

PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota

September 19, 2016

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at the City/School Administration Center in Rapid City, South Dakota on Monday, September 19, 2016 at 6:30 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Ritchie Nordstrom, Darla Drew, Jason Salamun, Charity Doyle, Brad Estes, Steve Laurenti, Jerry Wright, Lisa Modrick, John Roberts and the following Alderpersons arrived during the course of the meeting: NONE; and the following were absent: Amanda Scott

Staff members present included: Finance Officer Pauline Sumption, City Attorney Joel Landeen, Fire Chief Mike Maltaverne, Police Chief Karl Jegeris, Interim Public Works Director Dale Tech, Community Resources Director Jeff Barbier and Administrative Coordinator Heidi Weaver-Norris.

ADOPTION OF AGENDA

Motion was made by Estes, second by Laurenti and carried to adopt the agenda as presented.

AWARDS AND RECOGNITIONS

Mayor Allender presented the Veteran of the Month for September 2016 to Neil Harris and recognized his efforts and dedication to the service of his country and community.

Mayor Allender and Police Chief Jegeris presented Lt. Peter Ragnone with a service certificate for his 25 years of service with the Rapid City Police Department. He was thanked for his dedication and commitment to the City of Rapid City.

Mayor Allender and Fire Chief Maltaverne presented an Academy Award to Deputy Fire Marshal Tammy Stadel. She graduated from the National Fire Academy's Executive Fire Officer's Program. She is among only 13 graduates ever in the state of South Dakota.

GENERAL PUBLIC COMMENT

Linda Rabe, President of the Chamber of Commerce, addressed the Council. She recognized Lt. Ragnone and Deputy Fire Marshal Stadel for both being alumni of Leadership Rapid City. She wanted to invite the Mayor and Council to the 130th annual Chamber meeting. They will be honoring Jim Scull for getting the "George" Award; The WPG award is going to Kyle Lambert; The hometown hero is the Rushmore Soccer organization.

Gena Parkhurst, current leader of the Daughters of American Revolution, addressed the Council. She stated that this week is Constitution Week. She said that Constitution Week was started by the Daughters of the American Revolution. In 1955 they petitioned Congress to name September 17-23 annually to be dedicated to the observance of Constitution Week. She thanked Mayor Allender for signing the proclamation of Constitution Week. She said there was additional information about the organization at, www.dar.org, and thanked the Council for their time.

Bob Weyrich, chairman of the task force subcommittee on public information. He said there is a frequently asked questions sheet that would be distributed; continue to work in the community to address the concerns of the community; through service clubs, doing public appearances with the different service clubs in the community. If there are questions, please email civiccentertaskforce@gmail.com, can also follow the process on facebook, also at www.rcgov.org and www.gotmine.com. They are looking

at Vision Funds for the Barnett arena. He said they need to look closer at the marketability of the Barnett Arena.

CONSENT ITEMS – Items 4 – 36

The following items were removed from the Consent Items:

- 25. No. LF091416-06 – Acknowledge Invitation to RCPD Community Advisory Committee's First Public Forum
- 27. No. LF091416-03 – Resolution No. 2016-067A a Resolution Fixing Time and Place for Hearing on Assessment Roll for Cleanup of Miscellaneous Property
- 31. No. 16TP022 – Approve the Transit Feasibility Study RFP

Motion was made by Wright, second by Laurenti and carried to approve Items 4-36 as they appear on the Consent Items with the exception of Items 25, 27, and 31.

Approve Minutes

- 4. Approve Minutes for the August 24, 2016 Special Council meeting.
- 5. Approve Minutes for the September 6, 2016 Regular Council meeting.

Vacations of Right-Of-Way Set for Hearing (NONE)

Alcoholic Beverage License Applications Set for Hearing (October 3, 2016)

- 6. Peggy Kelly dba Mostly Chocolates LLC, 1919 Mt. Rushmore Road for a Retail (on-off sale) Malt Beverage & SD Farm Wine License
- 7. Rapid City Area Chamber of Commerce for a SPECIAL EVENT Wine and Malt Beverage License for an Event Scheduled for October 11, 2016 at Regional Health, 1635 Caregiver Circle
- 7A. MG Oil DBA BP Casino II, 609 Mt. View Rd, Suite C-2, for a Retail (on-off sale) Malt Beverage License TRANSFER from MG Oil DBA East North Casino, 230 E North Street

Public Works Committee Consent Items

- 8. No. PW091316-01 – Approve Change Order #1F to Tru-Form Construction, Inc. for Concrete Repair Project – Sheridan Lake Road, Project No. 16-2333 / CIP NO. 50445 for a decrease of \$269.25.
- 9. No. PW091316-02 – Approve Change Order #1F to Heavy Constructors, Inc. for Sheridan Lake Road Reconstruction – June Court to Rapid Creek, Project No. 14-2203 / CIP No. 50933 for an increase of \$3,611.99.
- 10. No. PW091316-03 – Approve Change Order #1F to J & J Asphalt for 32nd Overlay, Project No. 15-2309 / CIP No. 50798 for a decrease of \$5,757.99.
- 11. No. PW091316-04 – Approve Change Order #1F to J & J Asphalt for Pavement Rehabilitation Project – Seahawk Drive, Project No. 15-2294 / CIP No. 50844 for an increase of \$20,216.45.
- 12. No. PW091316-05 – Approve Change Order #1F to Mainline Contracting, Inc. for Harter Addition 12" Water Main Abandonment, Project No. 14-2222 / CIP No. 51055 for a decrease of \$25,523.13.
- 13. No. PW091316-06 – Approve Change Order #2F to R.C.S. Construction for Water and Sanitary Sewer Clifton and Ryther, Project No. 14-2155 / CIP No. 50961.5 for an increase of \$22,641.11.

- 14. No. PW091316-07 – Approve Change Order #1F to J.V. Bailey for Park Drive Bridge Repair, Project No. 16-2325 / CIP No. 50752 for an increase of \$13,818.66.
- 15. No. PW091316-08 – Approve Change Order #1F to Complete Concrete, Inc. for 2015 ADA Compliance Project, Project No. 15-2275 / CIP No. 50761 for a decrease of \$10,699.77.
- 16. No. PW091316-09 – Approve Change Order #3 to MAC Construction for Rapid Transit Bus Storage Addition, Project No. 15-2248 / CIP No. 51084 for an increase of \$8,812.00.
- 17. No. PW091316-10 – Authorize Staff to Advertise for Bids West Omaha Drainage & Utility Improvements – Mountain View Road to 11th Street, Project No. 15-2316 / CIP No. 50904.1. Estimated Cost \$5,500,000.00.
- 18. No. PW091316-11 – Authorize Mayor and Finance Officer to Sign Amendment No. 1 to the Agreement between the City of Rapid City and FMG Engineering for the South Truck Route Drainage Basin Design Plan – Element 203, Project No. 14-2207 / CIP No. 51031, in the amount of \$4,873.50.
- 19. No. PW091316-12 – Authorize Mayor and Finance Officer to Sign Amendment No. 1 to the Agreement between the City of Rapid City and Advanced Engineering and Environmental Services, Inc. (AE2S) for Detailed Analysis of Federal Emergency Management Agency (FEMA) Special Flood Hazard Areas (SFHA), Project No. 15-2244 / CIP No. 51057, in the amount of \$20,926.00.
- 20. No. PW091316-15 – Authorize Mayor and Finance Officer to Sign an Agreement with Burns & McDonnell for Engineering Services to design the Landfill Gas Collection for closed Cells 13, 14, & 17 at the Rapid City Landfill for \$111,308.00.
- 21. No. PW091316-13 – Authorize Mayor and Finance Officer to Sign Resolution No. 2016-068, A Resolution Declaring Surplus the Structure Located at 1111 North Maple Avenue and Authorize the Demolition of the Structure.

Resolution 2016-068
 RESOLUTION DECLARING SURPLUS THE STRUCTURE LOCATED AT
 1111 NORTH MAPLE AVENUE AND AUTHORIZING DEMOLITION OF THE STRUCTURE

WHEREAS, the property located at 1111 North Maple Avenue was acquired by the City in connection with a street reconstruction project; and

WHEREAS, the structure is not suitable or useful for municipal purposes.

NOW THEREFORE, BE IT RESOLVED by the City of Rapid City that the structure located at 1111 North Maple Avenue, situated on the property legally described as

Lot 1-2 & 40' vacated street, Block 1, Millard Subdivision, City of Rapid City, Pennington County, South Dakota,

be and is hereby declared as surplus.

BE IT FURTHER RESOLVED by the City of Rapid City that said structure be demolished.

Dated this 19th day of September, 2016.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

- 22. No. PW091316-16 – Authorize Mayor and Finance Officer to Sign an Agreement with FMG Engineering for design services of a low permeability cap for Cell 17 the Rapid City Landfill for \$135,328.00.
- 23. No. PW091316-14 – Approve the Determination that the Construction of the Water Main in Harley Drive is Necessary and Direct the Public Works Director to Enforce the Terms of the Covenant Agreement with Hog Wild, LLC.

Legal & Finance Committee Consent Items

- 24. No. LF091416-02 – Approve Festival of Lights’ Special Event Permit for the 2016 Festival of Lights Parade
- 26. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Autumn Anderson, Ailsa Snyder
- 28. No. LF091416-07 – Acknowledge July 2016 Sales Tax Report
- 29. No. LF091416-08 – Authorize Mayor to Sign Midco Service Orders for Nine Locations
- 30. No. LF091416-01 – Acknowledge Update from the Opportunity Capture Fund Committee

Community Planning & Development Services Department Consent Items

- 32. No. 16TP019 – 2017 Unified Planning Work Program – Draft
- 33. No. LF091416-09 – Approve the 2017 Air Quality Pass Through Agreement – Final
- 34. No. 16AN002 - A request by Steven and Jane Arity for a Petition for De-Annexation for property generally described as being located south of Sammis Trail, east of S. Highway 16.

RESOLUTION 2016-062
A RESOLUTION EXCLUDING THE WITHIN DESCRIBED TERRITORY

WHEREAS, a petition has been filed with the City, that was signed by not less than three-fourths of the registered voters and by the owners of not less than three-fourths of the value of the territory sought to be excluded from the City; and

WHEREAS, the territory that the petitioners are seeking to have excluded is on the border of the City of Rapid City; and,

WHEREAS the City Council of the City of Rapid City deems it to be in the best interest of the City that the territory described in the petition be excluded and thereby removed from the corporate limits of the City.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City that the following territory, containing 10 acres more or less, is hereby removed from the corporate limits of the City and excluded from the City:

Tract 20 of High View Subdivision, located in Section 35, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota

Dated this 19th day of September, 2016.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

Bid Award Consent Items

- 35. CC091916-02.1 - Approve award of Total Bid for Pavement Rehabilitation Project – Steamboat Circle, Project No. 16-2324 / CIP No. 50549 opened on September 13, 2016 to the lowest responsible bidder, Hills Materials Company, in the amount of \$184,935.35.
- 36. CC091916-02.2 - Approve award of Total Bid plus Alternate 1 and 2 Bid for 2016 Miscellaneous Improvements Project, Project No. 15-2308 / CIP No. 50298 opened on September 13, 2016 to the lowest responsible bidder, Complete Concrete, Inc. in the amount of \$165,085.00.

END OF CONSENT ITEMS

Mayor read in item (No. LF091416-06) Acknowledge Invitation to RCPD Community Advisory Committee’s First Public Forum. Motion was made by Drew, second by Salamun to acknowledge invitation. In response to a question from Drew, Jegeris said on Tuesday, September 27, 2016 at 7:00 p.m. at the Rapid City Council Chambers, the Community Advisory Committee will have its first progress report. All citizens are invited to attend. They will share exciting details on the progress as a department and as a committee regarding improving race relations in Rapid City. They will have a second meeting on October 3, 2016 at 7:00 p.m. at Lakota Homes. Chief Jegeris said Mr. Vargas has a shared vision regarding his intentions to lessen the divide in our community. Mr. Vargas has taken a very logical approach and citizens will hear many examples of success during the progress report. Motion carried.

Mayor read in item (No. LF091416-03) Resolution No. 2016-067A a Resolution Fixing Time and Place for Hearing on Assessment Roll for Cleanup of Miscellaneous Property. Motion was made by Drew, second by Estes to approve. In response to a question from Drew, Barbier said that any property owner is welcome to contact him directly regarding their assessment. In response to a question from Roberts, Sumption said she was looking into the 9th Street property assessment and would get back with him. The assessment does stay with the property and is the responsibility of the property owner on record. The owners are sent certified letters that inform them of the public meeting. In response to a question from Nordstrom, Barbier said they do have a list compiled of vacant property. He said they become a headache because the City essentially becomes a property manager. Nordstrom clarified that the owner could always call code enforcement to get let them know when they are available to take care of the problem and they will work with them.

RESOLUTION No. 2016-067A
RESOLUTION FIXING TIME AND PLACE FOR
HEARING ON ASSESSMENT ROLL FOR
CLEANUP OF MISCELLANEOUS PROPERTY

BE IT RESOLVED by the City Council of the City of Rapid City, South Dakota, as follows:

1. The Assessment Roll for Cleanup of Miscellaneous Property was filed in the Finance Office on the 19th day of September, 2016. The City Council shall meet at the City / School Administration Center in Rapid City, South Dakota, on the 17th day of October, 2016 at 6:30 P.M., this said date being not less than twenty (20) days from the filing of said assessment roll for hearing thereon.
2. The Finance Officer is authorized and directed to prepare a Notice stating the date of filing the assessment roll, the time, and place of hearing thereon; that the assessment roll will be open for public inspection at the Office of the Finance Officer, and referring to the assessment roll for further particulars.
3. The Finance Officer is further authorized and directed to publish notice in the official newspaper one week prior to the date set for hearing and to mail copy thereof, by first class mail, addressed to the owner or owners of any property to be assessed at his, her, or their last mailing address as shown by the records of the Director of Equalization, at least one week prior to the date set for hearing.

Dated this 19th day of September, 2016.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

Mayor read in item (No. 16TP022) Approve the Transit Feasibility Study RFP. Motion was made by Drew, second by Nordstrom to approve. In response to a question from Drew, Tech said the City is hiring consultant part of stakeholder requirement in the Metropolitan Planning Area, and they will assemble a group of people for focus groups and have public input meetings as well. The consultant will reach out to NAU, WDTI, some places at EAFB, also large centers of activities, will be considered for routes. Drew hopes that free service for students extends to these areas as well. Nordstrom stated this was a pretty aggressive schedule. Tech said there will be much more discussion on how it's funded. This is just the first step of the process in getting additional transit service. Nordstrom has been contacted from other agencies within the City. They want to be invited to the discussions. Motion carried 9-0.

NON-CONSENT ITEMS

Ordinances

Ordinance 6137 (No. LF083116-02a) An Ordinance Regarding Supplemental Appropriation #3 for 2016. Motion was made by Roberts, second by Laurenti that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Drew, Salamun, Doyle, Estes, Laurenti, Wright, Modrick and

Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6137 was declared duly passed upon its second reading.

Ordinance 6138 (No. LF091416-05) An Ordinance Amending the Code Enforcement Appeal Procedure by Repealing Chapter 8.01 of the Rapid City Municipal Code, Adopting Section 2.24.065 of the Rapid City Municipal Code, and Amending Sections 2.24.020, 8.16.050, 10.56.060, and 10.56.065 of the Rapid City Municipal Code. Motion was made by Roberts, second by Laurenti that Ordinance 6138 be placed on its first reading and the title was fully and distinctly read. In response to a question from Nordstrom, Landeen said appeals were rarely heard by the code enforcement board of appeals and that's why it's being eliminated and appeals are going directly to the Community Resources Director, with the option to appeal their decision to City Council.

Ordinance 6139 (No. PW083016-16) An Ordinance to Clarify Requirements for Installation of Sidewalks by Amending Chapter 12.08 of the Rapid City Municipal Code. Motion was made by Roberts, second by Wright that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Drew, Salamun, Doyle, Estes, Laurenti, Wright, Modrick and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6139 was declared duly passed upon its second reading.

Ordinance No. 6104 (No. LF083116-07) An Ordinance to Amend Certain Provisions in the Rapid City Plumbing Code by Amending Chapter 15.24 of the Rapid City Municipal Code. Motion was made by Roberts, second by Wright that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Drew, Salamun, Doyle, Estes, Laurenti, Wright, Modrick and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6104 was declared duly passed upon its second reading.

Ordinance No. 6105 (No. LF083116-08) An Ordinance to Amend Certain Provisions in the Rapid City Electrical Code by Amending Section 15.16.020 of the Rapid City Municipal Code. Motion was made by Roberts, second by Laurenti that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Drew, Salamun, Doyle, Estes, Laurenti, Wright, Modrick and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6105 was declared duly passed upon its second reading.

Ordinance No. 6106 (No. LF083116-09) An Ordinance to Amend Certain Provisions Regarding Contractor Licenses by Amending Section 15.04.140 of the Rapid City Municipal Code. Motion was made by Roberts, second by Wright that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Drew, Salamun, Doyle, Estes, Laurenti, Wright, Modrick and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6106 was declared duly passed upon its second reading.

Public Works Committee Items

Doyle read in item (No. PW091316-17) Discussion of future construction and improvements of Elm Avenue from its current southern terminus near Fieldview Drive for approximately 800 feet. She said she has been working with the developer on what potential options would be. In response to a question from Tech, he stated that he didn't believe the LLC was going to upfront the money. They want the City to take it on. The applicant didn't bring forward options, they just brought forward the problem. In response to a question from Estes, Tech said there are four options to assist with the base cost of constructing 800 feet of the street to collector street standards. The options are as follows: Create an assessed project for the street improvement which could require current home owners be responsible for the portion of the street improvement cost; Add the street improvement to the Capital Improvement Project list; Create a Tax Increment Finance District (TIF); or Use the Utilities Support Fund. Tech believes the best option is to bump a project out of CIP and insert this one in. Tech said the applicant is looking at putting in approximately 20+ lots. In response to a question from Salamun, Tech said the current homeowners will

not benefit from this road being completed. Salamun does not feel an assessment should be put on these homeowners, so he would like to take that option off the table. In response to a question from Nordstrom, Tech said the issue with this project is that there are base costs that the developers require to come up with, and then there is an oversize cost because Elm Ave is identified as an arterial road in the Major Street Plan. Tech said he believed the cost would be around \$1.2 million dollars for the total cost of the project, of which, \$400,000.00 is oversizing, and about \$800,000.00 for a base cost. Tech said the City's portion would be around \$800,000.00. Nordstrom wants the option that is the least painful for the homeowners. He is not in favor of option one or three. In response to a question from Roberts, Tech said this project is for street, water, sewer, and drainage. Roberts agreed that the Council should not assess the homeowners for a street that does them no good. The City should finance this because it's the right thing to do. In response to a question from Wright, Tech said the \$400,000.00 oversize cost is not funded yet. Wright agreed that options one and three should not be used. Nordstrom suggested that staff look at the CIP projects and see which ones can be postponed in order to get this one done sooner. Drew doesn't believe there is urgency in get this project done. She thinks it should just go to the back of the line. Doyle stated that the WORP that was issued and has caused all of these problems was done by Council in 2005. Shortly after that the developer wanted to develop their property but the adjoining owner received the WORP so it wasn't financially feasible for them to develop. Doyle said the owners have been trying to develop for 9-10 years. She said it's the City's responsibility to fix this. The developers have an expectation and the City has an obligation. She said the City created the problem and they do need to fix it. She agrees with looking at CIP for funding. Estes agrees that it's the City's obligation to fix and he doesn't think the homeowners should have to be assessed the cost. He hates to see CIP be the sole source of funding. He would like to see the utility support fund used for the \$400,000.00 oversize fee, then CIP, then a TIF last. He'd like to see a combination of financing, doesn't believe it has to come from just one source. Motion was made by Laurenti, second by Wright, to direct staff to meet with developers to come back to Council with a recommendation for the financing that excludes a TIF and excludes assessing the property owners. Salamun offered a friendly amendment to first see what money is available in the utility support fund and then use CIP funds. In response to a question from Doyle, Tech said the utility support fund is a revolving fund, however, there have been projects used out of it that there will be no recapture from, so he doesn't recommend using that because they will lose the revolving nature of the fund. Mayor stated the City is in this position because of a deal the City Council made with a developer 11 years ago. Now a developer wants to develop their land and they don't want to pay for their share of the road plus the other developer's share of the road. The other developer received a waiver of right to protest which has now been transferred on to 22 homeowners. So for \$11,000.00 each homeowner can be assessed for a road they can't use and didn't ask for. The Mayor doesn't support a TIF, he thinks that's the easy way out. It would also give a small bump in property taxes to give the schools their fair share. He doesn't think it's unreasonable to look at undesignated cash for this. In response to a question from the Mayor, Tech said he could have funding sources by the first public works meeting in November. Motion carried 8-1, with Estes voting no, to bring funding sources to the November 1, 2016, Public Works Meeting.

Legal & Finance Committee Items

Roberts read in item (No. LF091416-09) Direction to staff regarding Master Development Agreement and all addendums thereto, including the Contract for Private Development for TID #73 with President's Plaza L.L.C. Motion was made by Laurenti, second by Modrick to terminate all agreements regarding Master Development Agreement and all addendums thereto, including the Contract for Private Development for TID #73 with President's Plaza LLC. Landeen said he received a letter from the President's Plaza attorney saying they were frustrated because they did not feel that they were formally notified. However Landeen said the Mayor had prior conversations with the applicant before this meeting. The Council had taken action in October 2015 directing staff to work with the applicant, while the applicant was supposed to get a market analysis, which was never done. The applicant is asking that the item be continued in order to complete the market analysis. Laurenti said there have been several addendums and amendments and it's time for the Council to move forward for the City. He believes the City will see development on this property. Wright will support the motion and hopes they do a better job of getting

something done on the next project. Nordstrom said he would reluctantly support the motion. He would like the City do a better job of building a better partnership. Nordstrom referenced his conference at the National League of Cities and the P3 process which is Public Private Partnerships. He wants to bring in a better P3 process the next time around. Salamun said he was really excited about this project when he first heard about it and it's disappointing how it's drug out. He will support the motion with the hopes that a new opportunity will come that we can get excited about and get behind and hopefully learn lessons from the past years and do it better the next time. Drew will support this as well. She was excited for apartments, shops and parking. It's a valuable piece of real estate and it can be turned into some tax revenue for the City. Roberts said it's been a long 11 year process. He hopes the project that comes after this doesn't get as political as this project has been. He said there were some very good options and opportunities that came to the table but it was sabotaged a few times along the way. He hopes a project comes forward with a vision that was brought forward for this project because that is what we need in downtown Rapid City. Salamun said the Council is very open to something happening in that area and wants to make it very clear to the public. You have a motivated Council who wants to see development right in the heart of Rapid City so bring it. Motion carried 8-1 with Roberts voting no.

PUBLIC HEARING ITEMS

Motion was made by Estes, second by Doyle and carried to approve item 45.

Assessment Rolls

- 45. No. LF091416-04 – Resolution No. 2016-057B a Resolution Levying Assessment for Cleanup of Miscellaneous Property

RESOLUTION NO. 2016-057B
RESOLUTION LEVYING ASSESSMENT FOR
CLEANUP OF MISCELLANEOUS PROPERTY

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 amount which each lot or tract shall be benefited by the property cleanup is the amount stated in the proposed assessment roll.
- 2. The Assessment Roll for Cleanup of Miscellaneous Property 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 collected by the City Finance Office in accordance with SDCL ch. 9-43, as amended, and shall be payable in one annual installment bearing interest at the rate not to exceed six and one-half percent (6.5%).

Dated this 19th day of September, 2016.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS

Ordinance 6136 (No. 16RZ029) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dirk Jablonski, ACES for Mike Kuhl, Pennington County for a Rezoning from High Density Residential District to Public District for property generally described as being located at 308 Quincy Street having passed the first reading on September 6, 2016 motion was made by Roberts, second by Laurenti that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Drew, Salamun, Doyle, Estes, Laurenti, Wright, Modrick and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6136 was declared duly passed upon its second reading.

Motion was made by Estes, second by Laurenti and carried to continue to the October 3, 2016 City Council Meeting (No. 16TI003) – Highway 16 Sewer – A request by Kent Hagg for Alta Terra Development to consider an application to Amend Project Plan for Tax Increment District No. 70 - Highway 16 Sewer for property generally described as being located Catron Boulevard from 5th Street to South U.S. Highway 16, then south along U.S. Highway 16 to Sammis Trail and east to the proposed Hyland Crossing Subdivision.

Motion was made by Estes, second by Laurenti and carried to approve (No. 16VR009) A request by KTM Design Solutions for Duane C Pankratz for a Vacation of Section Line Right-of-Way for property generally described as being located north of Eglin Street and west of North Elk Vale Road with the following stipulation: 1. Prior to City Council approval, the utility easement proposed for this area shall be recorded at the Register of Deed’s office.

Resolution 2016-060

RESOLUTION OF VACATION OF SECTION LINE RIGHT-OF-WAY

WHEREAS it appears that the Section Line Right-of-way located in that portion of the Section Line Right-of-Way in Lot 2 of Block 1 of LaGrand Subdivision located in the SE1/4 of the SE1/4 of Section 28 and in the NE1/4 of the NE1/4 of Section 33, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota and Lot 1 of Block 1 of LaGrand Subdivision, located in the SE1/4 of the SE1/4 of Section 28 and in the NE1/4 of the NE1/4 of Section 33, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located north of Eglin Street and west of North Elk Vale Road; is not needed for public purposes; and

WHEREAS the owner(s) of property adjacent to the above-described Right-of-way desires said public Section Line 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 Officer are hereby authorized to execute a release of public Section Line Right-of-way in regard thereto.

Dated this 19th day of September, 2016.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer
(SEAL)

BILLS

The following bills have been audited.

BILLIST - SEPTEMBER 19, 2016

P/ROLL PERIOD END 09/03/16, PD 09/09/16	979,017.24
CDEV P/ROLL PERIOD END 09/03/16, PD 09/09/16	3,195.23
PIONEER BANK & TRUST, 09/03/16 P/ROLL TAXES & BENEFITS, PD 09/09/16	249,269.33
CDEV PIONEER BANK & TRUST, 09/03/16 P/ROLL TAXES & BENEFITS, PD 09/09/16	860.28
WELLMARK INC, HEALTH CLAIMS THROUGH 08/26/16, PD 09/01/16	137,204.61
WELLMARK INC, HEALTH CLAIMS THROUGH 09/02/16, PD 09/08/16	77,750.42
WELLMARK INC, HEALTH CLAIMS THROUGH 09/09/16, PD 09/15/16	169,128.91
WAGE WORKS, SECTION 125 CLAIMS THROUGH 09/06/16, PD 09/07/16	2,725.65
WAGE WORKS, SECTION 125 CLAIMS THROUGH 09/12/16, PD 09/13/16	4,469.91
US BANK, CREDIT CARD CHARGES, PD 08/31/16	55,644.02
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 09/14/16	47,761.19
BLACK HILLS ENERGY, ELECTRICITY, PD 09/14/16	51,055.64
BERKLEY ASSIGNED RISK SERVICES, AUG16 CLAIMS, PD 09/02/16	48,439.23
COMPUTER BILL LIST	8,150,951.02
CDEV COMPUTER BILL LIST	510.70
SUBTOTAL	9,977,983.38
RSVP, P/ROLL PERIOD END 09/03/16, PD 09/09/16	3,273.59
RSVP, 09/03/16 P/ROLL TAXES & BENEFITS, PD 09/09/16	975.63
RSVP, COMPUTER BILL LIST	166.08
TOTAL	9,982,398.68

Sumption presented the bill list total \$9,982,398.68. Motion was made by Laurenti, second by Salamun and carried to authorize (No. CC091916-01) the Finance Officer to issue warrants or treasurers checks drawn on proper funds, in payment thereof.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Laurenti, second by Estes and carried to adjourn the meeting at 7:50 p.m.

Dated this 19th day of September, 2016.

ATTEST:

CITY OF RAPID CITY

Finance Officer
(SEAL)

Mayor