

PROCEEDINGS OF THE CITY COUNCIL  
Rapid City, South Dakota

October 17, 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, October 17, 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, Amanda Scott, 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: NONE

Staff members present included: Finance Officer Pauline Sumption, Assistant City Attorney Wade Nyberg, Police Captain Dan Rud, Fire Chief Tim Behlings, Interim Public Works Director Dale Tech, Parks and Recreation Director Jeffrey Biegler, Community Resources Director Jeff Barbier, Administrative Secretary Paula Arthur and Administrative Coordinator Heidi Weaver-Norris.

**ADOPTION OF AGENDA**

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

**AWARDS AND RECOGNITIONS**

Rod DiBona from the American Fire Sprinkler Association presented Fire Chief Tim Behlings with the Annual Fire Sprinklers Save Lives Award. This award is only given to one person each year and Chief Behlings was recognized for generating public awareness about fire sprinklers life-saving technology. He was the main advocate to start the Rapid City Life Safety Loan Program. Behlings thanked DiBona for the award and said it was a group effort and is happy to share it with the community.

Captain Dan Rud presented employee recognitions to Lt. Mark Eisenbraun and Sgt. Wayne (Robert) Asscherick. He thanked them for their service and dedication to the City of Rapid City.

**EXECUTIVE SESSION** to consult with legal counsel concerning pending litigation (SDCL 1-25-2(3)).

Motion was made by Scott, second by Laurenti and carried to go into Executive Session at 6:47 p.m.

Motion was made by Scott, second by Estes to come out of Executive Session at 6:53 p.m.

Motion was made by Wright, second by Salamun and carried to **AUTHORIZE STAFF TO SIGN STIPULATION AND SETTLEMENT AND ORDER FOR JUDGMENT** *Dlorah, Inc. v. Zoning Board of Adjustment and City of Rapid City.*

**GENERAL PUBLIC COMMENT**

William Baker addressed the Council. He is concerned on how the City conducts human relations. He said he had a complaint against Rapid City Regional Hospital. He also asked why the City doesn't enforce the public smoking rules. He said he contacted Wade Nyberg about a complaint he wanted filed with the human relations commission. He was told his claim was a workman's comp issue. He said that Rapid City Regional Hospital discriminates and that his issue did not deal with workman's comp.

**CONSENT ITEMS** – Items 4 – 25

The following items were removed from the Consent Items:

13. No. PW101116-06 – Approve Change Order #3F to Mainline Contracting, Inc. for 5th & Catron Blvd Traffic Signal and Utility Improvements, Project No. 13-2143 / CIP No. 51020 for a decrease of \$36,685.77.
15. No. PW101116-08 – Authorize Mayor and Finance Officer to Sign Resolution No. 2016-075 a Construction Fee Resolution for Dyess Avenue Oversize Sanitary Sewer Main.

Motion was made by Estes, second by Scott and carried to approve Items 4-25 as they appear on the Consent Items with the exception of Items 13 and 15.

### ***Approve Minutes***

4. Approve Minutes for the October 3, 2016 Regular Council meeting.

### ***Alcoholic Beverage License Applications Set for Hearing (November 7, 2016)***

5. Dakota T&R LLC dba Dakota Best Wine and Gifts, 2200 N Maple Ave, Suite 242, for Retail (on-off sale) Wine and Package (off-sale) Malt Beverage & SD Farm Wine TRANSFER from Dakota's Best & Brown Bag Deli Inc. dba Dakota Best, 2200 N Maple Ave, Suite 242
6. Rapid City Chamber of Commerce for a SPECIAL EVENT Malt Beverage License and Wine License for an Event Scheduled for November 17, 2016 at Freed's Fine Furnishings, 3645 Sturgis Road
7. Green Bean LLC DBA Harriet Café, 329 Main Street for a Retail (on-off sale) Malt Beverage License

### ***Public Works Committee Consent Items***

8. No. PW101116-01 – Approve Change Order #1 to Complete Contracting Solutions for Street Maintenance Administrative Improvements, Project No. 16-2320 / CIP No. 51109 for an increase of \$5,677.00.
9. No. PW101116-02 – Approve Change Order #1F to Dakota Barricade, LLC for 2016 Lane Line Painting, Project No. 16-2334 / CIP No. 50594 for an increase of \$2,279.31.
10. No. PW101116-03 – Approve Change Order #2F to Mainline Contracting for Countryside Subdivision Water System Conversion, Project No. 15-2257 / CIP No. 51086 for a decrease of \$24,786.30.
11. No. PW101116-04 – Approve Change Order #1F to Hills Materials Inc. for Pavement Rehabilitation E. Meade Street, Project No. 15-2302 / CIP No. 50844 for an increase of \$7,743.23.
12. No. PW101116-05 – Approve Change Order #1F to Complete Concrete, Inc. for East Anamosa Street Pedestrian Crossing Project No. 13-2125 / CIP No. 50946 for a decrease of \$11,942.00.
14. No. PW101116-07 – Authorize Staff to Advertise for Bids for Oak Avenue Water Main Reconstruction, Project No. 16-2351 / CIP No. 51144. Estimated Cost \$120,000.00.
16. No. PW101116-09 – Approve Request from Holiday Station Stores, Inc. for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 along Elk Vale Road, Rapid City.
17. No. PW101116-10 – Authorize Staff to Purchase Meltdown Apex from Envirotech using the General Services Administration (GSA) Contract Pricing of \$1.44 per gallon for product and shipping.
18. No. PW101116-11 – Authorize Mayor and Finance Officer to Sign a Lease Agreement Between the City of Rapid City and TKRS Properties, LLC relative to construction of fence behind Time Square Plaza.

### ***Legal & Finance Committee Consent Items***

19. No. LF101216-02 – Resolution No. 2016-073 – Resolution in Support of Rapid City's Military and Veteran Caregivers

Resolution 2016-073  
RESOLUTION IN SUPPORT OF RAPID CITY'S MILITARY AND  
VETERAN CAREGIVERS

WHEREAS, the series of wars in which our nation has been engaged over time, since World War II, has resulted in 5.5 million military and veteran caregivers who are parents, spouses, siblings and friends, caring for those wounded, ill or injured who have served our nation, as documented by the 2014 Rand study commissioned by the Elizabeth Dole Foundation; and

WHEREAS, the daily tasks of these military and veterans caregivers can include bathing, feeding, dressing, and caring for the grievous injuries of wounded warriors, administering medications, providing emotional support, caring for the family and the home, and working outside the home to earn essential income; and

WHEREAS, the nation provides multi-faceted support to our wounded, ill and injured veterans and service members through public, private and philanthropic resources, but their caregivers receive little support or acknowledgement; and

WHEREAS, most military and veteran caregivers consider the challenging work they do as simply carrying out their civic and patriotic duty, without realizing they are, in fact, caregivers, and do not identify themselves as such; and

WHEREAS, an alarming number of military and veteran caregivers, according to research, are suffering numerous debilitating mental, physical and emotional effects as a result of their caregiving duties; and

WHEREAS, the City of Rapid City desires to recognize and support those who are serving in these vital roles in our own community;

NOW THEREFORE, BE IT RESOLVED by the City of Rapid City as follows:

- I. That the City of Rapid City become a military and veteran caregiver supportive city.
- II. That the City of Rapid City seek to identify military and veteran caregivers residing in our city.
- III. That the City of Rapid City work to ensure that our government, organizations, employers and non-profits are aware of the unique challenges of military and veteran caregivers and are encouraged to create supportive environments and opportunities for assistance.
- IV. That the City of Rapid City plan an observance each May, during Military Appreciation Month, to honor and recognize the city's military and veteran caregivers in partnership with the Elizabeth Dole Foundation's national Hidden Heroes campaign.
- V. That the City of Rapid City encourage all who care for and support veterans and service members to extend that support to their caregivers.
- VI. That the City of Rapid City designate a point of contact for our city, from the public or private sector, for citizens and organizations wanting to offer support, and caregivers who need that support.

Dated this 17th day of October, 2016.

CITY OF RAPID CITY  
s/ Steve Allender  
Mayor

ATTEST:  
s/ Pauline Sumption  
Finance Officer

(SEAL)

- 20. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Kelly Alexander, Paula Arthur, John Buck, Jessica Davis, Collin DeBow, Gabbi DeMarce, Zachary Dempsey, Demetrius Duncan, Rebecca Fisher, Rachael Galbraith, Terresah Hall, Dan Herman, Justina Kruse, Steve Langenbau, Sharon Martin, Dave Martinson, Catherine Mason, Jimmy Nesbitt, Liberia “Libbie” Pavich, Michael Perez, Christine Rogers, Pauline Sumption, Tiffany Tan, Tanya Waskul, Heidi Weaver-Norris, Larry Welke, Rebecca Wright, Anne Spencer, Bernice Miller, Sharon Vitters
- 21. No. LF101216-03 – Resolution No. 2016-070A – Resolution Fixing Time and Place for Hearing on Assessment Roll for Cleanup of Miscellaneous Property

RESOLUTION No. 2016-070A  
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 17th day of October, 2016. The City Council shall meet at the City / School Administration Center in Rapid City, South Dakota, on the 21st day of November, 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 17th day of October, 2016.

CITY OF RAPID CITY  
s/ Steve Allender  
Mayor

ATTEST:  
s/ Pauline Sumption  
Finance Officer

(SEAL)

- 22. No. LF101216-04 – Authorize Mayor and Finance Officer to Sign Life Safety Loan Agreement Between The Seed, LLC and the City of Rapid City

- 23. No. LF101216-05 – Resolution No. 2016-076 – Resolution Cancelling Checks or Warrants Not Presented for Payment within One Year of Date of Issuance

RESOLUTION #2016-076  
RESOLUTION CANCELLING CHECKS OR WARRANTS NOT PRESENTED FOR  
PAYMENT WITHIN ONE YEAR OF DATE OF ISSUANCE

WHEREAS, SDCL 9-23-21 authorizes the governing body, by resolution, to cancel any check or warrant not presented for payment within one year of the date of issuance: and

WHEREAS, the attached Appendix A contains a list of such checks not presented for payment within one year of the date of issuance; and

WHEREAS, detailed information on the checks and warrants listed on Appendix A is on file and available for public inspection during normal business hours in the City Finance Office.

NOW, THEREFORE, BE IT RESOLVED that the checks shown on Appendix A totaling \$4866.81, which have not been presented for payment within one year from the date of issuance be cancelled.

Dated this 17th day of October, 2016.

CITY OF RAPID CITY  
s/ Steve Allender  
Mayor

ATTEST:  
s/ Pauline Sumption  
Finance Officer

(SEAL)

***Community Planning & Development Services Department Consent Items***

- 24. No. 16AN004 – Approve a request by Wyss Associates, Inc. for Watershed Development, LLC for a Petition of Annexation (Resolution 2016-069) for property generally described as being located northwest of the intersection of Poppy Trail and Dunsmore Road.

RESOLUTION 2016-069  
A RESOLUTION ANNEXING 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 annexed; and

WHEREAS, the territory that the petitioners are seeking to have annexed is contiguous to 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 annexed and thereby included within the corporate limits of the City.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City that the following territory, containing 45 acres, more or less, is hereby included within the corporate limits of the City and annexed thereto:

The SE1/4 of the SE1/4 and the E1/2 of the NE1/4 of the SW1/4 of the SE1/4 of Section 20, T1N,

R7E, located in the SE1/4 of the SE1/4 and the E1/2 of the NE1/4 of the SW1/4 of the SE1/4 of Section 20, T1N, R7E, BHM, Pennington County, South Dakota

Dated this 17th day of October, 2016.

CITY OF RAPID CITY  
s/ Steve Allender  
Mayor

ATTEST:  
s/ Pauline Sumption  
Finance Officer

(SEAL)

***Bid Award Consent Items***

25. No. CC101716-02.1 – Approve award of Total Bid for Compact Track Loader opened on October 11, 2016 to Jenner Equipment Company in the amount of \$56,908.00.

END OF CONSENT ITEMS

Mayor read in item (No. PW101116-06) Approve Change Order #3F to Mainline Contracting, Inc. for 5th & Catron Blvd Traffic Signal and Utility Improvements, Project No. 13-2143 / CIP No. 51020 for a decrease of \$36,685.77. Estes asked Tech to clarify this item. Tech said that the ORG code 834 needed to be changed to 833. Motion was made by Estes, second by Wright to approve with the changed ORG code. Motion carried 10-0.

Mayor read in item (No. PW101116-08) Authorize Mayor and Finance Officer to Sign Resolution No. 2016-075 a Construction Fee Resolution for Dyess Avenue Oversize Sanitary Sewer Main. In response to a question from Roberts, Tech said the sewer main was oversized in 2014. Roberts asked why the map did not include anything south or north of what is shown on the map. Tech said there is a natural drainage basin there and this is a sanitary sewer oversizing, therefore anything that can gravity flow toward this sewer, that the City paid oversizing on, is going to be the area covered by this construction fee resolution. In response to a question from Roberts regarding the area to the south, Tech said the City's envisions those properties will gravity toward Seger Drive and there are sewer tie in's that were built off of Seger Drive to accommodate the flows from the north. Motion was made by Estes, second by Wright to approve. Motion carried 9-1 with Roberts voting no.

Resolution #2016-075  
CONSTRUCTION FEE RESOLUTION FOR DYESS AVENUE  
OVERSIZE SANITARY SEWER MAIN  
PROJECT NO. DEV 14-1207

WHEREAS, SDCL 9-48-15 and Section 13.16.350 of the Rapid City Municipal Code (RCMC) authorize the City Council to require properties benefited by the construction of sewer pipes or mains to pay their proportionate share of the cost to construct such sewer pipe or main prior to being allowed to connect to the City's sewer utility; and

WHEREAS, a 15" sewer main was extended in Dyess Avenue per City Project No. DEV 14-1207 and

WHEREAS, the total oversized cost of constructing this sewer main was \$41,006.15; and

WHEREAS, the City's engineering staff has identified the total area that will benefit from construction of this sewer main, as shown on Exhibit A, which has been attached hereto and incorporated herein; and

WHEREAS, the City's Public Works Director is recommending the cost to construct this main be paid by the properties which will benefit from its construction prior to such properties being served by the City's sewer utility; and

WHEREAS, the City's Public Works Director is recommending the construction fees be apportioned to the benefiting area shown on Exhibit A, based on the benefits that accrue to such property, and as such, should be established on a per-acre basis; and

WHEREAS, the City Council, having considered the recommendation of the City's Public Works Director and having made such investigation as it finds necessary, determines that it is in the best interests of the City and its sewer utility that the owners of properties within the benefitting area should pay their proportionate share of the cost to construct this project on a per-acre basis.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that prior to being allowed to connect to the City's sewer system, the owners of property in the benefiting area shown in Exhibit A shall be required to pay a proportionate share of the cost of constructing the 15" sewer main shown in City Project No. DEV 14-1207; and

BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay \$196.96 per acre to connect to the City's sewer utility; and

BE IT FURTHER RESOLVED that all construction fees collected as established herein shall accrue to the sewer utility enterprise fund; and

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the balance of the project costs totaling \$41,006.15 has been collected, at which time this Resolution and the utility construction fee shall automatically expire.

Dated this 17th day of October, 2016.

CITY OF RAPID CITY  
s/ Steve Allender  
Mayor

ATTEST:  
s/ Pauline Sumption  
Finance Officer

(SEAL)

**NON-CONSENT ITEMS**

***Ordinances***

Ordinance 6144 (No. 16RZ031) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Wyss Associates, Inc. for Watershed Development, LLC for a Rezoning from No Use District to Low Density Residential District II for property generally described as being located northwest of the intersection of Poppy Trail and Dunsmore Road. Motion was made by Roberts, second by Salamun to approve. In response to a question from Salamun, Tech said the Comprehensive Plan identified this area outside the City limits which is actually being annexed and then this property will be rezoned to Low Density Residential. As platting and preliminary plans are submitted to the City, they will look at the densities that they are proposing. The traffic study will be looked at during the platting process. Salamun voiced concerned over heavy traffic and bottle-necking in that area and wanted to make sure that traffic will be addressed. Ordinance 6143 was placed on its first reading and the title was fully and distinctly read.

Ordinance 6145 (No. 16RZ032) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions Inc for Hagg Brothers, LLC for a Rezoning from General Commercial District to Office Commercial District for property generally described as being located north of Sammis Trail. Motion was made by Roberts, second by Laurenti that Ordinance 6145 be placed on its first reading and title was fully and distinctly read.

***Community Planning & Development Services Department Items***

Mayor read in item (No. 16PL091) A request by Bill Freytag for CITCRA LLC for a Preliminary Subdivision Plan for proposed Lots 1 thru 7 of Block 5 of Tyler Knue Subdivision, generally described as being located at the current northern terminus of Kyle Street. Motion was made by Laurenti, second by Estes and carried to approve with the following stipulations: Planning Commission recommended that the Preliminary Subdivision Plan be approved with stipulations: 1. Prior to submittal of a Development Engineering Plan application, the construction drawings shall be revised to address redlined comments or an Exception shall be obtained to the Infrastructure Design Criteria Manual or the Standard Specifications for each comment. A copy of the approved Exception shall be submitted with the Development Engineering Plan application. In addition, the redlined comments shall be returned with the Development Engineering Plan application; 2. Prior to approval of the Development Engineering Plan application, engineering reports required for construction approval shall be accepted and agreements required for construction approval shall be executed if subdivision improvements are required. 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; 3. Upon submittal of a Development Engineering Plan application, water plans and analysis prepared by a Registered Professional Engineer shall be submitted for review and approval in accordance with the Infrastructure Design Criteria Manual. The design report shall demonstrate that the water service is adequate to meet estimated domestic flows and required fire flows to support the proposed development; 4. Upon submittal of a Development Engineering Plan application, a sewer design report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual shall be submitted for review and approval. The design report shall demonstrate that the sanitary sewer capacity is adequate to meet estimated flows and provide sufficient system capacity in conformance with the Infrastructure Design Criteria Manual; 5. Upon submittal of a Development Engineering Plan application, a drainage plan and report shall be submitted for review and approval for the proposed subdivision improvements, including stormwater detention and metering, and post construction-water quality improvements. The design report shall be in conformance with the Infrastructure Design Criteria Manual and signed and sealed by a Professional Engineer. Stormwater analysis and improvements shall also include consideration of current and future stormwater quality requirements and improvements. In addition, easements shall be provided as needed; 6. Upon submittal of a Development Engineering Plan application, a grading plan and an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual and the Infrastructure Design Criteria Manual shall be submitted for review and approval; 7. Upon submittal of a Development Engineering Plan application, construction plans for Kyle Street shall be submitted for review and approval showing the street located in a minimum 52 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, a permanent cul-de-sac bulb shall be provided at the northern terminus of Chalkstone Drive. The construction plans shall show the cul-de-sac bulb located within a minimum 118 foot diameter right-of-way and constructed with a minimum 96 foot diameter paved surface or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering application; 8. Prior to approval of the Development Engineering Plan application, a Development Agreement shall be entered into with the City for all public improvements, if applicable; 9. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval; 10. Prior to submittal of a Final Plat application, the property shall be annexed pursuant to Section 16.040.090 of the Rapid City Municipal Code; 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. In addition, any utilities and drainage proposed outside of the dedicated right-of-way shall be secured within easement(s).

### ***Bid Awards***

#### ***Alcoholic Beverage License Applications (Items 29-68)***

##### **2017 Retail (On Sale) Liquor License Renewals**

29. Fresch Inc. DBA Joes Place, 4302 S Hwy 79 for a Retail (on sale) Liquor License
30. Atlantis LLC DBA Fairfield Inn & Suites by Marriott, 1314 N Elk Vale Rd for a Retail (on sale) Liquor License
31. Heinsel Investment LLC DBA Comfort Suites, 1333 N Elk Vale Rd for a Retail (on sale) Liquor License
32. Oasis Lounge Inc. DBA Oasis Lounge, 711 Main Street for a Retail (on sale) Liquor License
33. Jackson Blvd Hospitality LLC DBA Days Inn & Lounge, 725 Jackson Blvd for a Retail (on sale) Liquor License
34. Cortez LLC DBA Alex Johnson Hotel, 523 6<sup>th</sup> Street for a Retail (on sale) Liquor License
35. DC Development LLC DBA Tinder Box, 520 7<sup>th</sup> Street for a Retail (on sale) Liquor License
36. Red Lobster Hospitality LLC DBA Red Lobster #460, 120 Disk Drive for a Retail (on sale) Liquor License
37. City of Rapid City DBA Airport Restaurant & Lounge, 4550 Terminal Rd #206 for a Retail (on sale) Liquor License
38. Loyal Order of Moose DBA Loyal Order of Moose, 841 E St Patrick St for a Retail (on sale) Liquor License
39. GMRI Inc. DBA The Olive Garden #1664, 160 Disk Drive for a Retail (on sale) Liquor License
40. Porter Apple Company Inc. DBA Applebee's Neighborhood Grill & Bar, 2160 Haines Ave for a Retail (on sale) Liquor License

##### **2017 Retail (On Sale) Liquor - Restaurant License Renewals**

41. Rare Hospitality International Inc. DBA Longhorn Steakhouse Rapid City #5406, 1510 Eglin Street for a Retail (on sale) Liquor Restaurant License

##### **2017 Package (Off Sale) Liquor License Renewals**

42. Bach Investment Inc. DBA Hideaway Casino, 1575 N LaCrosse Street Suite D for a Package (off sale) Liquor License
43. LaGrand Station LLC DBA LaGrand Station, 3851 Eglin Street for a Package (off sale) Liquor License
44. Mini Mart Inc. DBA Loaf 'N Jug #447, 1601 N Haines for a Package (off sale) Liquor License
45. Mini Mart Inc. DBA Loan 'N Jug #446, 2700 Hwy 44 East RC for a Package (off sale) Liquor License
46. Mini Mart Inc. DBA Loaf 'N Jug #443, 3106 W Main for a Package (off sale) Liquor License
47. Nash Finch Company DBA Family Thrift Center #265, 751 Mt View Rd for a Package (off sale) Liquor License
48. Nash Finch Company DBA FTC Express #257, 3460 Sturgis Rd for a Package (off sale) Liquor License
49. Mini Mart Inc. DBA Loaf 'N Jug #444, 1627 Rushmore Rd for a Package (off sale) Liquor License
50. Nash Finch Company DBA Family Thrift Center #254, 855 Omaha Street for a Package (off sale) Liquor License
51. Nash Finch Company DBA Family Thrift Liquor #253, 1516 E St Patrick Street for a Package (off sale) Liquor License
52. Safeway Stores 46 Inc. DBA Safeway Store #1554, 730 Mt Rushmore Rd for a Package (off sale) Liquor License

53. Wal-East Development Inc. DBA Jackpot Casino Too, 1415 N LaCrosse Street #3 for a Package (off sale) Liquor License
54. Cortez LLC DBA Alex Johnson Hotel, 523 6<sup>th</sup> Street for a Package (off sale) Liquor License
55. Nash Finch Company DBA Prairie Bottle Market #43, 13 New York Street for a Package (off sale) Liquor License
56. Safeway Stores 46 Inc. DBA Safeway Store #581, 2120 Mt Rushmore Rd for a Package (off sale) Liquor License
57. Walgreen Co DBA Walgreens #09512-LaCross St-Rapid, 1125 N LaCrosse Street for a Package (off sale) Liquor License
58. Running Supply Inc. DBA Runnings Farm & Fleet, 1020 N LaCrosse Street for a Package (off sale) Liquor License
59. Safeway Store 46 Inc. DBA Safeway Store #3166, 730 Mountain View Rd for a Package (off sale) Liquor License
60. Atlantis LLC DBA Fairfield Inn & Suites by Marriott, 1314 N Elk Vale Rd for a Package (off sale) Liquor License

### **2017 Retail (On-Off Sale) Wine License Renewals**

61. Wine Land Inc. DBA Wine Cellar Restaurant, 513 6<sup>th</sup> Street for a Retail (on-off sale) Wine License
62. Z'Mariks LLC DBA Noodle Café, 2335 W Main St #110 for a Retail (on-off sale) Wine License
63. Walgreen Co. DBA Walgreens 05643-Mtn View-Rapid City, 540 Mt View Rd for a Retail (on-off sale) Wine License
64. Walgreen Co. DBA Walgreens 10656-Mt Rushmore Rd, 1902 Mount Rushmore Rd for a Retail (on-off sale) Wine License
65. Rapid City / BH Lodging LLC DBA Cambria Suites, 3333 Outfitters Rd for a Retail (on-off sale) Wine License
66. Ichiban LLP DBA Ichiban, 1109 W Omaha St Ste A for a Retail (on-off sale) Wine License
67. Impressive Nails Incorporated DBA Impressive Nails, 1301 W Omaha St Ste 105 for a Retail (on-off sale) Wine License
68. Platinum Restaurant Group Inc. DBA Marcos Pizza #3019, 3625 Jackson Blvd for a Retail (on-off sale) Wine License

Motion was made by Laurenti, second by Modrick and carried to approve Items 29-68 as they appear on the Alcoholic Beverage License Applications for renewal.

### **PUBLIC HEARING ITEMS**

Sumption asked to pull the Black Hills Crisis Pregnancy Center from Resolution No. 2016-067B since they had paid their assessment. Motion was made by Scott, second by Roberts to approve Item 69, less the amount due from the Black Hills Crisis Pregnancy Center. Motion carried 10-0.

### **Assessment Rolls**

69. No. LF101216-01 – Resolution No. 2016-067B – Resolution Levying Assessment for Cleanup of Miscellaneous Property

RESOLUTION NO. 2016-067B  
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 17th day of October, 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 6143 (No. 16RZ030) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solution, Inc. for Mollers Limited Partnership for a **Rezoning from Office Commercial District to General Commercial District** for property generally described as being located northeast of the intersection of S. Waterloo Street and E. Omaha Street intersection having passed the first reading on October 3, 2016 motion was made by Estes, second by Roberts that the title be read the second time. Upon vote being taken, the following voted AYE: Nordstrom, Drew, Salamun, Doyle, Estes, Scott, Laurenti, Wright, Modrick and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6143 was declared duly passed upon its second reading.

**BILLS**

The following bills have been audited.

**BILLIST - OCTOBER 17, 2016**

P/ROLL PERIOD END 09/30/16, PD 09/30/16	1,528,003.03
P/ROLL PERIOD END 10/01/16, PD 10/07/16	987,900.11
CDEV P/ROLL PERIOD END 10/01/16, PD 10/07/16	3,195.23
PIONEER BANK & TRUST, 09/30/16 P/ROLL TAXES & BENEFITS, PD 09/30/16	394,524.99
PIONEER BANK & TRUST, 10/01/16 P/ROLL TAXES & BENEFITS, PD 10/07/16	250,594.32
CDEV PIONEER BANK & TRUST 10/01/16 P/ROLL TAXES & BENEFITS, PD 10/07/16	860.28
SOUTH DAKOTA RETIREMENT SYSTEM, SEPT16 RETIREMENT, PD 10/04/16	444,719.47
WELLMARK INC, HEALTH CLAIMS THROUGH 09/23/16, PD 09/29/16	181,287.61
WAGE WORKS, SECTION 125 CLAIMS THROUGH 10/03/16, PD 10/04/16	2,935.01
WAGE WORKS, SECTION 125 CLAIMS THROUGH 10/10/16, PD 10/11/16	3,300.86
US BANK, CREDIT CARD CHARGES, PD 10/03/16	29,663.80
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 10/12/16	49,384.11
BLACK HILLS ENERGY, ELECTRICITY, PD 10/12/16	30,310.64
BERKLEY ASSIGNED RISK SERVICES, SEPT16 CLAIMS, PD 10/03/16	48,550.66
COMPUTER BILL LIST	4,411,468.47

CDEV COMPUTER BILL LIST	41,689.82
SUBTOTAL	8,408,388.41
RSVP, P/ROLL PERIOD END 10/01/16, PD 10/07/16	3,273.59
RSVP, 10/01/16 P/ROLL TAXES & BENEFITS, PD 10/07/16	975.63
RSVP, COMPUTER BILL LIST	54.63
TOTAL	8,412,692.26

Sumption presented the bill list total of \$8,412,692.26. Motion was made by Laurenti, second by Scott and carried to authorize (No. CC101716-01) 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 Estes, second by Salamun and carried to adjourn the meeting at 7:10 p.m.

Dated this 17th day of October, 2016.

ATTEST:

CITY OF RAPID CITY

\_\_\_\_\_  
Finance Officer

\_\_\_\_\_  
Mayor

(SEAL)