

PROCEEDINGS FOR THE CITY COUNCIL
City of Rapid City, South Dakota
Tuesday, February 21, 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, February 21, 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, Jesse Ham, Lance Lehmann, John Roberts and Bill Evans; the following were absent: None; 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 Director Jeff Biegler, IT Director Jim Gilbert, HR Director Nick Stroot, Airport Executive Director Patrick Dame, Civic Center General Manager Craig Baltzer, Communications Coordinator Darrell Shoemaker, and Senior Administrative Coordinator Heidi Weaver.

ADOPTION OF AGENDA

Motion was made by Armstrong, second by Jones and carried to adopt the agenda. Motion carried 10-0.

NON-PUBLIC HEARING ITEMS -- Items 1 – 41

RCFD EMS Section Chief Brent Long, RCPD Executive Coordinator Amanda Lee and RCPD Lt. Tim Doyle spoke in favor of the non-union wage scale. They indicated this was a collaborative effort in which professional data collectors were involved. It was stated that Non-Union workers are experts in their field and need to be recognized and appreciated, which could be done through the new wage scale. The agencies agreed the new wage scale resulted in a fair, collective decision.

CONSENT ITEMS – Items 1 – 37

The following items were removed from the Consent Items:

16. LF021523-15 – Authorize the Implementation of the Proposed Non-Union Pay Scale
17. LF021523-16 – Authorize a Cost of Living Adjustment for Non-Union Employees of 4% on June 18, 2023

Motion was made by Armstrong, second by Lehmann and carried to approve Consent Items 1-37 with the exception of items 16 and 17.

Approve Minutes

1. Approve Minutes for the February 6, 2023 Regular Council meeting.

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

2. Working Against Violence for a SPECIAL EVENT (Off-Sale) Package Wine License and (Off-Sale) Malt Beverage License for an event scheduled for March 25, 2023 at the Best Western Ramkota, 2111 N. LaCrosse Street
3. Naja Shrine for a SPECIAL EVENT (On-Sale) Dealer License for events scheduled for April 22, 2023; June 24, 2023; and July 22, 2023 at the Naja Shrine Temple, 4091 Sturgis Road
4. Main Street Square for a SPECIAL EVENT (On-Sale) Dealer for events scheduled for June 17, 2023 and August 5, 2023 at Main Street Square, 526 Main Street with legal description on file

Public Works Committee Consent Items

- 5. PW021423-01: Authorize Mayor And Finance Director To Sign Amendment Number 2 To The Professional Services Agreement With FMG Engineering, For Perrine And Unnamed Tributary Drainage Basin Design Plan (DBDP) Amendment – Phase 4, Project No. 18-2430 / CIP No. 51189.4, For An Amount Not To Exceed \$87,625.00.
- 6. PW021423-02: Authorize Mayor And Finance Director To Sign A Joint Funding Agreement Between U.S. Department Of Interior, U.S. Geological Survey And City Of Rapid City For 2023 Water Resource Investigations, CIP No. 51279. The City Of Rapid City’s Share Of The Program Is \$145,000.00.
- 7. PW021423-03: Authorize Mayor And Finance Director To Sign The Bridge Reinspection Program Resolution. Project No. 23-2741 / CIP 50630.

**BRIDGE REINSPECTION PROGRAM RESOLUTION
FOR USE WITH SDDOT RETAINER CONTRACTS**

WHEREAS, 23 CFR 650, Subpart C, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are re-inspected at intervals not to exceed four years.

THEREFORE, the City of Rapid City is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The City requests SDDOT to hire Brosz Engineering, Inc. (Consulting Engineers) for the inspection work. SDDOT will secure Federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the City for 20% of the cost. The City will be responsible for the required 20% matching funds.

Dated this 21st day of February, 2023.

CITY OF RAPID CITY
s/Steve Allender
Mayor

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

- 8. PW021423-04: Authorize Mayor And Public Works Director To Sign The Application To The South Dakota Department Of Agriculture And Natural Resources (SDDANR), For A Solid Waste Permit Amendment.
- 9. PW021423-05: Authorize Mayor And Finance Director To Sign And An Agreement Between The City Of Rapid City And A-1 Sewer And Drain Inc. For 2023 Sanitary Sewer Televising – Woodlawn Area, Project No. 2707, CIP No. 50849, In An Amount Not To Exceed \$48,978.70.
- 10. PW021423-06: Approve Change Order #1F to Western Construction, Inc. for 2021 Roadway Surfacing Project, Project# 2673, CIP# 50297, for a decrease of \$8,428.70.
- 11. PW021423-07: Approve the Request From D.C Scott Surveyors For A Variance To Waive The Requirement To Install Sidewalk Along 7400 Long View Road, Rapid City, Per City Ordinance 12.08.060.
- 12. PW021423-08: Approve the Request From KTM Design Solutions, Inc. On Behalf Of Owner Alevtina Smirnova For A Variance To Waive The Requirement To Install Sidewalk Along Moon Meadows Drive, Per City Ordinance 12.08.060.
- 13. PW021423-09: Authorize Staff To Advertise For Cemetery Columbarium, Project PR22-6185 For \$154,000.

- 14. PW021423-10: Authorize Staff To Purchase 3 (Three) 2023 Ram Regular Cab 4x4 Trucks From Liberty Superstores For \$50,132.00 Each For A Total Amount Of \$150,396.00.

Legal and Finance Committee Consent Items

- 15. LF021523-17 – Authorize Staff to Apply for and Accept if Awarded a Homeland Security Program Grant in the Amount of a Total of \$80,168.55 dollars
- 18. LF021523-06 – Authorize Mayor and Chief of Police to Sign the 2023 Federal Equitable Sharing Agreement
- 19. LF021523-10 – Authorize Staff to Apply for and Accept if Awarded the Assistance to Firefighters Grant in the amount of \$545,163.32
- 20. LF021523-11 – Authorize Staff to Apply for and Accept if Awarded the HLS (Homeland Security) Grant in the Amount of \$132,796.00
- 21. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Dicksy Howe (Library), Jack Monroe (Library), Ann Cline (RSVP+), Karen Hahn (RSVP+), Beverly Lalama (RSVP+)
- 22. LF021523-01 – Approve Resolution No. 2023-001 a Resolution Levying Assessment for Abatement of Nuisances

**RESOLUTION NO. 2023-001
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 21st day of February, 2023.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

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

TAX ID#	CUSTOMER NAME	CLEAN ADDRESS	UP	LEGAL DESCRIPTION	TOTAL AMOUNT DUE INCLUDES \$100

25362	Ryan Feickert	730 Silver Street	Lot 31-32, Block 9, Mallow's Add	\$430.00
20461	Dylan Fleming	1307 Kansas City St	W1/2 of Lot 1-4 less E3', Block 7, Boulevard Add	\$390.00
30333	Lauren Kooiman	3701 W Saint Louis St	E38' of Lot 2 & E7' of W22' of Lot 2 (AKA E45' of Lot 2) Lot 1, Block 13, Rounds C D	\$270.00

- 23. LF021523-03 – Approve Request for Property Tax Abatement as follows: Evelyn Cumberworth (Tax ID 27092) 2022; \$1012.64 [Total for City of Rapid City: \$1012.64]
- 24. LF021523-04 – Approve Request for Property Tax Abatement as follows: Tom Moen on behalf of Russell Moen (Tax ID 25713) 2022; \$736.60 [Total for City of Rapid City: \$736.60]
- 25. LF021523-05 – Approve Resolution No. 2023-012 a Resolution Declaring Miscellaneous Personal Property Surplus to be discarded/recycled

RESOLUTION # 2023-012
RESOLUTION DECLARING 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, including disposal, sale or trade-in on new equipment:

From: CEMETERY (860)
For Deletion (Trade-In):
2016 EMARK GAS 36" WALK BEHIND MOWER
SERIAL #316648489

From: Police (201)
For Deletion (Discard):
2006 DODGE STRATUS
1B3AL46T36N229032

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

Dated this 21st day of February, 2023.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

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

- 26. LF021523-14 – Approve Resolution No. 2023-013 a Resolution Declaring Miscellaneous Personal Property Surplus to be discarded/recycled

RESOLUTION # 2023-013
RESOLUTION DECLARING 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, including disposal, sale or trade-in on new equipment:

From: Police (201):
For Deletion (Sell)
“Jary” a Police Canine

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

Dated this 21st day of February, 2023.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

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

- 27. LF021523-12 – Authorize the Mayor and Interim Finance Director to Sign Developer Agreement for TIF 87
- 28. LF021523-13 – Approve Resolution No. 2023-014 a Resolution authorizing Mayor and Interim Finance Director to Sign Corrected Resolution No. 2022-077

RESOLUTION NO. 2023-014
RESOLUTION AUTHORIZING MAYOR AND INTERIM FINANCE DIRECTOR
TO SIGN CORRECTED RESOLUTION NO. 2022-077

WHEREAS, on December 19, 2022, the City Council approved Resolution No. 2022-077, which was a resolution vacating certain right-of-way generally described as being an alleyway located between Vale Street and St. Onge Street; and

WHEREAS, Resolution No. 2022-077 referred to Exhibit A, which correctly depicted the alleyway as being 16 feet wide. A copy of Exhibit A is attached to this resolution; and

WHEREAS, Resolution No. 2022-077 described the right-of-way to be vacated as “the right-of-way located in a 16-inch wide alleyway of Block 15 of Green Acres located in the SW1/4 of the SW1/4 of Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as between Vale Street and St. Onge Street.” However, this legal description contained an error. The legal description should have referred to a “16-foot wide alleyway” instead of a “16-inch wide alleyway”; and

WHEREAS, the Common Council wishes to approve the language of Resolution No. 2022-077 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 2022-077 as follows:

Resolution No. 2022-077 Corrected: Resolution of Vacation of Right-of-Way

WHEREAS, it appears that the right-of-way located in a 16-foot-wide alleyway of Block 15 of Green Acres located in the SW1/4 of the SW1/4 of Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as between Vale Street and St. Onge Street, is not needed for public purposes; and

WHEREAS, the owners of property adjoining the above-described right-of-way desire 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 Interim Finance Director are hereby authorized to execute a release of public right-of-way in regard thereto.

Dated this 19th day of December, 2022.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

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

BE IT FURTHER RESOLVED that the Common Council authorizes the filing of "Resolution No. 2022-077 CORRECTED" with the Pennington County Register of Deeds.

Dated this 21st day of February, 2023.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

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

- 29. LF021523-18 – Approve Resolution No. 2023-015 a Resolution to Declare Certain Real Property Generally Located Along East Monroe and North Racine Street Surplus for Purposes of Disposing of Such Property

Resolution # 2023-015
A RESOLUTION TO DECLARE CERTAIN REAL PROPERTY GENERALLY
LOCATED ALONG EAST MONROE STREET AND NORTH RACINE STREET SURPLUS FOR
PURPOSES OF DISPOSING OF SUCH PROPERTY

WHEREAS, the property described below was acquired by the City of Rapid City in 1973; and

WHEREAS, the City has leased the property to Youth and Family Services, formerly known as Western South Dakota Community Action, Inc., since 1977 for the purpose of conducting child development programs directed toward preschool children; and

WHEREAS, Youth and Family Services has maintained and improved the property at Youth and Family Services' expense since the beginning of the lease; and

WHEREAS, Youth and Family Services and the City have discussed the transfer of the property to Youth and Family Services Foundation and the parties agree that such a transfer should occur; and

WHEREAS, the below-described property is no longer necessary, useful or suitable for municipal purposes or the purposes for which it was acquired.

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

Parcel ID: 2131179001
Tax ID: 34557
Legal Description: Lot A and the Vacated North 14 feet of Monroe Street contiguous to said Lot A, Block 12, Wisers Addition, Rapid City, Pennington County, South Dakota.

BE IT FURTHER RESOLVED, that the Mayor and Interim Finance Director may do all acts necessary to transfer this property to Youth and Family Services Foundation in accordance with SDCL 6-5-2.

Dated this 21st day of February, 2023.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

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

Community Development Consent Items

- 30. LF021523-07 – This item was cancelled, since the presenter was unable to attend this meeting; MSA Professional Services, Inc. presentation of the 5-year CDBG Consolidated Plan (FY23-FY27) and updated Analysis of Impediments to Fair Housing Choice (Informational only)
- 31. LF021523-08 – Approve Final FY23-27 CDBG Consolidated Plan and FY23 Annual Action Plan
- 32. LF021523-09 – Approve Updated Analysis of Impediments to Fair Housing Choice
- 33. 23TP005 – Authorize the Mayor and Finance Director to sign the Professional Services Agreement with Ayres Associates, Inc. for the LiDAR Data Acquisition Project in an amount not to exceed \$150,000

Bid Award Consent Items

- 34. CC020623-04.2 - Approve Award for a Negotiated Price for RCFD Fire Training Facility Site Improvement Project No. 19-2529 / CIP 51250 Opened on January 31, 2023 to RCS Construction, Inc. for 2,414,944.49. *(This item was continued from the February 6, 2023 City Council Meeting.)*
- 35. CC022123-04.1 – Approve award of total bid for Saint Joseph Street Valve Repair – West Boulevard to 4th Street, Project No. 22-2731 / CIP No. 50445.23C opened on February 14, 2023 to the lowest responsible bidder, J. V. Bailey Co. Inc. in the amount of \$759,137.95
- 36. CC022123-04.2 – Approve award of total bid for Reservoir Road Rehabilitation and Manhole Repair, Project No. 22-2712 / CIP No. 51356 opened on February 14, 2023 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of \$1,083,269.20.

37. CC022123-04.3 – Approve award of total bid for Well 12 VFD Upgrade Equipment Installation, Project No. 22-2723.2 / CIP No. 51372 opened on February 14, 2023 to the lowest responsible bidder, Muth Electric, Inc. in the amount of \$166,166.00

END OF CONSENT ITEMS

Mayor Allender read in item (LF021523-15) Authorize the Implementation of the Proposed Non-Union Pay Scale. Motion was made by Salamun, second by Strommen, to approve the Non-Union Pay Scale, and vote separately on the Mayor's wage. Salamun stated he wished to abstain from the Mayor's vote since he is running for Mayor in the upcoming election. Evans spoke in opposition of the non-union pay scale. He indicated he needed more time to ask questions and said he would be voting no if the item can't be continued. Stroot stated emails were sent to the mayor and council regarding the study and if they had questions, he was available. Only one council member reached out with questions. Roseland thanked Stroot and the steering committee. He is in favor of the new pay scale. Nordstrom said many people have to work nights and weekends. He indicated that opportunities were given to council to ask questions, and feels the vote shouldn't be put off any longer. Salamun said the process was transparent and the city needs to stay competitive in order to keep good employees. Roberts also thanked everyone involved and agrees with the new pay scale. Motion carried 9-1, with Evans voting no, to approve the new pay scale, as well as vote on the Mayor's salary separately. Motion was made by Jones, second by Roseland to approve the mayor's salary as stated on the new pay scale. Strommen said the mayor's salary should be moved up to the next category. There has been no change for 10-20 years and he makes less than other directors. Strommen said he wanted the mayor's salary to be \$120K and begin retroactively to January 1, 2023. He thinks a substitute motion should be made indicating this. In response to a question from Strommen, Stroot said the mayor's salary could fall between steps 34-46, which is between \$120,46 to \$171,158. Stroot said the mayor never approached him or anyone else regarding his salary. There was no influence by him at all. Motion was made by Jones, second by Roseland to change the mayor's salary to the lowest step, which is 34 and totals \$120,046. Roberts and Ham said they support the salary but not going back retroactively to January 1, 2023. Jones and Roseland agreed the motion should not include going back retroactively to January 1, 2023. Motion carried 8-1-1 with Evans voting no and Salamun abstaining.

Mayor Allender read in item (LF021523-16) Authorize a Cost of Living Adjustment for Non-Union Employees of 4% on June 18, 2023. Evans said he would give a higher percentage to employees who are in the lower pay grade. He doesn't agree with the same percentage being applied across the board at the same percentage rates. Motion was made by Jones, second by Salamun to approve 9-1 with Evans voting no.

NON-CONSENT ITEMS – Items 38 - 41

Ordinances

Mayor Allender read in item (LF020123-20) Second Reading of Ordinance No. 6562 an Ordinance Changing the Name of the Rapid City Human Relations Commission to the Rapid City Community Relations Commission Along with Some Miscellaneous Cleanup of the Ordinance by Amending Chapter 2.64 of the Rapid City Municipal Code. Having passed its first reading on February 6, 2023, motion was made by Armstrong, second by Ham that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Ham, Strommen, Salamun, Roberts, Jones, Lehmann, Evans, Armstrong, and Roseland; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6562 was declared duly passed upon its second reading

Mayor Allender read in item (23OA001) First Reading of Ordinance No. 6561- An Ordinance Amendment to Amend Sections 17.12.050, 17.12.070, and 17.40.050 of the Rapid City Municipal Code relating to the Height of Certain Structures. Motion was made by Salamun, second by Roberts to approve. Motion carried 10-0 that Ordinance 6561 be placed upon its first reading and title was fully and distinctly read and the second reading was set for March 6, 2023.

Mayor Allender read in item (LF021523-02) First Reading of Ordinance No. 6563 Regarding Supplemental Appropriation #1 for 2023. Motion was made by Nordstrom, second by Lehmann to approve. Motion carried 10-0 that Ordinance 6563 be placed upon its first reading and title was fully and distinctly read and the second reading was set for March 6, 2023.

Community Development Items

Mayor Allender read in item (No. 22PL143) A request by Renner Associates, LLC for Nick Emery for a Preliminary Subdivision Plan for proposed Lot 33 and 34 of Block 3 and Lot 27 of Block 5 of Robbinsdale Terrace Subdivision generally described as being located north of northern terminus of Grandview Drive and southeast of the intersection of Indiana Street and Oak Avenue. Motion was made by Jones, second by Armstrong to approve with stipulations. Jones voiced concerns about the steep hillside and access. Fisher indicated this is a preliminary plat and the developers will have to meet the requirements of the design plan. Nordstrom said he was receiving concerns from neighbors regarding soil stability. Fisher indicated there would only be three lots and will have minimal impact on existing contours. Motion carried 10-0 to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans for the East Indiana Street extension and turnaround along with the Grandview Drive turnaround, both local streets, shall be submitted for review and approval pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual or shall meet criteria for obtaining an Exception. In addition, the turnarounds shall be constructed pursuant to Table 2-4 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; 2. Upon submittal of a Development Engineering Plan application, a utility plan clearly showing the location of water and sanitary sewer service lines for each lot shall be submitted for review and approval; 3. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval for the water main and fire hydrants to be located along the two proposed turnarounds; 4. Upon submittal of a Development Engineering Plan application, all information pursuant to Chapter 16.12.040 of the Rapid City Municipal Code shall be submitted for review and approval, as applicable; 5. Upon submittal of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval; 6. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 7. 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; 8. Prior to approval of the Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured; 9. Prior to approval of the Development Engineering Plan application, any necessary off-site easements shall be recorded; 10. Prior to submittal of a Final Plat application, the right-of-way for East Indiana Street and the Grandview Drive turn around located outside of the boundaries of this plat shall be dedicated; 11. 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, 12. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

PUBLIC HEARING ITEMS – Items 42 - 49

CONSENT PUBLIC HEARING ITEMS – Items 42 – 49

Motion was made by Lehmann, second by Roberts to approve items 42-48. Motion carried 10-0.

Alcohol Licenses

- 42. Girl Scouts Dakota Horizons for a SPECIAL EVENT (on-sale) Wine License and (on-sale) Malt Beverage License for an event scheduled for May 2, 2023 at the Rushmore Plaza Holiday Inn, 505 North 5th Street
- 43. Bar K-9 for a SPECIAL EVENT (on-sale) Malt Beverage License for an event scheduled for March 10-11, 2023 at the Rushmore Mall, 2200 N Maple Ave Suite 2002
- 44. Woodland Republic LLC DBA Woodland Republic Brewing and Blending, for a new Retail (on-off sale) Malt Beverage and SD Farm Wine License; and a new Retail (on-off sale) Wine and Cider License, at 412 5th Street
- 45. Fresh Ideas LLC DBA Ugly Graffiti for a new Retail (on-off sale) Malt Beverage and SD Farm Wine License; and a new Retail (on-off sale) Wine and Cider License, at 725 St Joseph Street
- 46. Elevate Rapid City for a SPECIAL EVENT (on-sale) Malt Beverage and (on-sale) Wine License for an event scheduled for April 11, 2023 at Monument Health, 353 Fairmont Blvd
- 47. MG Oil Company DBA The Park – 2B for a new Retail (on-off sale) Malt Beverage & SD Farm Wine License with Video Lottery at 707 Mountain View Rd
- 48. MG Oil Company DBA 777 Casino South A2 for a new Retail (on-off sale) Malt Beverage & SD Farm Wine License with Video Lottery at 2110 Jackson Blvd, Suite A2

Other Items Requiring Public Hearings

Mayor Allender read in item (22VR008) Nicholls No. 2 Subdivision – Approve Resolution 2023-005 – Resolution For Vacation Of Right-Of-Way For Property Generally Described As Being Located At 1221 E. St. Joseph St. Motion was made by Lehmann, second by Jones and carried 10-0 to approve.

Resolution No. 2023-005
Resolution of Vacation of Right-of-Way

WHEREAS, it appears that the following right-of-way is not needed for public purposes: Cherry Avenue adjoining Blocks 1 and 2 of Nicholl's 2nd Subdivision and Lots 2 and 3 of the SW1/4 SE1/4 of Section 6, T1N, R6E; Alley adjoining Blocks 1 and 2 of Nicholl's 2nd Subdivision; and St. Andrew Street adjoining Blocks 2 and 3 of Nicholl's 2nd Subdivision, located in Section 6, T1N, R8E, BHM, Rapid City, South Dakota, more generally described as 1221 E. St. Joseph Street; and

WHEREAS, the owners of property adjoining the above-described right-of-way desire 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 Interim Finance Director are hereby authorized to execute a release of public right-of-way in regard thereto.

Dated this 21st day of February, 2023.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

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

END OF CONSENT PUBLIC HEARING CALENDAR

BILLS

BILL LIST - FEBRUARY 21 , 2023

P/ROLL PERIOD END 01/28/23, PD 02/03/23	2,501,779.54
CDEV P/ROLL PERIOD END 01/28/23, PD 02/03/23	2,609.50
SUPP P/ROLL PERIOD END 01/28/23, PD 02/07/23	600.45
PIONEER BANK & TRUST, 01/28/23 P/ROLL TAXES, PD 02/03/23	669,532.87
CDEV PIONEER BANK & TRUST, 01/28/23 P/ROLL TAXES, PD 02/03/23	610.28
PIONEER BANK & TRUST, SUPP 01/28/23 P/ROLL TAXES, PD 02/07/23	56.62
WELLMARK INC, HEALTH CLAIMS THROUGH 02/03/23, PD 02/09/23	119,030.57
WELLMARK INC, HEALTH CLAIMS THROUGH 02/10/23, PD 02/16/23	281,314.87
WAGE WORKS, SECTION 125 CLAIMS THROUGH 02/06/23, PD 02/07/23	11,758.45
WAGE WORKS, SECTION 125 CLAIMS THROUGH 02/13/23, PD 02/14/23	9,795.96
RISK ADMINI SERVICES INC WORK COMP CLAIMS THROUGH 02/08/23, PD 02/09/23	6,540.18
SOUTH DAKOTA RETIREMENT SYSTEM, JAN23 RETIREMENT, PD 02/06/23	591,502.69
BLACK HILLS ENERGY, ELECTRICITY, PD 02/09/23	48,048.15
BLACK HILLS ENERGY, ELECTRICITY, PD 02/14/23	15,918.43
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 02/09/23	53,593.68
COMPUTER BILL LIST,	3,964,626.34
CDEV COMPUTER BILL LIST	106,599.17
SUBTOTAL	8,383,917.75
RSVP, P/ROLL PERIOD END 01/28/23, PD 02/03/23	2,469.74
RSVP, PIONEER BANK & TRUST, 01/28/23 P/ROLL TAXES, PD 02/03/23	606.00
RSVP, COMPUTER BILL LIST	727.19
TOTAL	8,387,720.68

Davis presented the bill list of \$8,387,720.68. Motion was made by Salamun, second by Nordstrom and carried to authorize (No. CC022123-01) 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 Nordstrom, second by Jones and carried to adjourn the meeting at 7:18 p.m.

Dated this 21st day of February, 2023.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

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

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