

PROCEEDINGS OF THE CITY COUNCIL  
Rapid City, South Dakota

March 6, 2017

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, March 6, 2017 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, Lisa Modrick, and John Roberts and the following Alderpersons arrived during the course of the meeting: NONE; and the following were absent: Amanda Scott and Jerry Wright

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, Community Resources Director Jeff Barbier, Parks & Recreation Director Jeffrey Biegler and Administrative Coordinator Heidi Weaver-Norris.

**EXECUTIVE SESSION** Pursuant to SDCL 1-25-2(1) for the purpose of discussing the qualifications of a prospective public officer or employee. Motion was made by Estes, second by Salamun and carried 8-0 to go into Executive Session at 6:33 p.m. Motion was made by Estes, second by Laurenti and carried to come out of Executive Session at 6:44 p.m.

**STAFF DIRECTION**

Motion was made by Laurenti, second by Modrick and carried to (No. CC030617-04.1) Authorize the Mayor to make offer of employment to prospective City Budget Analyst at an amount higher than Step 7.

**GENERAL PUBLIC COMMENT**

Jay Davis addressed the Council about affordable housing. He said that the current proposals for smaller housing doesn't support our community. He suggested that the City and developers quit tearing down neighborhoods that have affordable housing such as; Silver Street, SDSM&T & downtown houses, and apartment complex near SW Maple/Anamosa. He said those neighborhoods are referenced as eye sores, but only need a little maintenance such as paint or cleaning. He would like to save older neighborhoods from being torn down.

Charity Doyle announced there is a town hall style meeting at the historic Performing Arts Center on March 9, 2017 from 6:30-8:00. The presentation is called "Meth Changes Everything". There is a presentation and a panel and there will be questions following. It is being hosted by Lifeways. She encouraged the community to come.

**NON-PUBLIC HEARING ITEMS** -- Items 3 – 34

**CONSENT ITEMS** – Items 3 – 25

The following were removed from the Consent Items:

22. No. 17AN002 – Approve a request by KTM Design Solutions Inc. for BH Capital, LLC for Resolution No. 2017-009 - Petition of Annexation for property generally described as being located in the southeast quadrant of E. St. Patrick Street and South Valley Drive intersection. (This item was continued from the February 21, 2017 City Council meeting per the applicant's request.)

Motion was made by Estes, second by Salamun and carried to approve Items 3 – 25 as they appear on the Consent Items with the exception of Item 22.

**Approve Minutes**

3. Approve Minutes for the February 21, 2017 Regular Council meeting.

**Vacations of Right-Of-Way Set for Hearing (April 3, 2017)**

4. No. 17VR002 - A request by Ferber Engineering Company, Inc. for City of Rapid City for a Vacation of Right of Way for property generally described as being located north of E. Mall Drive, east of North Lacrosse Street, south of Seger Drive.

**Alcoholic Beverage License Applications Set for Hearing (March 20, 2017)**

5. NAJA Shrine Temple for a SPECIAL EVENT On-Sale Dealer License for an Event scheduled for April 29, 2017 at Rapid City Shrine Center, 4091 Sturgis Road
6. SODACO, Inc. DBA Baymont Inn & Suites, 4040 Cheyenne Blvd for a Package (off sale) Malt Beverage & SD Farm Wine License

**Public Works Committee Consent Items**

7. No. PW022817-01 – Authorize Mayor and Finance Officer to Sign Covenant Agreement securing the future dedication of ROW along East St. Patrick Street as it abuts Lot 2A of John Roberts Subdivision.
8. No. PW022817-02 – Authorize Mayor and Finance Officer to Sign Agreement to allow temporary domestic water service by Rapid Valley Sanitary District at 3301 and 3011 South Drive.
9. No. PW022817-11 – Authorize Mayor and Finance Officer to Sign Agreement for Public Improvements Between the City, The North Atlantic Developers, LLC, and Personal Guarantors.
10. No. PW022817-03 – Approve Corrected funding for Bid Award Recommendation for Project No. 15-2316 West Omaha Drainage & Utility Improvements, Mountain View Road to 11th Street.
11. No. PW022817-04 – Waive Technical Consultant Selection Procedure and Approve Agreement Between the City of Rapid City and American Engineering Testing, Inc., for Sampling, Analysis, and Reporting Related to 2017 Environmental Monitoring for the Rapid City Municipal Landfill for \$93,028.03.
12. No. PW022817-05 – Authorize Staff to Advertise for Bids for Expansion of Landfill Gas Collection System to Closed Cells 13, 14, & 17 at the Rapid City Landfill for \$983,800.00.
13. No. PW022817-06 – Authorize Staff to Purchase One (1) Dodge 1500 Pickup and One (1) Dodge 2500 4x4 Pickup from state contract #16998.
14. No. PW022817-09 – Authorize Staff to Purchase a 2017 Class CL 3/4 Ton 4x4 Regular Cab Long Box Dodge Ram 2500 Pickup with State Bid Contract #16998 in the Amount of \$26,429.00.
15. No. PW022817-07 – Authorize Mayor and Finance Officer to Sign an Amended Land Use Agreement between the City of Rapid City and Central State Fair, Inc. for various parcels surrounding the Pennington County fairgrounds, including the polo fields.
16. No. PW022817-08 – Authorize Staff to Advertise for Bids for PR17-5156, Replacement of carpet at the Roosevelt Swim Center, in the estimated amount of \$65,000.00.
17. No. 17TP002 – Acknowledge Amendment #17-002 to the 2017-2020 Transportation Improvement Program.

**Legal & Finance Committee Consent Items**

18. No. LF030117-01 – Authorize Staff to Apply and Accept if Awarded the FY2016 Department of Homeland Security Hazardous Materials Emergency Preparedness Grant in the Amount of \$8,740.00
19. No. LF030117-04 – Approve Resolution No. 2017-016 a Resolution Supporting the Month of May 2017 as South Dakota Wildfire Awareness Month

Resolution No. 2017-016

A RESOLUTION SUPPORTING THE MONTH OF MAY 2017 AS SOUTH DAKOTA WILDFIRE  
AWARENESS MONTH

WHEREAS, the City of Rapid City desires to provide an environment safe from wildfire while protecting the health and safety of its citizens, including all property situated therein; and

WHEREAS, wildfires threaten the environmental, economic, and social well-being of Rapid City residents while challenging firefighter’s efforts to protect life and property; and

WHEREAS, wildfire suppression costs represent only a small portion of overall economic impacts and do not reflect the total cost of catastrophic fires; and

WHEREAS, residents of Rapid City have the responsibility to recognize the high risk of wildfire and institute safe and early evacuation plans, increase their home’s resistance to wildfire, and create fire adapted communities to increase the safety and survivability of the public and emergency personnel ; and

WHEREAS, Wildfire Awareness Month is an important opportunity for Rapid City residents and all South Dakota communities and fire service agencies to reduce the risk of wildfire, increase firefighter safety, and enhance public safety and awareness through education on fire safety, preparation, and prevention.

THEREFORE BE IT RESOLVED that the City of Rapid City supports the month of May 2016 as South Dakota Wildfire Awareness Month; and

THEREFORE BE IT FURTHER RESOLVED that the theme for this year, “Do Your Part Before Wildfires Start” is a call for the residents of Rapid City to educate themselves and to take action to reduce the wildfire threat to their homes and help their community move toward becoming a fire adapted community and approved and adopted this 6<sup>th</sup> day of March, 2017 by the City of Rapid City.

Dated this 6th day of March, 2017.

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: Hailey Vielmette, Dennis Lorenzen, Terry Stone, Joel Reynolds, Bailey Ruff, Ray Burke
- 21. No. LF021517-14 – Acknowledge Discussion on Vision Funds

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

- 23. No. 16CA006 - A request by City of Rapid City for Resolution No. 2016-078- Amendment to the Comprehensive Plan by adopting the Experience Rapid City Cultural Plan - Final.

Resolution 2016 - 078  
RESOLUTION AMENDING THE COMPREHENSIVE PLAN BY ADOPTING THE  
EXPERIENCE RAPID CITY CULTURAL PLAN

WHEREAS, the City of Rapid City has engaged in the comprehensive planning process for the physical development of the municipality, including the areas outside the boundary and within its planning

jurisdiction since the initial "City Plan" was adopted in 1949 and subsequent comprehensive plans were prepared in 1964, 1976, 1980; and

WHEREAS, in April 2014, the Rapid City Planning Commission and City Council carefully studied and adopted in accordance with SDCL 11-6-17 and 11-6-18 a comprehensive plan for the Rapid City area titled "Plan Rapid City"; and

WHEREAS, creating "A Vibrant Livable Community," "A Safe, Healthy, Inclusive, and Skilled Community," "Economic Stability and Growth," and "Outstanding Recreational and Cultural Opportunities" are four of the seven core values identified in "Plan Rapid City"; and

WHEREAS, the "Experience Rapid City Cultural Plan" charts a course for arts and culture to contribute to the implementation process of "A Vibrant Livable Community," "A Safe, Healthy, Inclusive, and Skilled Community," "Economic Stability and Growth," and "Outstanding Recreational and Cultural Opportunities"; and

WHEREAS, the Planning Commission of Rapid City carefully considered the document titled "Experience Rapid City Cultural Plan" dated January 8, 2016 with the accompanying maps, graphics, charts and descriptive and explanatory matter, and as it encompasses the basic objectives, policies and principles of the Rapid City Comprehensive Plan, "Plan Rapid City," recommended it for approval; and

WHEREAS, the City Council of Rapid City South Dakota, held a public hearing in accordance with SDCL 11-6-18 on the proposed revisions to the Rapid City Comprehensive Plan, "Plan Rapid City", for the City of Rapid City, South Dakota and finds that said plan constitutes a suitable, logical and timely plan for the future development of Rapid City; and

WHEREAS, the "Plan Rapid City Cultural Plan" Amendment implements portions of "Plan Rapid City" by advancing forty three of the goals, policies, and principles as shown in the appendix of the "Experience Rapid City Cultural Plan."

NOW, THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the document consisting of text, maps, graphics, and charts, entitled "Experience Rapid City Cultural Plan" and dated January 8, 2016 implements portions of "Plan Rapid City," Rapid City's Comprehensive Plan, and is hereby added to the Rapid City Comprehensive Plan "Plan Rapid City" in accordance with SDCL 11-6.

Dated this 6th day of March, 2017.

CITY OF RAPID CITY  
s/ Steve Allender  
Mayor

ATTEST:  
s/ Pauline Sumption  
Finance Officer

(SEAL)

24. No. 17TP004 - Approve the Rapid City Year End 2016 Population Estimate

***Bid Award Consent Items***

25. No. CC030617-02.1 – City Staff recommends referring the WRF Potable Water Improvements Bid Award, Project No. 15-2266 / CIP No. 51079, to the March 14, 2017 Public Works Committee Meeting.

END OF CONSENT ITEMS

Doyle read in item (No. 17AN002) Approve a request by KTM Design Solutions Inc. for BH Capital, LLC for Resolution No. 2017-009 - Petition of Annexation for property generally described as being located in the southeast quadrant of E. St. Patrick Street and South Valley Drive intersection. (This item was continued from the February 21, 2017 City Council meeting per the applicant's request.) Motion was made by Doyle, second by Modrick to approve option one with revised legal. Motion carried 8-0.

RESOLUTION 2017-009  
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 37.232 acres, more or less, is hereby included within the corporate limits of the City and annexed thereto:

That portion of the N1/2 of the NW1/4, Less Lot 5 of the NE1/4 of the NW1/4; the N1/2 of the SE1/4 of the NW1/4 Less Lot H1 and that portion of South Valley Drive located outside the City of Rapid City Corporate Limits more specifically described as that portion of South Valley Drive extending south from the center of East Saint Patrick Street to the northern boundary with Blanche Drive, all located in Section 8, T1N, R8E and in Section 9, T1N, R8E, BHM, Pennington County, South Dakota

BE IT ALSO RESOLVED that, pursuant to Rapid City Municipal Code 3.20.010 and S.D.C.L. 34-31A-35, the Common Council hereby authorizes payment to the Rapid Valley Fire District in an estimated amount of \$250 to be paid out of the Mayor and Council budget. This payment shall be the actual pro-rated amount of Rapid Valley Fire District's indebtedness for capital expenditures that is attributable to the property annexed by this resolution

Dated this 6th day of March, 2017.

CITY OF RAPID CITY  
s/ Steve Allender  
Mayor

ATTEST:  
s/ Pauline Sumption  
Finance Officer

(SEAL)

**NON-CONSENT ITEMS** – Items 26 – 34

Kent Hagg, President of Hagg Brothers LLC, addressed Council regarding, item 32 (No. 17PL003). Freeland Ranch has several parts. This is the first part of a larger affordable housing, mixed socio-

economic neighborhood that includes some general commercial, townhomes, and single-family dwellings as part of the full development. The 128-acre parcel is near Seger Drive and East Mall Drive. The proposed site is surrounded by agriculture and will offer different levels of development from beginner homes, multi-family dwellings, work force housing, townhomes and some commercial development. He asked for the Council's support of the development.

### **Ordinances**

Ordinance 6113 (No. PW022817-10) An Ordinance to Amend Park Use Regulations by Amending Chapter 12.24 of the Rapid City Municipal Code. Motion was made by Roberts, second by Modrick that Ordinance 6113 be placed on its first reading and the title was fully and distinctly read. In response to a question from Drew, Biegler said they needed 60 days in order to give staff time to process the application as well as allow the applicant additional time to get needed permits such as a conditional use permit to be in the flood plain or needed permits from the health department. Biegler said this only deals with food trucks on City property, nothing to do with private property. He said there will be a limited number of sites and there won't be food trucks in every park. Drew said 60 days seemed like a long time. Biegler said this is new to everyone and it's possible to revisit the time frame after the process has been in place for a little while to see if it's working or not. Motion carried 8-0.

Ordinance 6158 (No. 17RZ001) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Sperlich Consulting, Inc. for ZO Incorporated for a Rezoning from General Agricultural District to Low Density Residential District II for property generally described as being located northeast of Jolly Lane and Ping Drive intersection. Motion was made by Roberts, second by Laurenti that Ordinance 6158 be placed on its first reading and the title was fully and distinctly read.

Ordinance 6159 (No. 17RZ002) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Sperlich Consulting, Inc. for Benevolent and Protective Order of Elks for a Rezoning from Low Density Residential District II to General Agricultural District for property generally described as being located northeast of Jolly Land and Ping Drive intersection. Motion was made by Roberts, second by Laurenti that Ordinance 6159 be placed on its first reading and the title was fully and distinctly read.

Ordinance 6156 (No. LF021517-04) An Ordinance Repealing Chapter 1.08 of the Rapid City Municipal Code Relating to Wards and Precincts and Adopting a New Revised Chapter 1.08 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, Doyle, Estes, Laurenti, Roberts and Modrick. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6156 was declared duly passed upon its second reading.

Ordinance 6167 (No. LF030117-06) An Ordinance Narrowing the Municipal Licensing Requirements for Ambulances by Amending Sections 5.16.010 and 5.16.020 of the Rapid City Municipal Code. Motion was made by Roberts, second by Drew that Ordinance 6167 be placed on its first reading and the title was fully and distinctly read.

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

Mayor read in item (No. 17PL004) A request by KTM Design Solutions Inc. for BH Capital, LLC for a Preliminary Subdivision Plan for proposed Lots A and B of Johnson Ranch Subdivision, generally described as being located southeast in the quadrant of E. St. Patrick Street and South Valley Drive intersection. (*This item was continued from the February 21, 2017 Council meeting.*) Motion was made by Drew, second by Roberts to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, the red line plan comments shall be addressed. In addition, the redline plan comments shall be returned with the Development Engineering Plan application; 2. Upon submittal of a Development Engineering Plan application, construction plans for East Saint Patrick Street shall be submitted for review and approval showing the street constructed with sidewalk, dual water

mains in accordance with the Rapid Valley Sanitary District master plan and sewer or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application; 3. Upon submittal of a Development Engineering Plan application, construction plans for South Valley Drive shall be submitted for review and approval showing the street located within a minimum 68 foot wide right-of-way with an additional 10 feet of right-of-way the first 200 feet as it extends south from East Saint Patrick Street. In addition, the street shall be constructed with a minimum 36 foot wide paved surface to allow a three lane section with curb, gutter, sidewalk, street light conduit and water upsized in accordance with the Rapid Valley Sanitary District master plan or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application; 4. 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 and in compliance with the Rapid Valley Sanitary District master plan. 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; 5. 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 and in compliance with the Rapid Valley Sanitary District master plan 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 and the Rapid Valley Sanitary District master plan; 6. 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. Perpetual ownership and maintenance of facilities shall also be identified; 7. 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; 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 into the City limits of Rapid City; 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); and 13. That the Petition for Annexation be approved with the amending of the legal description to include the South Valley Drive right-of-way between E. Saint Patrick Street and Blanche Drive that is under the property owner's control. Nordstrom said he's had conversations with the owner and staff and wanted to make sure he didn't need to recuse himself. Mayor said he did not. Nordstrom said the project looks favorable. His biggest concern is the reconstruction of the road, which is now county road. He wants to figure out a way to work through the process because that's the major concern for him. He wants to help hold down the costs of the homes that will be built in the development. In response to a question from the Mayor, Nordstrom said the roads usually get done during the annexation, but sometimes after. Nordstrom doesn't want to support a WORP for the development. Tech said the applicant has been working with his traffic engineer as well as city staff to come up with necessary improvement on South Valley Drive. He said he thinks they are in a good place regarding all the stipulations and are going in right direction. Motion carried 8-0.

Mayor read in item (No. 17PL003) A request by KTM Design Solutions for Hagg Brothers, LLC for a Preliminary Subdivision Plan for proposed Lots 1 and 2 of Block 1 and Drainage Lot of Block 2 of Freeland Ranch, generally described as being located north of Seger Drive. Motion was made by Laurenti, second by Roberts to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, the redline drawing comments shall be addressed. In addition, the redline drawing comments shall be returned with the Development Engineering Plan application; 2. Upon submittal of a Development Engineering Plan application, construction plans for Street A shall be submitted for review and approval showing the street located in a minimum 52 foot wide right-of-way with an additional 10 feet of right-of-way the first 200 feet as it extends north from E. Mall Drive. In addition, the street shall be constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application; 3. Upon submittal of a Development Engineering Plan application, construction plans for Seger Drive shall be submitted for review and approval showing the street located within a minimum 70 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface curb, gutter, sidewalk, street light conduit, water and sewer or an Exception shall be obtained. If an Exception is obtained, a copy of the approved Exception shall be submitted with the Development Engineering Plan application; 4. 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; 5. 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; 6. 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 plan shall also be in compliance with the Box Elder Drainage Basin or amendments to the basin plan shall be secured. All on-site and off-site drainage improvements as needed for the proposed development shall be provided either as a regional facility or specifically for the development. The project phasing shall be reviewed and drainage improvements provided for each phase while considering the overall drainage plan for the development. The drainage report shall address storm water quantity control and storm water quality treatment. In addition, the drainage plan shall also confirm if any wetlands will be impacted by the project and, if so, permitting through the Army Corp of Engineer, along with wetland mitigation, will be required. Easements shall also be provided as needed and perpetual ownership and maintenance of facilities must be identified; 7. Upon submittal of a Development Engineering Plan application, a geotechnical report including an analysis of soil corrosivity and pavement design for all proposed subdivision improvements shall be submitted for review and approval; 8. 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; 9. 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; 10. Upon submittal of a Development Engineering Plan application, a cost estimate of the required subdivision improvements shall be submitted for review and approval; 11. Upon submittal of a Development Engineering Plan application, a maintenance agreement securing maintenance of the proposed landscape islands located in proposed Street A shall be submitted for review and approval. In addition, the approved agreement shall be submitted with the Final Plat application for recording at the Register of Deed's Office; 12. Upon submittal of a Development



Engineering Plan application, the applicant shall demonstrate ownership and maintenance for the proposed drainage lot. In addition, the approved agreement shall be submitted with the Final Plat application for recording at the Register of Deed's Office; 13. Prior to submittal of a Final Plat application, proposed street name(s) shall be submitted to the Emergency Services Communication Center for review and approval. Upon submittal of a Final Plat application, the approved street name(s) shall be shown on the plat document; 14. 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 15. 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). In response to a question from Drew, Hagg said affordable housing will range from \$110,000 to \$225,000. They will apply for a TIF, grants, use Dakota Land Trust and SD Housing. In response to a question from Nordstrom, Hagg said RAI will be one of the first developments in phase one. He also said that they will start working on housing immediately. They will be seeking a TID and help from Community Development sources for future phases of the development. Motion passed 8-0.

**Public Works Committee Items**

Doyle read in item (No. PW021417-17) Appeal of Denial of Request from KTM Design Solutions for an Exception to Waive the Requirements for Subdivision Improvements on South Valley Drive. *(This item was continued from the February 21, 2017 Council meeting.)* Motion was made by Doyle, second by Nordstrom to continue this item to the March 20, 2017 City Council meeting, per applicant's request. Motion carried 8-0.

**Staff Items**

Mayor read in item (No. CC030617-04.2) Approve Change Order #1 to Lind-Exco, Inc, for an increase of \$14,444.58 for removal of additional silt from Landfill Stormwater Pond. Motion was made by Estes, second by Laurenti and carried to approve.

**PUBLIC HEARING ITEMS** – Item 35  
**CONSENT PUBLIC HEARING ITEMS** – Item 35

Motion was made by Drew, second by Laurenti and carried to approve Item 35.

**Alcohol Licenses**

35. Central Baseball Association for a SPECIAL EVENT Malt Beverage License for an Event scheduled for March 11, 2017 at ProMark, 4624 Creek Dr.

END OF CONSENT PUBLIC HEARING CALENDAR

**BILLS**

BILLIST - MARCH 6, 2017

P/ROLL PERIOD END 02/18/17, PD 02/24/17	1,030,967.89
P/ROLL PERIOD END 02/28/17, PD 02/28/17	1,482,269.20
CDEV P/ROLL PERIOD END 02/18/17, PD 02/24/17	3,275.58
PIONEER BANK & TRUST, 02/18/17 P/ROLL TAXES, PD 02/24/17	257,593.43
PIONEER BANK & TRUST, 02/28/17 P/ROLL TAXES, PD 02/28/17	389,136.69
CDEV PIONEER BANK & TRUST, 02/18/17 P/ROLL TAXES, PD 02/24/17	874.05
SOUTH DAKOTA DEPARTMENT OF REVENUE, SALES TAX PAYABLE PD 02/24/17	29,688.65
SOUTH DAKOTA DEPARTMENT OF REVENUE, EXCISE TAX PAYABLE PD 02/24/17	16.99
SOUTH DAKOTA DEPARTMENT OF REVENUE, CCTR SALES TAX PAYABLE PD 02/24/17	28,378.86
WELLMARK INC, HEALTH CLAIMS THROUGH 02/17/17, PD 02/23/17	83,904.31

WELLMARK INC, HEALTH CLAIMS THROUGH 02/24/17, PD 03/02/17	214,608.47
WAGE WORKS, SECTION 125 CLAIMS THROUGH 02/21/17, PD 02/22/17	6,687.04
WAGE WORKS, SECTION 125 CLAIMS THROUGH 02/27/17, PD 02/28/17	6,439.56
BANK WEST, TID47 TOWER RD, PD 02/20/17	5,887.17
BANK WEST, TID54 RAINBOW RIDGE, PD 02/20/17	30,548.83
BANK WEST, TID56 RUSHMORE CROSSING, PD 02/20/17	80,875.54
BANK WEST, TID65 MINNESOTA ST, PD 02/20/17	26,248.18
BANK WEST, TID69 NORTH FIRE STATION, PD 02/20/17	253.73
CITY OF RAPID CITY, TID39 ANAMOSAR GROUP LLC, PD 02/20/17	5,362.21
CITY OF RAPID CITY, TID56 RUSHMORE CROSSING, PD 02/20/17	15,404.86
CITY OF RAPID CITY, TID64 CABELA'S, PD 02/20/17	14,162.35
FIRST INTERSTATE BANK, TID39 ANAMOSAR GROUP LLC, PD 02/20/17	5,362.21
FIRST INTERSTATE BANK, TID50 FEDERAL BEEF/FOUNDERS PARK DEV, PD 02/20/17	17,965.01
SODAK DEVELOPMENT INC, TID68 HOMESTEAD, PD 02/20/17	6,125.52
BLACK HILLS ENERGY, ELECTRICITY, PD 03/01/17	22,716.50
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 03/01/17	9,734.13
BERKLEY ASSIGNED RISK SERVICES, CLAIMS, PD 02/27/17	94,263.58
BERKLEY ASSIGNED RISK SERVICES, FEB17 CLAIMS, PD 03/02/17	38,900.35
US BANK, CREDIT CARD CHARGES, PD 03/02/17	53,276.25
COMPUTER BILL LIST	1,506,523.19
CDEV COMPUTER BILL LIST	18,490.17
SUBTOTAL	5,485,940.50
RSVP, P/ROLL PERIOD END 02/18/17, PD 02/24/17	3,330.58
RSVP, PIONEER BANK & TRUST, 02/18/17 P/ROLL TAXES, PD 02/24/17	990.48
RSVP, COMPUTER BILL LIST	43.01
TOTAL	5,490,304.57

Sumption presented the bill list total of \$5,490,304.57. Motion was made by Laurenti, second by Salamun and carried to authorize (No. CC030617-01) 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 Laurenti and carried to adjourn the meeting at 7:14 p.m.

Dated this 6th day of March, 2017.

ATTEST:

CITY OF RAPID CITY

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

\_\_\_\_\_  
Mayor

(SEAL)