off-sale) Liquor License at 2808 Sheridan Lake Road
- 42. Hana Korean Grill LLC DBA Hana Restaurant, 3550 Sturgis Road for a Retail (on-off sale) Wine and Cider license and a Retail (on-off sale) Malt Beverage & SD Farm Wine TRANSFER from Eni Tulistiya DBA Hana Restaurant, 3350 Sturgis Road

Nordstrom, Strommen approve 41-42.

Assessment Rolls (NONE)

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – (NONE)

BILLS

43. No. CC011723-01 – Approve Bill List for January 17, 2023
No changes, salamun, jones approve 7-0

ADJOURN

Youth city council is attending. Adjourn Armstrong, salamun at 7:18 p.m.