

PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota

December 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, December 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, Brad Estes, Steve Laurenti, Jerry Wright, Lisa Modrick, and John Roberts and the following Alderpersons arrived during the course of the meeting: NONE; and the following were absent: Charity Doyle and Amanda Scott

Staff members present included: Finance Officer Pauline Sumption, City Attorney Joel Landeen, Police Chief Karl Jegeris, Interim Public Works Director Dale Tech, Interim Fire Chief Rod Seals, Risk Manager Trevor Schmelz, IT Director Jim Gilbert, Community Development Director Barb Garcia and Administrative Coordinator Heidi Weaver-Norris.

ADOPTION OF AGENDA

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

AWARDS AND RECOGNITIONS

Mayor Allender and Police Chief Karl Jegeris recognized Lt. Tom Senesac and Sgt. Dale McCabe on their retirement from the Rapid City Police Department. They were thanked for their years of public service and dedication to the City of Rapid City.

LITERACY COUNCIL

Chris Heacock presented item (CC121916-04.1) Literacy Council Update. She stated it was three years ago that the Literacy Council entered into an MOU with the library. She said they have gone from six students to 60 students. She has been the President of the Board for the last four years. Diane Grant addressed the Council and said she has been a tutor for three years and is the program coordinator. Peggy Saunders introduced herself as a tutor and has been with the program for 15-months, she manages the curriculum resources and she's on the board. Lois Facer is a tutor, board member and has been working to facilitate the conversation class. Their mission is to offer free, individualized tutoring and group educational experiences to help people meet their personal goals and enhance their contributions to the community. Heacock said all the tutors are volunteers. She said they partner with the career learning center. They help adults with less than an 8th grade reading level. She stated that approximately 60,000 adults in South Dakota lack basic literacy skills. In response to a question from Drew, Heacock said they receive funding from the John T. Vucurevich Foundation, the United Way and some donations. They are working on funding and directed the community to help donate through their website and their Facebook page.

NON-PUBLIC HEARING ITEMS

CONSENT ITEMS – Items 4 – 40

The following were removed from the Consent Items:

30. No. LF121416-11 – Authorize Mayor and Finance Officer to Sign Amendment to Tyler Contract for 9 Additional Implementation Days in the amount of \$11,475, to be paid from the Water Fund.
32. No. LF121416-08 – Approve Purchase of 2017 Chevy Traverse for Code Enforcement Off State Bid from Billion Auto in the Amount of \$26,315

Motion was made by Estes, second by Roberts and carried to approve Items 4 – 40 as they appear on the Consent Items with the exception of Items 30 and 32.

Approve Minutes

4. Approve Minutes for the December 5, 2016 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (January 3, 2017)

5. Black Hills Chapter of Germans from Russia Heritage Society for a SPECIAL EVENT Malt Beverage License for an Event Scheduled for March 6, 2017 at Blessed Sacrament Parish Center, 4500 Jackson Blvd
6. Rapid City Chamber of Commerce for a SPECIAL EVENT Malt Beverage and Wine License for an Event Scheduled for January 19, 2017 at Ketel Thorstenson, 810 Quincy Street
7. Wal-East Development Inc. DBA Wal-East Development Inc., 2205 N. LaCrosse Street for a Retail (on-sale) Liquor TRANSFER from Sioux Restaurants LLC / Quantum Leap Restaurants LLC, DBA TGI Friday's, 2205 N. LaCrosse Street
8. JYE Group, Inc. DBA Sumo Japanese Kitchen, 214 E. St. Joseph Street for a Retail (on-off sale) Wine and Retail (on-off sale) Malt Beverage TRANSFER from Sumo Corp. DBA Sumo Corp., 214 E. St Joseph Street

Public Works Committee Consent Items

9. No. PW121316-16 – Confirm the appointment of Bill Knight to the Rapid City Air Quality Board.
10. No. PW121316-01 – Approve Utility Support Funding of \$500,000.00 for the WRF Potable Water Connection – Utility Support Fund and SAB 28 Fund Oversight Committee.
11. No. PW121316-02 – Approve Utility Support Funding of \$1,090,000.00 for the Rapid Valley Sanitary Sewer Bypass – Utility Support Fund and SAB 28 Fund Oversight Committee.
12. No. PW121316-03 – Approve Change Order #1F to Hills Materials Company for Pavement Rehabilitation Project – Watertown Street, Project No. 15-2303 / CIP No. 50549 for a decrease of \$3,815.82.
13. No. PW121316-04 – Approve Change Order #3F to Mainline Contracting, Inc. for 9th Street Reconstruction, Project No.14-2208 / CIP No. 50435 for a decrease of \$30,041.50.
14. No. PW121316-05 – Approve Change Order #1F to Highmark Inc. for East College Avenue East Custer Street Reconstruction – Milwaukee to Racine, Project No. 14-2211 / CIP No. 50916 for a decrease of \$76,866.43.
15. No. PW121316-07 – Authorize Mayor and Finance Officer to Sign Professional Services Agreement between the City of Rapid City and Ferber Engineering Company, Inc. for the Catron Boulevard Widening, Project No. 16-2343 / CIP No. 51115 in the amount of \$113,404.00.
16. No. PW121316-08 – Approve Extending the Street Light Maintenance Contract Bid to Lighting Maintenance Co. (a division of Solar Sound Corp.).
17. No. PW121316-09 – Authorize Staff to apply for Bridge Improvement Grant (BIG) Funds for preservation and repair work for the East Main Street bridge, and for Preliminary Engineering work for the San Marco Boulevard bridge, and accept the funds if awarded.
18. No. PW121316-10 – Authorize removal of the requirement that the Contractor perform a minimum of 50% of the work for the Red Rocks Booster Pump Station Upgrades, Project No.14-2177 / CIP No. 50812.B.
19. No. PW121316-11 – Approve a request by Lazy P6 Land Company, Inc. for authorization to prepare an H-Lot located in the Unit 1 of Southgate Commercial Condominiums #2, in the NE1/4 of the SE1/4, Section 24, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota and to authorize acceptance of the deed.
20. No. PW121316-12 – Approve Corrected funding for Bid Award Recommendation for Project No.15-2303.
21. No. PW121316-13 – Approve Correction to the funding page of Change Order #1 to Highmark Inc. for Dyess Avenue Reconstruction, Project No. 12-2032 / CIP No. 50934 for a decrease of \$.01.

- 22. No. PW121316-17 – Approve Funding Recommendation for Traffic Signal at Intersection of Elk Vale Road and East Minnesota Street.
- 23. No. PW121316-14 – Approve Contract Renewal with Rehrig Pacific Company for 65 & 95 Gallon Automated Garbage Collection Containers for one year. Price per container- 65 gallon: \$48.05 each & 95 gallon: \$55.90 each.
- 24. No. PW121316-15 – Approve Contract Renewal with Rehrig Pacific Company for 35 Gallon Automated Garbage Collection Containers for one year. Price per container- 35 gallon: \$43.10 each.
- 25. No. PW121316-06 – Authorize Mayor and Finance Officer to Sign Amendment No. 2 to the Agreement between the City of Rapid City and FMG, Inc. for Fulton Street Reconstruction, Project No. 15-2223 / CIP No. 50872 in the amount of: \$28,255.00.

Legal & Finance Committee Consent Items

- 26. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Amelia Karsky, Vicki Liebig, Paula Efta, Deb Cristan, Lisa Moran, Yvonne Bears, Christopher Baganha, Pat Bilek
- 27. No. LF121416-05 – Approve Resolution No. 2016-101 a Resolution Writing-Off Credit Balance Utility Billing Accounts

RESOLUTION 2016-101
 RESOLUTION WRITING OFF CREDIT BALANCE
 UTILITY BILLING ACCOUNTS

WHEREAS, The City Finance Office has determined that certain water billing accounts, shown on Appendix A, attached, and totaling \$368.60 are determined to be expired for refund.

WHEREAS, It is necessary to relieve the accounts payable of the City of Rapid City for these accounts.

NOW, THEREFORE BE IT RESOLVED, that the City Finance Officer be directed to remove such accounts from the active accounts of the city, said accounts being detailed in the official files of the City Finance Office.

Dated this 19th day of December, 2016.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

(SEAL)

- 28. No. LF121416-06 – Authorize Mayor and Finance Officer to Sign Combined Election Agreement with Pennington County for the 2017 Municipal Election to be held on June 6, 2017 and for any Special Elections in 2017
- 29. No. LF121416-07 – Approve Resolution No. 2016-102 a Resolution Writing-Off Uncollectable Utility Billing Accounts

RESOLUTION 2016-102
 RESOLUTION WRITING OFF UNCOLLECTABLE
 UTILITY BILLING ACCOUNTS

WHEREAS, The City Finance Office has determined that certain utility billing accounts, shown on Appendix A, attached, and totaling \$113,112.15 are uncollectable; and

WHEREAS, It is necessary to relieve the accounts receivable of the City of Rapid City for these accounts.

NOW, THEREFORE BE IT RESOLVED, by the City of Rapid City, that the City Finance Officer be directed to remove such accounts from the active receivable of the City, said accounts being detailed in the official files of the City Finance Office.

Dated this 19th day of December, 2016.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

- 31. No. LF121416-04 – Approve FY2017 CDBG Annual Action Plan (AAP) Final Funding Recommendations
- 33. No. LF121416-09 – Approve 2017 Insurance Renewals for Property, Liability, and Excess Workers Compensation
- 34. No. LF121416-10 – Approve 2017 Renewal with Wellmark BCBS for City Healthcare Plan
- 35. No. LF113016-09 – Approve Resolution No. 2016-099 Corrective Addendum to Resolution of Vacation of the Section Line Right-of-Way for property generally described as southeast of the intersection of Sheridan Lake Road and Wildwood Drive

Resolution 2016-099
CORRECTIVE ADDENDUM TO
RESOLUTION OF VACATION OF THE SECTION LINE RIGHT-OF-WAY

WHEREAS, a *Resolution of Vacation of the Section Line Right-of-Way* dated October 15, 2007 concerned a Section Line right-of-way lying in a parcel of land located in the SW1/4 of Section 22, R1N, R7E, and the NW1/4 of Section 27, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located southeast of the intersection of Sheridan Lake Road and Wildwood Drive;

WHEREAS, on November 1, 2007, the *Resolution* was filed in Book 174, Page 6567 with the Register of Deeds; and

WHEREAS, the *Resolution* incorporated an Exhibit “A” that was intended to reflect the section line right-of-way to be vacated; and

WHEREAS, the Exhibit “A” filed with the *Resolution* was an incorrect exhibit that did not describe the vacated section line right-of-way; and

WHEREAS, the City wishes to file this *Corrective Addendum to Resolution of Vacation of the Section Line Right-of-Way* to attach the proper exhibit reflecting the area of section line right-of-way that was vacated.

NOW, THEREFORE, BE IT RESOLVED, that the section line right-of-way as shown on Exhibit "A", attached hereto and incorporated herein, was vacated by signature of the Mayor and Finance Officer in 2007 and was released as public right-of-way at that time.

BE IT FURTHER RESOLVED, that to the extent that the erroneous exhibit compromised the Common Council action taken in 2007 to vacate the section line right-of-way, this Corrective Addendum ratifies and confirms the vacation of the section line right-of-way reflected in Exhibit "A" attached hereto and incorporated herein.

BE IT FURTHER RESOLVED, that the Mayor and Finance Officer are hereby authorized to take any action needed to effectuate the release of the section line right-of-way.

Dated this 19th day of December, 2016.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

(SEAL)

Community Planning & Development Services Department Consent Items

36. No. 16VE024 - I-90 Heartland Business Park – Approve applicant's appeal of staff's decision on a request by By-Pass Development LLC to consider an application for a Vacation of Easement for property generally described as being located in the southwest corner of the intersection of North Elk Vale Drive and Seger Drive.

Bid Award Consent Items

37. No. CC121916-02.1 – Approve award of Total Bid for Mallow Street Radius Reconstruction, Project No. 16-2340 / CIP No. 51118 opened on December 13, 2016 to the lowest responsible bidder, Heavy Constructors, Inc. in the amount of \$56,555.08.
38. No. CC121916-02.2 – Approve award of Total Bid for South Truck Route DBDP Element 203, Project No. 14-2207 / CIP No. 51031 opened on December 13, 2016 to the lowest responsible bidder Lind-Exco, Inc., in the amount of \$214,126.96.
39. No. CC121916-02.3 – Approve award of Total Base Bid plus Alt 1 and Alt 2 for RC Public Library Main Floor – Public Area Update, Project No. 16-2355 opened on December 13, 2016 to the lowest responsible bidder Heavy Constructors Inc., dba Gustafson Builders Inc., in the amount of \$111,600.00.
40. No. CC121916-02.4 – Approve award of Total Bid, contingent on South Dakota State DENR concurrence and approval, for East Rapid City Water Expansion Water Reclamation Facility Water Main Extension, Project No. 14-2196 / CIP No. 50964.D opened on December 13, 2016 to the lowest responsible bidder Mainline Contracting, Inc., in the amount of \$1,048,335.85.

END OF CONSENT ITEMS

Mayor read in item (No. LF121416-11) Authorize Mayor and Finance Officer to Sign Amendment to Tyler Contract for 9 Additional Implementation Days in the amount of \$11,475, to be paid from the Water Fund. Salamun asked Sumption if the citizens are closer to being able to pay their water bills online. Sumption

said the City is supposed to be going live with utility billing on January 30, 2017. This implementation will allow customer self-service. Motion was made by Laurenti, second by Salamun and carried to approve.

Mayor read in item (No. LF121416-08) Approve Purchase of 2017 Chevy Traverse for Code Enforcement Off State Bid from Billion Auto in the Amount of \$26,315. Nordstrom said there was a clerical error on this item and asked that Jim Gilbert address it. Gilbert said this vehicle is for IT not Code Enforcement and will be purchased from Beck Motors through the state contract, not Billion Auto. Motion was made by Wright, second by Laurenti and carried to approve.

NON-CONSENT ITEMS

Leonard Bryant spoke in support of the Minneluzahan Senior Center. He said he's been a member since 2003. He said the City acts like they don't care about the members. They need help dealing with the problems at the center. He's not sure work has been done on the center since the 1970's. He said it's the City's building and the City needs to take care of it. He stated they will be putting buckets out this week for the leaking roof when the snow melts. He asked the City to help with the repairs.

Rita Wagner, Executive Director of the Minneluzahan Senior Center, addressed the Council. She said the center has been hit hard in the last 18 months. They have had two water heaters replaced, plumbing repairs, new connectivity, roof issues, air conditioning problems and it's been one thing after another. She said the repairs have totaled over \$11,000. She said their budget is \$132,000 but not much room for repairs. She said the members are working with a 40 year old building and repairs are coming faster than they can budget for. She said they would appreciate help with the roof repair.

Ordinances

Ordinance 6152 (No. LF121416-01) An Ordinance Regarding Supplemental Appropriation No. 6 for 2016. Motion was made by Roberts, second by Laurenti that Ordinance 6152 be placed on its first reading and the title was fully and distinctly read.

Ordinance 6149 (No. LF113016-11) An Ordinance to Revise the Calculation for the Utility Rate Relief Program by Amending Sections 13.08.430C and 13.16.360E of the Rapid City Municipal Code. Motion was made by Roberts, second by Modrick that the title be read the second time. Upon vote being taken the following voted AYE: Nordstrom, Drew, Salamun, Estes, Laurenti, Wright, Modrick, and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6149 was declared duly passed upon its second reading.

Ordinance 6150 (No. LF113016-12) An Ordinance to Revise the Late Fees Applied to Utility Bills by Amending Sections 13.08.470, 13.08.510, and 8.08.070 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, Estes, Laurenti, Wright, Modrick, and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6150 was declared duly passed upon its second reading.

Ordinance 6151 (No. LF113016-13) An Ordinance to Repeal the Rebate Program for Appliance and Fixture Installation by Deleting Section 13.08.495 of the Rapid City Municipal Code. Motion was made by Roberts, second by Roberts that the title be read the second time. Upon vote being taken the following voted AYE: Nordstrom, Drew, Salamun, Estes, Laurenti, Wright, Modrick, and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6151 was declared duly passed upon its second reading.

Legal & Finance Committee Items

Roberts read in item (No. LF111616-10) – Discussion on Revised 2016 City Council Mission and Vision Statement. Motion was made by Wright, second by Laurenti to approve the Revised 2016 City Council Mission and Vision statement. Motion passed 8-0.

Roberts read in item (No. LF113016-10) Approve Resolution No. 2016-096 – A Resolution Adopting a Conflict of Interest Policy for Elected and Appointed Officials. Landeen said this resolution is still not in final format. He asked that the item be continued to the first Legal and Finance meeting in January. Motion was made by Wright, second by Laurenti to continue to the January 11, 2017 Legal and Finance meeting. Motion passed 8-0.

Roberts read in item (No. LF121416-03) Human Services Subsidy Fund Allocations. In response to a question from Roberts, Barb Garcia (Community Development Director) said she is not on the Board, she only presents the cases to the Board. She said there is only \$102,000 to allocate and 31 applicants asked for a total of \$501,000. She said someone will have to get cut. She said the allocations are based on how the agencies handle money, how they handle reporting, how stable the agency is, along with other factors. She stated they have changed how they allocate money in the last two years. It used to be that all applicants received a small amount of money. But the board determined small amounts are not enough for the agencies to do anything. Now they give out more money to less agencies so there is a high impact. Roberts said the Front Porch Coalition helped him personally and he was sad to see it not get any funding. Garcia said they received \$3000 in 2016 and requested \$15,000 for 2017. Wright asked the community to donate to them in order to help sustain their agency. Motion was made by Nordstrom, second by Salamun to approve the Human Services Subsidy Fund Allocation as recommended by the Board. Nordstrom feels the Front Porch Coalition is a good agency, but would like to see them help themselves more. In response to a question from Drew, Garcia said she wasn't aware of any other group doing suicide prevention work. Drew suggested people needing help could go to their church. In response to a question from Drew, Mayor Allender said that Front Porch provides support to the surviving family members who have loss someone due to suicide. He said other sources are the Suicide Prevention hotline and various providers in the mental health network city wide. He said he would not say it was not chosen for funding based on collective impact. Roberts said the Front Porch has a phenomenal LOSS team. They help console families and help put them on the path of getting back to normal. He believes this program is needed, without it families fall on drinking, drugs, they get divorced and these people are the support of the people that are hurting. Nordstrom said 211 does counseling as well. Estes said he was on the human services subsidy committee and it was a hard decision for the subsidy committee to narrow down agencies from 31 applicants. He said there are way more social needs than money and he feels bad they can't help everyone. Motion passed 8-0.

CIP Committee Items

Nordstrom read in item (No. CIP111816-00) Capital Improvement Program Committee Monthly Update for November 2016 (Acknowledged at the December 5, 2016 City Council meeting and forwarded to the December 13, 2016 Public Works meeting and December 14, 2016 Legal & Finance meeting.) Motion was made by Wright, second by Laurenti to approve. Motion passed 8-0.

Nordstrom read in item (No. CIP121616-08) Approve Cooling System for Server Room in CSAC Building. Motion was made by Nordstrom, second by Wright to approve taking \$30,000 from CSAC operation budgets if available, if it's not available then take it from CIP Contingency. Mayor said this is a great example of how a need for a cooling system for a server room with a very old cooling system goes out and creates an emergency. He said it's estimated that the cooling system is 25 years old. He said that many years ago, there weren't the amount of servers needed as there are today. He stated these large dollar items should be placed on a replacement schedule that will keep the City out of an emergency situation. Mayor asked for clarification on the motion. Sumption stated at CIP Committee she was asked to look at CSAC operating budget to see if there were any funds available for use. She said she verified that there is no money available there. Therefore, the funds need to come from CIP Contingency. Substitute motion was made by Nordstrom, second by Estes to approve using \$30,000 from CIP Contingency fund. Wright clarified that his original motion was to use CSAC operational budget and if the funds weren't available then to use CIP Contingency. Drew clarified the cost is shared by the school and the City's portion was \$30,000 and she wanted the public to understand that. In response to

a question from Laurenti, Sumption said there is currently a little over \$60,000 in CIP Contingency. Motion passed 8-0.

Community Planning & Development Services Department Items

Mayor read in item (No. 16PL103) A request by Wyss Associates, Inc for Watershed Development, LLC for a **Preliminary Subdivision Plan** for proposed Tract A, B, C and D; Lots 1A, 1B, 2A, 2B, 3A, 3B, 4A, 4B, 5A, 5B, 6A, 6B, 7A and 7B of Block 1; Lots 1, 2, 3A, 3B and 4 through 7 of Block 2, Lots 1A, 1B and 2 through 15 of Block 3, Lots 1, 2, 3A, 3B and Lots 4 through 21 of Block 4, Lots 1A, 1B, 2A, 2B, 3A, 3B, 4A, 4B and 5 through 26 of Block 5, Highpointe Ranch Subdivision, located in Section 20, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, generally described as being located northwest of the intersection of Poppy Trail and Dunsmore Road. Motion was made by Estes, second by Wright to approve with the following stipulations: Planning Commission recommended that the Preliminary Subdivision Plan be approved with the following stipulations: 1. The proposed plat shall be allowed as a phased development with all subdivision improvements needed to support a particular phase included in the construction plans for that phase; 2. Prior to approval of the Development Engineering Plan application, submitted 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, construction plans for Poppy Trail shall be submitted for review and approval showing the street located in a minimum 68 foot wide right-of-way and constructed with a minimum 34 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer in compliance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code or an Exception shall be obtained. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application; 4. Upon submittal of a Development Engineering Plan application, construction plans for Road A, B and C 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 compliance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code or an Exception shall be obtained. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application; 5. Upon submittal of a Development Engineering Plan application, construction plans for Cul-de-sac A and Cul-de-sac B 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, the cul-de-sac bulb shall be located in a minimum 104 foot diameter right-of-way and constructed with a minimum 84 foot diameter paved surface. in compliance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code or an Exception shall be obtained. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application; 6. Upon submittal of a Development Engineering Plan application, construction plans for the section line highway located along the south lot line shall be submitted for review and approval showing the section line highway constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer in compliance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code or an Exception shall be obtained or the section line highway shall be vacated. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application; 7. Upon submittal of a Development Engineering Plan application, construction plans for the section line located along the east lot line shall be submitted for review and approval showing the section line highway constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer in compliance with the Infrastructure Design Criteria Manual and the Rapid City Municipal Code or an Exception shall be obtained or the section line highway shall be vacated. The eastern half of the section line highway shall be vacated by Pennington County since it is located outside of the City limits of Rapid

City. If an Exception is obtained a copy of the approved document shall be submitted with the Development Engineering Plan application; 8. 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; 9. 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; 10. Upon submittal of a Development Engineering Plan application, a drainage plan and report prepared by a Registered Professional Engineer as per the Infrastructure Design Criteria Manual and the Rapid City Municipal Code shall be submitted for review and approval for the proposed subdivision improvements. The drainage report shall address storm water quantity control and storm water quality treatment. In addition, easements shall be provided as needed; 11. Upon submittal of a Development Engineering Plan application, street names shall be submitted for review and approval. In addition, the approved street names shall be shown on the Final Plat document; 12. Prior to submittal of a Development Engineering Plan application for Phase Two, a second point of access shall be constructed or the construction plans for Phase Two shall include a second point of access to ensure that no more than 40 lots take access with one point of access; 13. Prior to submittal of a Development Engineering Plan application, the applicant shall coordinate with the Fire Department to ensure that the proposed landscape islands allow for fire apparatus turnaround or the plat document and construction plans shall be revised as needed; 14. 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; 15. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval; 16. Upon submittal of a Development Engineering Plan application, the Master Plan shall be revised to further clarify the phases of development within the area identified as "Future Phases"; 17. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing ownership and maintenance of the proposed open space and storm detention areas; 18. Upon submittal of a Final Plat application, an agreement shall be submitted for recording securing maintenance of the landscape islands; 19. 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, 20. 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).

Mayor read in item (No. 16PL120) A request by Fisk Land Surveying and Consulting Engineers, Inc for Bank West for a **Preliminary Subdivision Plan** for proposed Lot 2 of Stoney Creek South No. 2 Subdivision, generally described as located in the southeast corner of the Overview Lane and Nugget Gulch Road intersection. Motion was made by Wright, second by Salamun to approve with the following stipulations: Planning Commission recommended that the Preliminary Subdivision Plan be approved with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans shall be submitted for a termination manhole in Nugget Gulch Drive to replace the existing cleanout located in the right-of-way or an Exception shall be obtained. If an Exception is obtained, a copy of the approved document shall be submitted with the Development Engineering Plan application; 2. 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; 3. Upon submittal of a Final Plat application, all necessary easements, including drainage easements, and utility easements shall be dedicated; 4. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval; 5. 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, 6. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required.

Other Board, Commission & Committee Items

Mayor read in item (PW11291-13) Discussion on Minneluzahan Senior Center Roof Repair. Wright called on April Malik. She addressed the Council and said she ran the kitchen at the Minneluzahan. She said she has ideas of providing additional income to the center through the kitchen. She said they could do cooking classes and intergenerational activities. She asked the City to help take care of the building. Roberts said since he's on the Minneluzahan board that they will likely renegotiate the lease since its 40 years old. He thinks the lease is unclear on how it reads now. He said they will likely do a minor fix to fix the roof right now. He is extremely concerned about the building since it's had a lot of use over the last 40 years. He stated 700 people use it and other groups use it too. He said they are always looking at new ways to generate revenue. He doesn't think they should raise dues. Motion was made by Nordstrom, second by Laurenti to acknowledge the discussion. Nordstrom said that the Journey offered \$10,000 from their CIP budget but the dollar amount did not qualify. He said he has not seen an annual report from the Minneluzahan or a strategic plan. He said it's a good start to address the lease agreement. In response to a question from Drew, Garcia said that the Community Development Block Grant funding has given Canyon Lake Senior Center a total for \$216,209 in the last 20-years and Minneluzahan has received \$278,642 in the last 20-years. She said in human services funds, they have both received the same amounts for a number of years for operating costs. In response to a question from Drew, Garcia said that Minneluzahan had not applied for CDBG funds in 2015 and 2016. They have applied for funds in 2017. In response to a question from Drew, Rita Wagner said she started working at the Minneluzahan about two years ago. She said she was not aware there was a roof issue two years ago. She said she became aware of the issue within the last year. Drew said she thinks the roof can be fixed with funds from Minneluzahan or donations from the public. Drew said they are moving in the right direction and they should consider increasing their dues. Mayor said he wasn't sure why the item was on the agenda with no funding request. He feels the roof issue has been used as a way to pit the center against the City. He said the reports show the City has contributed \$700,000 to the Minneluzahan. He said the City Engineer and inspectors have inspected the roof and they say it has 10 years of life left. He stated the highest of the repair estimates is \$3000. He said there is a contract for use of the building, which is 40 years old and should probably be reviewed, but it clearly states the maintenance including the exterior of the building is the responsibility of the center. He stated he was not saying anything poorly about the Minneluzahan. He said he sent a letter to Rita Wagner in November acknowledging the roof repair issue. He asked that they take care of the roof repair or notify him as to the reason for not taking action to repair the roof. He said he did not get any response from her. He said it was an unfortunate way for this to all come up. He said it probably could have been handled better. Motion passed 8-0.

PUBLIC HEARING ITEMS

CONSENT PUBLIC HEARING ITEMS – Item 52 – 53

Motion was made by Estes, second by Laurenti and carried to approve Items 52-53.

Alcohol Licenses

52. Knights of Columbus Council 8844 for a SPECIAL EVENT Malt Beverage and Wine License for an Event Scheduled for February 24, 2017 at Knights of Columbus, 4500 Jackson Blvd

Assessment Rolls

53. LF121416-02 – Approve Resolution No. 2016-085B a Resolution Levying Assessment for Cleanup of Miscellaneous Property

RESOLUTION NO. 2016-085B
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 December, 2016.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

(SEAL)

END OF CONSENT PUBLIC HEARING CALENDAR

BILLS

The following bills have been audited.

BILLLIST - DECEMBER 19, 2016

P/ROLL PERIOD END 11/26/16, PD 12/02/16	1,043,997.65
CDEV P/ROLL PERIOD END 11/26/16, PD 12/02/16	3,195.22
PIONEER BANK & TRUST, 11/26/16 P/ROLL TAXES & BENEFITS, PD 12/02/16	254,269.44
CDEV PIONEER BANK & TRUST, 11/26/16 P/ROLL TAXES & BENEFITS, PD 12/02/16	860.28
SOUTH DAKOTA RETIREMENT SYSTEM, NOV16 RETIREMENT, PD 12/05/16	446,040.39
SD RETIREMENT SYST-SPECIAL PAY PLAN FEES-MCQUILKIN & SCHROEDER, PD 12/02/16	90.00
WELLMARK INC, HEALTH CLAIMS THROUGH 11/25/16, PD 12/01/16	103,093.24
WELLMARK INC, HEALTH CLAIMS THROUGH 12/02/16, PD 12/08/16	79,311.57
WAGE WORKS, SECTION 125 CLAIMS THROUGH 12/05/16, PD 12/06/16	1,106.77
WAGE WORKS, SECTION 125 CLAIMS THROUGH 12/12/16, PD 12/13/16	9,277.13
US BANK, CREDIT CARD CHARGES, PD 12/01/16	34,963.68
BERKLEY ASSIGNED RISK SERVICES, NOV16 CLAIMS, PD 12/07/16	49,179.82
COMPUTER BILL LIST,	2,239,523.80
CDEV COMPUTER BILL LIST	39,525.12
SUBTOTAL	4,304,434.11
RSVP, P/ROLL PERIOD END 11/26/16, PD 12/02/16	3,273.59
RSVP, 11/26/16 P/ROLL TAXES & BENEFITS, PD 12/02/16	975.63
RSVP, COMPUTER BILL LIST	577.75
TOTAL	4,309,261.08

Sumption presented the bill list total of \$4,309,261.08. Motion was made by Laurenti, second by Roberts and carried to authorize (No. CC121916-01) 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 Roberts and carried to adjourn the meeting at 7:57 p.m.

Dated this 19th day of December, 2016.

ATTEST:

CITY OF RAPID CITY

Finance Officer

Mayor

(SEAL)