

PROCEEDINGS FOR THE CITY COUNCIL
City of Rapid City, South Dakota
6:30 P.M January 16, 2024

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, 300 Sixth Street, Second Floor, in Rapid City, South Dakota on Tuesday, January 16, 2024, at 6:30 P.M.

The following members were present: Mayor Jason Salamun and the following Alderpersons: Greg Strommen, Kevin Maher, Pat Roseland, Rod Pettigrew, Bill Evans, Josh Biberdorf, John Roberts, Lance Lehmann, and Lindsey Seachris; the following were absent: Jesse Ham; 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, Community Development Director Vicki Fisher, Finance Director Daniel Ainslie, Parks and Recreation Director Jeff Biegler, IT Director Jim Gilbert, Interim Human Resources Director Leah Braun, Assistant Public Works Director Kristen Hasse, Water Rec Superintendent Dave Van Cleave, Operations Management Engineer Eddie Lopez, Communications Coordinator Darrell Shoemaker, and Sr. Administrative Coordinator Heidi Weaver.

ADOPTION OF AGENDA

Motion was made by Roberts, second by Strommen to adopt the agenda. Motion carried 9-0.

PRESENTATION

Gabe Laber with HDR Engineering, gave a presentation regarding the water rate revisions. He spoke of the 20 plus years of award-winning water quality that Rapid City produces. Rapid City has resiliency in the water system by using both surface water and ground water. The system has seven different pressure zones, to serve 1, 170 feet of elevation difference throughout the community. The loss ratio in 2022 was 7.9% less than ½ of the national average. The system has components that are more than 100 years old. Rapid City Water has received the State Water Quality Award of 20 consecutive years. The City's rate study policy is required every five years. It is designed to ensure that the utility is operated as a self-sufficient business without tax subsidies. In 2017 the Council adopted financial / rate setting policies. This provides sufficient revenue to operate and maintain the City's Water Infrastructure. It maintains proportional and cost-based rates. It reflects prudent financial planning criteria. The study is developed using industry accepted methodologies. The next steps include finalizing the report. Then, application to State Water Facility Plan which includes: evaluating multiple alternatives for each Debt Funded Capital Project; evaluation includes cost-effectiveness; the facility plan requires rates to be set at adequate level for debt payments; then it will be presented to the Council for consideration. Regarding irrigation for public use; the City reviews the use of treated water for irrigation on a per site basis. When constructed, each project is evaluated for the most cost-effective irrigation approach. The cost of extending treated water lines is compared to the cost of drilling new wells or installing a new raw water system. Meadowbrook Golf Course and the Executive Golf Course utilize raw water from Rapid Creek. Use of treated water for irrigation is common across the United States. Mr. Laber spoke on water adopted rates versus water debt surcharge comparison. Annual rates include annual debt services costs. Alternative approach – add a debt surcharge in addition to base rates. The Council adopted rates versus rates with a surcharge. This included necessary inflationary price adjustment in the first two years. Surcharges are then added for each new series of debt-funded Capital Projects. Surcharges required 1: 1: Debt Service Charge factor. Accounts are proportionally charged (i.e. additional consumption does not incur additional surcharge.) In summary, the rate study is based on the City's financial policies, adopted budgets, and capital needs necessary to maintain water reliability, availability and quality. The next steps include evaluation of capital projects to ensure best alternative is followed, each project will be presented to and approved by the Council. Questions were answered regarding enterprise funds, the water rates for other South Dakota cities and treated water versus raw water.

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

Patti Martinson spoke on the Municipal Equality Index (MEI) for 2023 presented by Equality South Dakota. Established in 1980, the Human Rights Campaign strives to end discrimination against LGBTQ+ people and create equality for all. The Municipal Equality Index scorecard showed Brookings having a score of 100 while Rapid City has a score of 21, and Pierre has a score of zero. She said the long-term goal was for Rapid City to lead the way on vital protections for LGBTQ+ and Two-Spirit individuals and their family, as well as visitors, and the workforce. Annie Bachand spoke on the women's prison being built in Rapid City. She said incarceration has little to no effect on violent crime. She said there are roughly two million people incarcerated in the U.S. which is more than any other country in the world. Incarceration tears families apart. Many people just need to deal with past trauma. After incarceration, women can't find a job with a felony; they can't rent a house with a felony; which means they can't get their kids back. Hermus Bettleyoun left the meeting so he did not speak. Ben Sherman addressed the council regarding the MEI index. He said SD has a population of 895K and the LGBTQ+ population makes up approximately 6% of the population, which is about 53K people. He wants RC to be forward thinking and he encourages people to be more open-minded regarding LGBTQ+ people. Paula Zavitz spoke on the MEI index. The score is pretty low and she feels that it needs attention. RC needs to prepare for the people coming for the new bomber at EAFB. She wants RC to be more inclusive and diverse. Brian Peck is working on ending homelessness in Rapid City. A lot of non-profits and churches are coming together to help the homeless problem. Shawn Waggoner said he was there to speak on constitutional law and church leadership. He wants the city to interpret South Dakota Constitutional Law 34-48A-51 civil defense shelters on private property / immunity for liability. He said the city was stepping on the necks of the Care Campus. Mark Millar addressed dissatisfaction with the water bill process. He said the city would not drop the administration charge of \$50 for shutting the water off, that would not shut off. He says the city has a predatory billing process. He said he was threatened to have his water shut off if he didn't pay the \$50 fee. The city needs to review the process and timing of the bills. He also said there is a safety issue regarding snow removal on Maple Street. He went over his time limit and was asked to submit his information to the department.

NON-PUBLIC HEARING ITEMS -- Items 1 – 27

Andrew Iron Shell addressed the council regarding item (LF011024-09). He said School Resource Officer Program is a contributing factor for the "school to prison pipeline." He has concerns with the police officers in the school system. He said kids have been assaulted by the SRO's. He feels Native American children are being targeted. He is against the women's prison being placed in Rapid City.

CONSENT ITEMS – Items 1 – 20

The following items were removed from the Consent Items:

6. PW010924-02: Authorize Staff to Advertise for Bids for the Water Reclamation Facility South Plant Improvements – Phase 2, Project Number 20-2629.2/ CIP Number 51129.2, Estimated Construction Cost \$147,000,000.
20. CC011624-02.4 – Continue the award of Rapid City Landfill Cell 15 Liner and Leachate Collection, Project No. 18-2448 / CIP No. 51202.2 opened on January 09, 2024 to the February 05, 2024 City Council Meeting.

Motion was made by Maher, second by Seachris to approve Consent Items 1-20 with the exception of items 6 and 20. Motion carried 9-0.

Approve Minutes

1. Approve Minutes for the January 2, 2024 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (February 5, 2024)

- 2. American Heart Association for a SPECIAL EVENT (on-sale) Wine License and an (off-sale) Package Wine License for an event scheduled for February 24, 2024 at The Monument, 444 Mt. Rushmore Road
- 3. Bar K-9 for a SPECIAL EVENT (on-sale) Malt Beverage License for an event scheduled for February 16-17, 2024 at Rushmore Mall, Center Court, 2200 N Maple Ave
- 4. Holiday Stationstores, LLC DBA Circle K #2746529, 3276 Cambell Street for a New Retail (on-off sale) Malt Beverage & SD Farm Wine License and a New Retail (on-off sale) Wine and Cider License.

Public Works Committee Consent Items

- 5. PW010924-01: Approve Abatement Request for Stormwater Drainage Utility Fee for Pennington County Owned Property, tax ID 52965, in the amount of \$473.72 (assessment year 2024).
- 7. PW010924-03: Approve Change Order 1F to Western Construction, Inc. for Catron Boulevard Pavement Rehabilitation, Project No. 2725, CIP No. 51376, for a decrease of \$127,291.62.
- 8. PW010924-04: Approve Change Order 3 for Project No. 2675 / CIP No. 51225 City Hall Phase 2 Renovation with MAC Construction Co. Inc. for an increase of \$48,479.00.
- 9. PW010924-05: Authorize Staff to Seek Proposals for Engineering Services for 2024 Capital Improvement Projects, to include: Robbinsdale Reconstruction – E. Tallent Street and Willow Avenue, Project No. 2788, CIP 50390.5-1; Silverleaf Avenue Reconstruction – 4th Street to South Street, Project No. 2796, CIP 50837; Signal Hill Reservoirs Transmission Main Replacement, Project No. 2797, CIP 50463; Dakota Subdivision Reconstruction - Sitting Bull Street, Red Cloud Street and Crazy Horse Street Project No. 2798, CIP 51074; West Boulevard Area Reconstruction – Tompkins Street and Clark Street, Project No. 2799, CIP 50797; Skyline Drive Rehabilitation – Quincy Street to Tower Road, Project No. 2658, CIP 50153

Legal & Finance Committee Consent Items

- 10. LF011024-08 – Confirm the Appointment of Jami Battochio and Jennifer Seifert-Brenna to the Hotel BID Board
- 11. LF011024-01 – Approve Resolution No. 2024-002, a Resolution Declaring Property Surplus

RESOLUTION # 2024-002
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 PATROL (201):
 For Deletion (Discard):
 2011 GMC SIERRA K1500
 VIN 1GTR2VE38BZ253275

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

Dated this 16th day of January, 2024.

CITY OF RAPID CITY
s/ Jason Salamun
 Mayor

ATTEST:
s/ Daniel Ainslie

Finance Director
(SEAL)

- 12. LF011024-03 – Acknowledge the November 2023 Treasury and General Fund Update
- 13. LF011024-04 – Approve Resolution No. 2024-003, a Resolution Establishing 2024 Encumbrances

RESOLUTION 2024-003
RESOLUTION ESTABLISHING 2024 ENCUMBRANCES

WHEREAS there are existing bills due and payable relating to Calendar Year 2023 operations of the City of Rapid City totaling \$5,402,463.40, and

WHEREAS it is desirable that these bills be charged to the 2023 appropriation;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Rapid City does hereby request that the Rapid City Finance Officer encumber appropriate balances of December 31, 2023, in the amount of \$5,402,463.40.

GENERAL FUND 0101

0101 MAYOR	479.51
0104 FINANCE	910.78
0106 ATTORNEY	(207.60)
0108 PUBLIC WORKS ADMINISTRATION	997.13
0109 GENERAL GOVERNMENT BUILDINGS	64,759.23
0111 HUMAN RESOURCES	13,074.67
0197 CONNECT & PROTECT GRANT	3,662.40
0198 CVI GRANT	1,518.90
0201 POLICE	15,921.67
0202 FIRE	14,196.48
0204 DEVELOPMENT SERVICE CENTER	1,839.22
0205 TRAFFIC ENGINEERING	65,757.37
0301 STREETS & HIGHWAYS	53,156.59
0302 SNOW REMOVAL	126,659.49
0304 STREET LIGHTING	15,084.58
0305 EQUIPMENT MAINTENANCE	4,418.38
0401 STREET CLEANING	10,231.34
0601 RECREATION	(160.97)
0603 ICE PROGRAMS	401.56
0607 PARKS DEPARTMENT	64,029.52
0609 LIBRARY	81,338.33
0612 AQUATIC PROGRAMS	630.13
0616 AQUATICS MAINTENANCE	3,884.28
0617 ICE MAINTENANCE	1,303.65
0618 PUBLIC TRANSPORTATION	3,630.86
0620 PARK & RECREATION ADMINISTRATN	85.82
0621 COMMUNITY INVESTMENTS	41,856.00
0706 TRANSPORTATION PLANNING	34,822.69
0708 AIR QUALITY	10.00
0711 CODE ENFORCEMENT	1,168.37
0714 COMM DEVELOPMENT NON-GRANT	(1,746.47)
0860 CEMETERY	637.61
6024 INFORMATION TECHNOLOGY	219.28

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6031 GRANTS DIVISION	<u>19,960.46</u>	644,531.26
ARPA GRANT FUND 0102		
0116 ARPA GRANT		928,855.61
WILDLAND FUND 0104		
0112 WILDLAND FIRE		10,645.00
HAZARD MITIGATION GRANT FUND 0105		
0115 HAZARD MITIGATION GRANT		3,900.84
VISION FUND 0107		
0127 ECONOMIC DEVELOPMENT VISION	110,600.00	
0132 SPECIAL PROJECTS VISION FUND	<u>221,820.00</u>	332,420.00
IT CAPITAL ASSET FUND 0250		
0965 IT CAPITAL ASSET		1,020.00
OCCUPANCY FUND 0253		
0761 OCCUPANCY TAX		89,045.48
REPAIR AND DEMOLITION FUND 0260		
0927 REPAIR AND DEMOLITION		4,120.00
CONSOLIDATED CONSTRUCTN FUND 0505		
0910 CONSOLIDATED CONSTRUCTION		1,500,133.78
COMMUNITY DEVELOPMENT 0510		
0930 COMMUNITY DEVELOPMENT		1,063.11
WATER ENTERPRISE FUND 0602		
0810 WATER OPERATIONS	80,196.85	
0933 WATER REPLACEMENT/IMPROV	41,322.15	
0934 WATER EXPANSION PROJECTS	<u>3,038.22</u>	124,557.22
WASTEWATER ENTERPRISE FUND 0604		
0830 WASTEWATER OPERATIONS	36,423.78	
0833 WASTEWATER REPLACEMENT/IMPROV	1,410,806.07	
0834 WASTEWATER EXPANSION PROJECTS	<u>4,282.45</u>	1,451,512.30
AIRPORT FUND 0606		
0850 AIRPORT OPERATIONS		79,133.57
TRANSPORTATION TERMINAL FUND 0608		
0840 TRANSPORTATION TERMINAL		320.55
STORMWATER DRAINAGE FUND 0609		
7401 STORMWATER DRAINAGE OPERATIONS		755.55
PARKING LOT & AREA FUND 0610		
0870 PARKING LOT & AREA		1,859.20
SOLID WASTE ENTERPRISE FUND 0612		

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7101 WASTE COLLECTION		3,030.04
GOLF ENTERPRISE FUND 0613		
0604 MEADOWBROOK GOLF COURSE	192.69	
0664 GOLF COURSE MAINTENANCE	<u>1,159.32</u>	1,352.01
EXECUTIVE GOLF COURSE FUND 0614		
0665 EXECUTIVE GOLF COURSE MAINT		61.33
SOLID WASTE DISPOSAL FUND 0615		
7102 WASTE DISPOSAL	16,863.84	
7103 SOLID WASTE MRF/COMPOST	6,336.12	
7104 SOLID WASTE CAPITAL PROJECTS	<u>259.19</u>	23,459.15
AMBULANCE ENTERPRISE FUND 0618		
0890 AMBULANCE ENTERPRISE		29,918.01
QTA FACILITY FUND 0660		
20781 QTA DETAIL	490.95	
20782 QTA WASH	<u>498.05</u>	989.00
EDUCATIONAL LOAN FUND 0718		
1002 EDUCATIONAL LOAN		1,195.05
AIRPORT CAPITAL FUND 0734		
0909 AIRPORT CAPITAL		161,471.68
CIVIC CENTER ENTERPRISE FUND 0775		
0913 CIVIC CENTER OPERATIONS		4,429.02
RSVP FUND 0785		
0928 RSVP		1,169.04
LIABILITY INSURANCE FUND 0793		
0968 LIABILITY INSURANCE		2.30
LIBRARY BOARD FUND 0996		
0971 LIBRARY BOARD		<u>1,513.30</u>
*** GRAND TOTAL ***		\$5,402.463.40

AND BE IT FURTHER RESOLVED that this Resolution is necessary for the immediate preservation of the public peace, health, safety and support of the municipal government and its existing public institutions, and shall take effect upon the passage and publication thereof.

Dated this 16th day of January, 2024.

CITY OF RAPID CITY
s/ Jason Salamun
Mayor

ATTEST:
s/ Daniel Ainslie
Finance Director

(SEAL)

14. LF011024-06 - Approve FY24 Community Development Block Grant Annual Action Plan
15. LF011024-07 – Approve FY24 CDBG Additional Funding Recommendation – Black Hills Works
16. LF011024-09 – Authorize Chief of Police, Mayor, and Finance Director to Sign the Rapid City Area School District School Resource Officer Program Agreement

Bid Award Consent Items

17. CC011624-02.1 - Approve award of total bid for 2024 Roof Replacement – Street Division, Project No. 2770 / CIP No. 50098 opened on January 9, 2024 to the lowest responsible bidder, Built Right Roofing in the amount of \$191,200.00.
18. CC011624-02.2 – Acknowledge No bids were received for One (1) Trailer Mounted Hose Reel, Project No. 2734.1 / CIP No. 51385 opened on January 9, 2024. Authorize staff to rebid project at a later date.
19. CC011624-02.3 – Approve award of total bid for Well 6 – Well Redevelopment and Pump Testing, Project No. 23-2777 / CIP No. 51413 opened on January 9, 2024 to the lowest responsible bidder, Cahoy Pump Service in the amount of \$305,096.00.

END OF CONSENT ITEMS

Mayor Salamun read in item (PW010924-02). Authorize Staff to Advertise for Bids for the Water Reclamation Facility South Plant Improvements – Phase 2, Project Number 20-2629.2/ CIP Number 51129.2, Estimated Construction Cost \$147,000,000. Evans said he can't support this without all of the information. Seachris asked if there was an engineer's report. Tech said the report is huge with volumes of technical data. PW has not typically provided the engineer's report since it not in the council's purview. He said the reports can be made available when they are done. When they are complete they will be put out for bid. He said this was brought back with an additional \$35 million due to inflationary costs. The true cost has to be known before they apply for the SRF loans. Tech explained the regulations that have to be met for discharge of treated wastewater is important. The plant needs upgrades since it was built in the 1960's. Standards have to be met in order to run the plant. He feels it is a favorable bidding climate right now. Motion was made by Seachris, second by Biberdorf. Motion carried 7-2 with Evans and Roberts voting no.

Mayor Salamun read in item (CC011624-02.4) Continue the award of Rapid City Landfill Cell 15 Liner and Leachate Collection, Project No. 18-2448 / CIP No. 51202.2 opened on January 09, 2024 to the February 05, 2024 City Council Meeting. Seachris asked about the price differences in the bids. Tech said the engineer's estimate is provided just before the bid. They are able to negotiate some aspects of the project. If extra money is needed, other projects are reviewed to see which projects can be postponed. There is a review done with staff and Finance to make sure the project will be satisfactorily funded. Motion was made by Seachris, second by Maher and carried 9-0 to approve.

NON-CONSENT ITEMS – Items 21 – 27***Ordinances***

Mayor Salamun read in item (LF122723-04) Second Reading of Ordinance No. 6600 Regarding Supplemental Appropriation #1 for 2024. Having passed its first reading on January 2, 2024, motion was made by Roberts, second by Seachris and carried 9-0 that the title be read the second time: Upon vote being taken, the following voted AYE: Strommen, Maher, Lehmann, Evans, Biberdorf, Pettigrew, Seachris, Roberts and Roseland; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6600 was declared duly passed upon its second reading.

Public Works Committee Items

Mayor Salamun read in item (PW010924-06) Authorize Mayor and Finance Director to Sign the Solid Waste Division’s Semi-Annual Report and Annual Operating Report required by the Title V Air Quality Permit. Motion was made by Seachris, second by Biberdorf and carried 9-0 to approve.

Legal & Finance Committee Items

Mayor Salamun read in item (LF011024-02) Approve Resolution No. 2023-086, a Resolution Levying Assessment. Motion was made by Biberdorf, second by Seachris to approve. Evans doesn’t believe the city should bully the same property owners regarding clean-ups. Fisher said future reports can show the number of violations on the property along with the dates of the violations. He said he was going to vote no on principle. Motion passed 8-1 with Evans voting no.

RESOLUTION NO. 2023-086
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 16th day of January, 2024.

CITY OF RAPID CITY
s/ Jason Salamun
Mayor

ATTEST:
s/ Daniel Ainslie
Finance Director
(SEAL)

ASSESSMENT ROLL FOR
CLEANUP OF MISCELLANEOUS PROPERTY
Resolution 2023-086

Tax ID	Full Name	SITUS	Legal	Total Due
22364	Michael Brennan	1005 E St. Francis St	Lot 14, Blk 5, Cloverdale	\$310.00
65237	Chris Simpson	302 Eli Dr	Lot 13, Blk 1, Prairie Meadows Sub	\$250.00
57669	DB Hospitality LLC	1840 W Kansas City St	Lot 26-27, W5' of Lot 28, Blk 1, Jones Tract	\$200.00

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62827	DB Hospitality LLC	725 Jackson Blvd	Days Inn Tract, Trijowinn Subd	\$230.00
27199	Hector Frias	645 Halley Ave	Lot 1-3, Blk 31, North Rapid Add	\$575.00
1639	Peggy High Bear	2740 Red Cloud St	Lot 80, Dakota Subd #1	\$500.00
25930	Alan Alton	1006 Blaine Ave	Lot 39-40, Blk 12, Millard Add	\$6,550.00
33403	Kevin Paugh	2111 Central Blvd	Lot 30, Blk 2, Strathavon #2	\$4,945.00
23613	Jerrold Mills	603 St Andrew St	Lot 1-3, Blk 34, Flormann	\$330.00
31028	CF3 Enterprise LLC	405 E Watertown St	Lot 8 & E1/2 of Lot 9, Blk 9, Schnasse Add	\$700.00
26740	Timothy Wickersham	1514 Space Ave	Lot 16, Block 15, Northern Heights Subd	\$270.00
64567	Oxford Apartments LLC	225 E Watertown St	Lot 1-3, that pt of vacated Watertown Stadj to Said Lots, Blk 7, Schnasse Add	\$725.00
49875	DB Hospitality LLC	Gill Ave	Lot 3, Trijowinn Subd	\$425.00
62870	Synthia Good Voice Elk	28 Melano St	Lot 5, Block 3, Brookfield Subd	\$330.00

Community Planning & Development Services Department Items

Mayor Salamun read in item (No. 23PL112) A request by Davis Engineering, Inc for Mark and Ramona Hirsch for a Preliminary Subdivision Plan for proposed Lots A and B of Hirsch Addition, generally described as being located east of Miracle Road, and south of Sheridan Lake Road. Motion was made by Roberts, second by Seachris and carried 9-0 to approve with the following stipulations: 1. Prior to the submittal of a Final Plat application, the plat document shall be revised to identify property line sidewalks along Miracle Road adjacent to the proposed lots or a Variance shall be obtained from City Council. If a Variance is obtained a copy of the approved document shall be submitted with the Final Plat application; 2. Upon the submittal of a Final Plat application, a site plan shall be submitted for review and approval identifying the location(s) of the cistern(s), drainfield(s), and septic tank(s) on the property to verify compliance with the separation distances from the common lot line and to verify whether easements or agreements are necessary; 3. Upon the submittal of a Final Plat application, the street prefix on the plat document shall be revised to read 'Miracle Road' rather than 'Miricle Road'; and, 4. Upon the submittal of a Final Plat application, the plat document shall identify all necessary easements. Miscellaneous documents shall be provided for all necessary easements outside of the plat boundary.

Mayor Salamun read in item (No. 23PL115) A request by KTM Design Solutions, Inc for BPRushmore, LLC for a Preliminary Subdivision Plan for proposed Lot 2 of IGT Subdivision, generally described as being located at the southwest corner of the intersection of Tablerock Road and Mount Rushmore Road. Motion was made by Maher, second by Roberts and carried 9-0 to approve with the following stipulations: 1. Upon the submittal of a Final Plat application, the plat document shall identify all

necessary easements. Miscellaneous documents shall be provided for all necessary easements outside of the plat boundary.

Mayor Salamun read in item (No. 23PL118) A request by FMG, Inc for Western Dakota Technical College for a Preliminary Subdivision Plan for proposed Lot A, B, C and D of WDTC Subdivision, generally described as being located north of SD Highway 44 between Mickelson Drive and Valley Drive. Motion was made by Roberts, second by Roseland and carried 9-0 to approve with the following stipulations: 1. Prior to the submittal of a Development Engineering Plan application, the applicant shall schedule a pre-application conference as required by §16.08.040 of the Rapid City Municipal Code; 2. Upon the submittal of a Development Engineering Plan application, all information as per §16.12.040 of the Rapid City Municipal Code shall be submitted for review and approval, as applicable; 3. Upon the submittal of a Development Engineering Plan application, engineering design reports (in part to include water, sewer, drainage, and pavement) shall be submitted for review and approval as per §1.15 of 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; 4. Upon the submittal of a Development Engineering Plan application, construction plans pursuant to Figure 2-1 of the Infrastructure Design Criteria Manual for a Local Street shall be submitted for review and approval for the Public Access and Utility Easement or the criteria for obtaining an Exception shall be met. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application; 5. Upon the submittal of a Development Engineering Plan application, construction plans shall be submitted for review and approval for the recommended drainage improvements as per the Perrine Drainage Basin Plan or the criteria for obtaining an Exception shall be met. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application; 6. Prior to the approval of a Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements; 7. Prior to the approval of a Development Engineering Plan application, a cost estimate for the required subdivision improvements shall be submitted for review and approval; 8. Prior to the approval of a Development Engineering Plan application, approval from the South Dakota Department of Agriculture and Natural Resources shall be secured; 9. Prior to the approval of a Development Engineering Plan application, any necessary off-site easements shall be secured; 10. Upon the submittal of a Final Plat application, the plat document shall identify all necessary easements. Miscellaneous documents shall be provided for all necessary easements outside of the plat boundary; 11. Upon the submittal of a Final Plat application, a Covenant Agreement shall be entered into with the City for the maintenance and ownership of any proposed drainage elements; 12. Prior to submittal of a Final Plat, an alternate street name for Technology Drive shall be submitted to the Emergency Services Communications Center for review and approval. In addition, the plat document shall show the approved street name; 13. Prior to the approval of a Final Plat application, proposed Lots A, B, and C shall be rezoned to Medium Density Residential District; and, 14. Prior to the City's acceptance of public improvements, a warranty surety shall be submitted for review and approval as required.

Appeals

Mayor Salamun read in item (CC011624-04.1) Appeal by Jatou Roberts to re-instate his revoked security license. Motion was made by Roberts, second by Pettigrew to deny the appeal of re-instating the security license. Landeen told the mayor the applicant was present. Mayor Salamun asked the applicant if he'd like to speak. The applicant stated the Council already voted, so what good would it do to speak now. Motion carried to deny 9-0.

PUBLIC HEARING ITEMS – Items 28 – 30

CONSENT PUBLIC HEARING ITEMS – Items 28 – 30

Alcohol Licenses

- 28. DNJ LLC, DBA Holy Smokes Craft BBQ, 725 Main Street, for a Retail (on-off sale) Malt Beverage and SD Farm Wine License TRANSFER from DNJ LLC, DBA Maple Street BBQ, 2200 N Maple Ave Unit 330
- 29. Dadah Kids Corp DBA Pauly’s Pizzeria and Sub Co, 1624 E St. Patrick St Ste 101 for a NEW Retail (on-off sale) Wine and Cider License
- 30. Elevate Rapid City for a SPECIAL EVENT (on-sale) Malt Beverage License and an (on-sale) Wine License for an event scheduled for April 9, 2024 at Firehouse Wine Cellar, 940 Kennel Dr

Motion was made by Strommen, second by Roberts to approve items 28-29-30. Motion carried 9-0.

END OF CONSENT PUBLIC HEARING CALENDAR

EXECUTIVE SESSION

Motion was made by Roberts, second by Lehmann to go into Executive Session at 7:40 p.m. pursuant to SDCL 1-25-2(1) and (3) to discuss the qualifications, competence, performance, character or fitness of a public officer or employee or a prospective officer or employee and consult with legal counsel about proposed or pending litigation. Motion was made by Evans, second by Roberts and carried 9-0, to come out of Executive Session at 8:42 p.m. with all member present. There was no action taken.

BILLS

BILL LIST JANUARY 16, 2024

P/ROLL PERIOD END 12/30/23, PD 01/05/24	2,606,565.52
CDEV P/ROLL PERIOD END 12/30/23, PD 01/05/24	4,680.04
SUPP P/ROLL PERIOD END 12/16/23, PD 12/28/23	4,142.14
SUPP P/ROLL PERIOD END 12/16/23, PD 12/28/23	(5,366.76)
SUPP P/ROLL PERIOD END 12/30/23, PD 01/08/24	199.68
PIONEER BANK & TRUST, 12/30/23 P/ROLL TAXES, PD 01/05/24	749,514.97
PIONEER BANK & TRUST, SUPP 12/16/23 P/ROLL TAXES, PD 12/28/23	1,201.68
PIONEER BANK & TRUST, SUPP 12/16/23 P/ROLL TAXES, PD 12/28/23	(1,393.33)
PIONEER BANK & TRUST, SUPP 12/30/23 P/ROLL TAXES, PD 01/08/24	15.28
CDEV PIONEER BANK & TRUST, 12/30/23 P/ROLL TAXES, PD 01/05/24	1,173.84
WELLMARK INC HEALTH CLAIMS THROUGH 01/05/23, PD 01/11/24	172,660.34
WAGE WORKS, SECTION 125 CLAIMS THROUGH 01/02/24, PD 01/03/24	3,260.14
WAGE WORKS, SECTION 125 CLAIMS THROUGH 01/08/24, PD 01/09/24	11,456.36
WAGE WORKS, HSA PAYMENT THROUGH 01/05/24, PD 01/09/24	13,676.69
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 01/03/24, PD 01/04/24	7,016.64
RISK ADMIN SERVICES INC WORK COMP CLAIMS THROUGH 01/10/24, PD 01/11/24	15,591.85
SOUTH DAKOTA RETIREMENT SYSTEM DEC23 RETIREMENT, PD 01/05/24	732,049.13
BLACK HILLS ENERGY, ELECTRICITY, PD 01/08/24	12,675.89
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 01/08/24	31,190.59
COMPUTER BILL LIST,	8,046,898.10
CDEV COMPUTER BILL LIST	12,534.29
SUBTOTAL	12,419,743.08
RSVP, P/ROLL PERIOD END 12/30/23, PD 01/05/24	2,825.12
RSVP, PIONEER BANK & TRUST, 12/30/23 P/ROLL TAXES, PD 01/05/24	659.67
RSVP, COMPUTER BILL LIST	1,871.34
TOTAL	12,425,099.21

Ainslie presented the bill list of \$12,425,099.21. Motion was made by Lehmann, second by Evans and carried to authorize (No. CC011624-01) 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 Lehmann, second by Roberts and carried 9-0 to adjourn the meeting at 8:43 p.m.

Dated this 16th day of January, 2024.

CITY OF RAPID CITY
s/ Jason Salamun
Mayor

ATTEST:
s/ Daniel Ainslie
Finance Director
(SEAL)

Published at the approximate cost: _____