

PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota

April 3, 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, April 3, 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, Amanda Scott, Jerry Wright, Lisa Modrick, and John Roberts and the following Alderpersons arrived during the course of the meeting: NONE; and the following were absent: Steve Laurenti

Staff members present included: Finance Officer Pauline Sumption, City Attorney Joel Landeen, Interim Public Works Director Dale Tech, Interim Fire Chief Rod Seals, Police Chief Karl Jegeris, Community Development Manager Barb Garcia, Parks & Recreation Director Jeffrey Biegler and Administrative Coordinator Heidi Weaver-Norris.

ADOPTION OF AGENDA

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

AWARDS AND RECOGNITIONS

Mayoral Proclamation for National Public Safety Telecommunicators Week was presented to the dispatch team. Chief Jegeris and Chief Seals thanked the staff for their outstanding efforts in keeping Rapid City safe and being able to help callers when they are handling a tough situation.

COMMUNITY DEVELOPMENT PRESENTATION

Barb Garcia presented (No. CC040317-04.1) Affordable Housing Survey Findings. She said the survey was targeted toward affordable small & tiny apartments and houses. She said the survey had 25 questions. There were questions of who needed affordable housing, where they wanted it, and how much they can afford, just to name a few. She said there were 675 total responses. When asked the percentage of citizens that would purchase a home less than 600 sq. ft., 49.63% said they would. The major reason behind purchasing a smaller home was affordability at 82.07%. The survey revealed that about 10% can't afford a home that is \$500 or less. The challenge is to get it into the affordability that they need. Motion was made by Nordstrom, second by Salamun to acknowledge the report. Nordstrom asked that the detailed report be available at next council working session to look at closer. In response to a question from Doyle, Garcia said she wasn't sure of the percentage of rentals in Rapid City five years ago. Doyle thought it was around 40%. Garcia said that the ownership rate has dropped and believes it used to be at 62%. Salamun asked why were the higher income people were included in the study. Garcia said local developers are interested in building these homes and took part in the survey as well. She said a lot of people want to downsize due to retirement, wanting to travel, or not take care of a larger home. Motion carried 9-0.

GENERAL PUBLIC COMMENT

Chuck Henrie addressed the Council. He said he represents people with disabilities, the elderly and those with mental health issues. He said the City needs to work at making things equal for everyone.

NON-PUBLIC HEARING ITEMS – Items 3 - 47

Chuck Henrie spoke on Item 23. He said it's not fair for the elderly, disabled or children to waive sidewalks when they are needed. He believes it is a safety issue.

CONSENT ITEMS – Items 3 – 38

The following items were removed from the Consent Items:

28. No. PW032817-19 – Approve a request from Black Hills Farmers Market to move to 145 E. Omaha Street (adjacent to Rapid Spa) beginning in 2017 and designate that area a farmer's market site.
35. No. 17CA001 – Approve a request by City of Rapid City Parks Department for an Amendment to Rapid City Comprehensive Plan adopting the Robbinsdale Park Master Plan for property generally described as being located at 626 E. Fairmont Boulevard.

Motion was made by Estes, second by Wright and carried to approve Items 3-38 as they appear on the Consent Items with the exception of Items 28 and 35.

Approve Minutes

3. Approve Minutes for the March 20, 2017 Regular Council meeting.

Vacations of Right-Of-Way Set for Hearing (NONE)**Exchange of Property Set for Hearing (April 17, 2017)**

4. Authorize Mayor and Finance Officer to Sign Agreement Between the City of Rapid City and Hay Land, LLC for Exchange of Property (Seeger Drive Reconstruction)

Alcoholic Beverage License Applications Set for Hearing (April 17, 2017)

5. Rapid City Summer Nights for a SPECIAL EVENT Malt Beverage and Wine License for Events scheduled for June 1, 2017; June 8, 2017; June 15, 2017; June 22, 2017; June 29, 2017; July 6, 2017; July 13, 2017; July 20, 2017; July 27, 2017; August 3, 2017; August 10, 2017; August 17, 2017; August 24, 2017 and August 31, 2017 at 7th and Saint Joseph Street
6. Arrowhead Country Club for a SPECIAL EVENT Malt Beverage and Wine License for an Event Scheduled for April 27, 2017, at Freed's Fine Furnishings, 3645 Sturgis Road
7. Big D Oil DBA Big D Oil #54, 3851 Eglin Street for a Package (off-sale) Liquor License TRANSFER from LaGrand Station LLC, DBA LaGrand Station, 3851 Eglin Street
8. Evergreen Restaurant LLC 4211 DBA Outback Steakhouse, 665 E Disk Drive for a Retail (on-sale) Liquor License TRANSFER from Outback Steakhouse of Florida LLC DBA Outback Steakhouse, 665 E Disk Drive
9. Hegg Companies DBA Hilton Garden Inn Rapid City, 815 E Mall Drive for a Retail (on-sale) Liquor License TRANSFER from Calm Waters LLC DBA Great American Grill Hilton Garden Inn, 815 E Mall Drive
10. Minimax Inc. DBA Minimax Inc. DBA Aura, 4040 Cheyenne Blvd Suite B for a Retail (on-off sale) Malt Beverage & SD Farm Wine License
11. LaCosta LLC DBA LaCosta Mexican Restaurant, 603 Omaha Street for a Retail (on-off sale) Malt Beverage License and a Retail (on-off sale) Wine License

Public Works Committee Consent Items

12. No. PW032817-01 – Approve Change Order #1 to R.C.S Construction, Inc. for Oak Ave Water Main Reconstruction, Project No. 16-2351 / CIP No. 51144 for an increase of \$3,560.08.
13. No. PW032817-02 – Authorize Staff to Advertise for Bids for Reservoir Road Trunk Sewer Extension, Project No. 15-2315 / CIP NO. 50328.1. Estimated Cost: \$2,810,000.00.
14. No. PW032817-03 – Authorize Staff to Advertise for Bids for Pavement Rehabilitation Project – Jolly Lane Overlay, Project No. 17-2359 / CIP No. 50844. Estimated Cost: \$250,000.00.

15. No. PW032817-04 – Authorize Staff to Advertise for Bids for East Rapid City Water Expansion – Valley View and Radar Hill Road North Extensions, Project 14-2197 / CIP No. 50964.E. Estimated Cost: \$950,000.00.
16. No. PW032817-05 – Authorize Mayor and Finance Officer to Sign an Agreement with Reta McGovern, 821 Flormann Street, for utility easements for Meade/Hawthorne DBDP-Element 48, Project No. 15-2306 / CIP No. 50758.
17. No. PW032817-06 – Appoint Charity Doyle, Brad Estes, and Ritchie Nordstrom as freeholders to establish value for property to be exchanged with Hayland, LLC.
18. No. PW032817-07 – Authorize Mayor and Finance Officer to Sign a Bridge Reinspection Program Resolution, Project No. 17-2382.
19. No. PW032817-08 – Authorize Mayor and Finance Officer to Sign Amendment No. 2 for Anamosa Street Reconstruction – Midway Street to Milwaukee Street, Project No. 07-1473 / CIP No. 50559 for additional work associated with design and site grading and reduction in work for easement negotiations. Amendment results in a net decrease of \$8,040.00.
20. No. PW032817-11 – Approve Request for Stormwater Drainage Utility Fee Abatement for Delaware Land Holdings, LLC, 6303 Mount Rushmore Rd., Tax ID 43168, in the amount of \$844.16 (2017).
21. No. PW032817-13 – Authorize Mayor and Finance Officer to Sign a Detention Pond Easement with Office of School and Public Lands for property located at 4300 Cheyenne Boulevard.
22. No. PW032817-14 – Authorize Mayor and Finance Officer to Sign a Drainage Easement with Office of School and Public Lands for property located at 4300 Cheyenne Boulevard.
23. No. PW032817-16 – Approve Request from Ron Rebenitsch for a Variance to Waive the Requirement to Install Sidewalk on S. Glenview Place and Carriage Hills Drive adjacent to 4510 S. Glenview Place, Rapid City, per City Ordinance 12.08.060.
24. No. PW032817-15 – Authorize Staff to Advertise for Bid for One (1) Current Year Model Tandem Roll-off Truck.
25. No. PW032817-18 – Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and Veolia Environmental Services for the Household Hazardous Waste Event in the amount of \$44,191.32.
26. No. PW032817-20 - Approve Resolution No. 2017-023, A Resolution of Intent to Enter Into Lease of Land with Black Hills Lacrosse Association, Pursuant to SDCL 9-12-5.2.

RESOLUTION NO. 2017-023

A RESOLUTION OF INTENT TO ENTER INTO LEASE OF LAND
WITH BLACK HILLS LACROSSE ASSOCIATION PURSUANT TO SDCL 9-12-5.2

BE IT RESOLVED by the City Council that the City of Rapid City intends to enter into a lease of real property with Black Hills Lacrosse Association, and

BE IT FURTHER RESOLVED that a copy of this resolution of intent be published once at least ten days prior to the hearing to be held at City Hall, 300 Sixth Street, Rapid City, South Dakota, at 6:30 o'clock p.m. on the 1st day of May, 2017 or as soon thereafter as the item may come on for hearing at said meeting; and

BE IT FURTHER RESOLVED that following the hearing the City Council may adopt a resolution authorizing a lease upon the terms and conditions as it shall determine in said resolution.

Dated this 3rd day of April, 2017.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption

Finance Officer

(SEAL)

- 27. No. PW032817-12 – Authorize Staff to Negotiate Professional Consultant Services with FMG, Inc. for West Memorial Park Improvements, Project No. 2246 / CIP No. 51083.

Legal & Finance Committee Consent Items

- 29. No. LF032917-04 – Authorize Staff to Purchase Vehicles to Replace Aging Vehicles in the Police Department Fleet.
- 30. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Cory Ferguson, John Nickel, Judy Olson, Kaleigh Noel Crumb
- 31. No. LF030117-05 – Acknowledge FY2016 Annual Financial Report (continued from the March 1, 2017 Legal and Finance Committee meeting)
- 32. No. LF032917-05 – Approve Resolution No. 2017-026 a Resolution Declaring Miscellaneous Personal Property Surplus

Resolution #2017-026
RESOLUTION DECLARING MISCELLANEOUS PERSONAL PROPERTY SURPLUS

WHEREAS the below-described property is no longer necessary, useful or suitable for municipal purposes

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statutes, including disposal, sale or trade-in on new equipment:

From: Streets - 301
 For trade:
 1998 International Truck, VIN 1HT5DAAR9WH514233

From: Snow Removal - 302
 For trade:
 2001 International 2554 Sander Truck, VIN 1HTGBAAR32H504934

From: Street Cleaning - 401
 For trade:
 2007 Freightliner/Johnston Vacuum Street Sweeper, VIN 1FVAB6BVX7DX09486

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

Dated this 3rd day of April, 2017.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

(SEAL)

- 33. No. LF032917-03 – Approve Resolution No. 2017-025 a Resolution to Add One and a Half Full Time Equivalent (FTE) Positions to the Solid Waste Division of the Public Works Department.

RESOLUTION NO. 2017-025
RESOLUTION TO ADD ONE AND A HALF FULL TIME EQUIVALENT (FTE) POSITIONS IN THE
SOLID WASTE DIVISION OF THE PUBLIC WORKS DEPARTMENT

WHEREAS, the Solid Waste Division has requested that one and a half additional FTE's be established in order to provide the necessary services within our community; and

WHEREAS, the funding for the additional positions will be recent increases in revenue and a reduction in overtime wages.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rapid City to hereby authorize the Solid Waste Division FTE count to increase from 50.63 to 52.13.

Dated this 3rd day of April, 2017.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

34. No. LF032917-01 – Approve Request to Waive Administrative and Late Fees for Clean-Up Assessment at 1065 East Ohio Street.

Bid Award Consent Items

36. No. CC040317-02.1 – Approve award of Total Bid, contingent on South Dakota State DENR concurrence and approval, for East Rapid City Water Expansion Morris Lane Pressure Reducing Valve (PRV) Facility, Project No. 14-2195 / CIP No. 50964.C opened on March 28, 2017 to the lowest responsible bidder Mainline Contracting, Inc., in the amount of \$431,010.00.
37. No. CC040317-02.2 – Waive Technical Irregularities and Approve Award of Total Bid for Red Rock Booster Pump Station Upgrades, Project No. 14-2177 / CIP No. 50812.B opened on March 28, 2017, to the lowest responsible bidder Action Mechanical, Inc., in the amount of \$988,324.00.
38. No. CC040317-02.3 – Approve award of Total Bid for Roosevelt Swim Center Carpet Replacement Project PR17-5156 opened on March 21, 2017, to Freed's Fine Furnishings Inc. in the amount of \$45,855.00.

END OF CONSENT ITEMS

Mayor read in item (No. PW032817-19) Approve a request from Black Hills Farmers Market to move to 145 E. Omaha Street (adjacent to Rapid Spa) beginning in 2017 and designate that area a farmer's market site. In response to a question from Drew, Jessica Story, Farmer's Market Manager, said they can get twice to three times as many vendors at the new location. She said they currently have 55 vendors with 15 on the waitlist. Drew said she supports the move and acknowledged how the parking at Founder's Park would also open up. Motion was made by Wright, second by Scott to approve. Motion carried 9-0.

Mayor read in item (No. 17CA001) Approve a request by City of Rapid City Parks Department for an Amendment to Rapid City Comprehensive Plan adopting the Robbinsdale Park Master Plan for property generally described as being located at 626 E. Fairmont Boulevard. Motion was made by Nordstrom, second by Salamun to approve. In response to some questions from Nordstrom, Alex DeSmidt, said the

BMX facility would be moved to the soccer field in Robbinsdale Park. Since the new fields were built on Elk Vale Road, the Robbinsdale soccer fields will no longer be used. DeSmidt stated that Robbinsdale Park is the former site of the landfill. He said the landfill was closed in the 1960's. He said since the BMX facility will be building up and not down, he is not worried about any issues from the previous landfill site. He stated there used to be issues with glass migrating up but is no longer concerned with that because they will not be constructing into the ground. Nordstrom asked about irrigation. DeSmidt said there will be little irrigation, mostly to just clear the dust from the BMX track. Not using as much water as they did to maintain the soccer field. Motion carried 9-0.

Resolution 2017 - 018
RESOLUTION AMENDING THE COMPREHENSIVE PLAN BY ADOPTING THE
ROBBINSDALE PARK MASTER PLAN

WHEREAS, Robbinsdale Park is legally dedicated Parkland; and

WHEREAS, a large portion of Robbinsdale Park is the former Rapid City Landfill and requires certain development guidelines and restrictions; and

WHEREAS, portions of Robbinsdale Park serve as stormwater and water quality controls; and

WHEREAS, federal Land and Water Conservation Funds (LWCF) were utilized to develop Robbinsdale Park and compliance with section 6(f)(3) of the LWCF Act of 1965 requires that no property acquired or developed with LWCF assistance shall, without the approval of the Secretary [of the Interior], be converted to other than public outdoor recreation use; and

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 "Outstanding Recreational and Cultural Opportunities" is a core value identified in "Plan Rapid City"; and

WHEREAS, the Robbinsdale Park Master Plan charts a course for future development and project funding for this 107 acre community and regional park; and

WHEREAS, the Planning Commission of Rapid City carefully considered the document titled Robbinsdale Park Master Plan dated November 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 Robbinsdale Park Master Plan Amendment implements portions of "Plan Rapid City" by advancing several "Plan Rapid City" goals and policies

NOW, THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the document consisting of text, maps, graphics, and charts, entitled Robbinsdale Park Master Plan and dated November, 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 SCL 11-6.

Dated this 3rd day of April, 2017.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

(SEAL)

NON-CONSENT ITEMS – Items 39 - 47

Julie Jensen, Rapid City Convention and Visitors Bureau Executive Director, spoke on Item 40. She said they are excited about being the promotional arm of Rapid City and think "Visit Rapid City" will entice visitors to our City.

Joy McCracken, Executive Director of Neighbor Works, spoke on Item 46. She also read a letter from Robert Graham in favor of the item and affordable housing.

Kale McNaboe, Engineer for Sperlich Consulting, spoke on Item 47. He said their client will put in the water main, but they are asking the City to waive the installation of the sewer main. He said if they constructed the sewer main, it would be a dry sewer main that wouldn't connect to anything. The closest connection is 3000 feet away. He asked the Council to waive installing 500 feet of sewer main.

Ordinances

Ordinance 6170 (No. LF031517-06) An Ordinance Regarding Supplemental Appropriation #1 for 2017. Motion was made by Roberts, second by Wright that the title be read the second time. Upon vote being taken the following voted AYE: Nordstrom, Drew, Salamun, Doyle, Estes, Scott, Wright, Modrick and Roberts. NO: None: whereupon the Mayor declared the motion passed an Ordinance 6167 was declared duly passed upon its second reading.

Ordinance 6171 (No. LF031517-11) An Ordinance to Update the City's Promotion Agency for Purposes of the Municipal Gross Receipts Tax by Amending Sections 3.18.050, 3.18.060, and 3.18.070 of the Rapid City Municipal Code. Motion was made by Roberts, second by Salamun that the title be read the second time. Upon vote being taken the following voted AYE: Nordstrom, Drew, Salamun, Doyle, Estes, Scott, Wright, Modrick and Roberts. NO: None: whereupon the Mayor declared the motion passed an Ordinance 6167 was declared duly passed upon its second reading.

Ordinance 6169 (No. 17RZ011) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by AE2S for Black Hills Federal Credit Union for a Rezoning from General Agricultural District to Light Industrial District for property generally described as being located at 2700 N. Plaza Drive. Motion was made by Roberts, second by Modrick that Ordinance 6169 be placed on its first reading and the title was fully and distinctly read. Salamun asked to abstain. Motion carried 8-0 with Salamun abstaining.

Community Planning & Development Services Department Items

Mayor read in item (No. 17PL014) A request by Renner Associates, LLC for HDRK Properties LLC for a Preliminary Subdivision Plan for proposed Lot 4 of Tract C of Rushmore Center, generally described as being located lying east of Luna Avenue north of E. Anamosa Street. Motion was made by Scott, second

by Roberts to approve with the following stipulations: 1. Prior to submittal of a Final Plat application, the plat document shall be revised to include the balance of the property within the proposed lot or as a separate Drainage Lot. If a Drainage Lot is proposed, a written document shall be secured identifying maintenance and ownership of the Drainage Lot; 2. Prior to submittal of a Final Plat application, the plat document shall be revised to address redline comments; and, 3. The Final Plat shall continue to show the dedication of 4 additional feet of right-of-way along Luna Avenue.

Mayor read in item (No. 17PL015) A request by Britton Engineering and Land Surveying, Inc for Jim Meier of Maple Avenue Development LLC for a Preliminary Subdivision Plan for proposed Lot 4 of LJS Subdivision, generally described as being located southeast of the North Maple Avenue and Mall Drive intersection. Motion was made by Scott, second by Roberts to approve with the following stipulations: 1. Upon submittal of a Development Engineering Plan application, construction plans showing street light conduit along North Maple Avenue shall be submitted for review and approval or an Exception shall be obtained. If an Exception is obtained, a copy of the document shall be submitted with the Final Plat application; 2. Prior to submittal of a Final Plat application, the plat document shall show the dedication of a public water main easement for the existing water main located on the proposed lot. The easement shall be centered 10 feet on either side of the existing water main; 3. Prior to submittal of a Final Plat application, the recording information for all existing easements shall be shown on the plat document; 4. Prior to submittal of a Final Plat application, the plat title shall be revised to read "Formerly a portion of the NW1/4 of the NW1/4 less Lot H4 and Less Lot H5"; 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. 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. 17PL017) A request by FMG, Inc. for Rockerville Volunteer Fire Department for a Preliminary Subdivision Plan for proposed Lot 1R of RFD Subdivision, generally described as being located along U.S. Highway 16. Motion was made by Wright, second by Drew to approve with the following stipulations: 1. Prior to submittal of a Final Plat application, Development Engineering Plan application, the plat document shall be revised to address redline comments. In addition, the redline comments shall be returned with the Development Engineering Plan application; 2. Prior to submittal of a Final Plat application, the plat document shall be revised to show the dedication of 16 feet of right-of-way or a highway/utility easement along 47th Avenue West; 3. Prior to submittal of a Final Plat application, the applicant shall demonstrate that adequate fire flows are available or as an alternative to providing fire flows, a Covenant Agreement shall be submitted for recording at the Register of Deed's Office to ensure that fire sprinkler protection is designed and installed as per NFPA 13 throughout all new structures; and, 4. Prior to submittal of a Final Plat application, the plat document shall be revised to include the following statement: "Prior to obtaining a permit or constructing any structure; petitioner, his heirs, assigns or successors in interest agree to install a total wastewater containment system for each lot. Prior to installation of such system, plans stamped by a qualified person shall be submitted and approved by the City of Rapid City or Pennington County, whoever has jurisdiction. Notwithstanding the foregoing and in lieu thereof, plans for a conventional or alternative on-site wastewater system may be approved by the City of Rapid City or Pennington County, whomever has jurisdiction, subject to the review and approval of a complete report of the soils and geological investigation performed by a qualified person to demonstrate that the proposed conventional or alternative system meets all State, County and local regulations."

Mayor read in item (No. 17PL018) A request by AE2S for Black Hills Federal Credit Union for a Preliminary Subdivision Plan for proposed Tract A Revised of Fountain Springs Business Park and Tracts B and B2 of Fountain Springs - Golf Course and Gardens, generally described as being located 2700 N. Plaza Drive. Motion was made by Modrick, second by Salamun to approve with the following stipulations: 1. The previously approved Exception to increase the height of the structure from 45 feet to

53 feet, 4 ¾ inches is hereby acknowledged; 2. The previously approved Exception to decrease the minimum required parking aisle width for existing parking from 26 feet to 24 feet is hereby acknowledged. All parking proposed as a part of this expansion shall comply with the requirements of the Rapid City Municipal Code; 3. Planning Commission approval of the existing LED message center is hereby acknowledged. Prior to issuance of a building permit or submittal of a Final Plat application, the existing sign shall be relocated in compliance with the Rapid City Sign Code, or an agreement shall be executed with the City to allow the encroaching sign to remain within the proposed right-of-way until such time as the City determines that the sign must be removed. All signage shall comply with the requirements of the Rapid City Municipal Code. Additional LED signage shall require a Major Amendment to the Planned Development. A sign permit shall be obtained for each sign; 4. Prior to issuance of a Building Permit, revised plans shall be submitted that provide a lot coverage calculation for the site. Lot coverage of existing and proposed structures and pavement shall not exceed 75 percent or an Amendment to the Planned Development shall be obtained; 5. Prior to issuance of a building permit, revised plans shall be submitted that provide additional stormwater drainage information regarding culvert sizing and discharge from stormwater quality ponds, and verifying stormwater discharge onto adjacent property; 6. Prior to issuance of a building permit, all redline comments shall be addressed and redlined plans shall be returned to Community Planning and Development Services, and; 7. This Final Planned Development shall allow for the expansion of parking for a financial institution. All requirements of the Light Industrial District shall be continually maintained unless specifically stipulated as a part of this Major Amendment or a future Major Amendment. All uses permitted in the Light Industrial District shall be permitted contingent upon the provision of sufficient parking and an approved building permit. All conditional uses in the Light Industrial District shall require a Major Amendment to the Planned Development.

Legal & Finance Committee Items

Roberts read in item (LF032917-02) Request from NeighborWorks for City Council Authorization to Allow Tax Increment Financing Funds to be used for Land Acquisition for Anticipated Village on Monroe Affordable Housing TIF Application. Motion was made by Wright, second by Drew to approve. Scott stated she was in support of the application process. She wanted to clarify that there is a policy requirement from anyone applying for a TIF to request permission to include the possibility of using TIF funds to finance the acquisition of property. This is a prerequisite to apply for the actual TIF. Nordstrom said he thinks this is a good project. He asked Joy McCracken if there were any assurances that these homes will remain affordable as time goes on or if someone decides to sell their property. McCracken said the property does have to be owner occupied. She said land trust could come in and provide additional investment to help a low-income person purchase the property. She stated if the TIF application is approved the applicant would receive an investment which is tied to the land that would be paid back to assist the next family. Nordstrom wants it in writing that it will stay affordable housing if owners decide to sell. Modrick asked how the land trust layers with the TIF. McCracken said real estate taxes are paid on Land Trust land. As far as the TIF goes, there are no consequences if Land Trust gets involved. They are applying for the TIF to assist buyers with home ownership. She believes the term is for 10 years. Drew said she would support the project. She likes that this property is inside city limits and they are doing fill in and not more expansion on the outside of Rapid City. In response to a question from Estes, Landeen thinks it would be appropriate for some independent evaluation of the value if the City is going to compensate them for the value of the land. Estes asked McCracken if they figure the land cost will be zero if it's going to be affordable to the buyer and she said yes. Roberts thanks McCracken for their services in north Rapid City. He said his big issue with this is the small size. He wonders if a developer came forward with a request on five houses what the City would say to them. Scott advised McCracken to evaluate the fair market value of the property and that should be part of the TIF application. Motion carried 9-0.

Public Works Committee Items

Doyle read in item (No. PW032817-17) Appeal of Denied Exception Request from Sperlich Consulting on Behalf of DOECK, LLC to not Construct A Water Main and A Sewer Main in Haines Avenue adjacent to

Auburn Hills Subdivision (City File 17EX048). Doyle said the applicant has asked to strike the portion regarding the water main and this exception only applies to the sewer main. Modrick said it seems reasonable to her to remove the requirement of the sewer line since it is a dry line. She supports waiving the sewer line and allowing them to proceed. In response to a question from Wright, Tech said they didn't have a definite date in the future to complete the sewer main. Tech said it was dependent on how development progresses in that area. He stated the city has no plan in the current Capital Improvement Plan to extend that sewer main. Tech does not feel that bonding for the sewer main would be appropriate. He said if this sewer main isn't constructed now, the rate payers will have to upfront the money to build this section adjacent to what they are platting. Motion was made by Roberts to allow the exception to not build the sewer line, second by Modrick. Roberts doesn't believe it's smart to put infrastructure into the ground and allow it to sit for years with no idea when it will be connected. Nordstrom said he would not support this primarily because it will affect the future rate payers. He said if the sewer line was put in, it could enhance development to the east. If it's not there, it could slow up future development in that area. Estes appreciates the petitioner's willingness to put in the water line because that was his major concern at the public works meeting. He said there is a lot of missing information that they can't predict will happen in the future. He stated for this sewer line to work, all of the land to the east would need to be developed from Cobalt before a sewer line is needed. He said currently there would be no sewage going to the dry line. He will support to waive the sewer line. Doyle agrees that it's not fair to future rate payers but that's only if the line does become necessary. She thinks it's unfair to the developer right now to create a line that goes to nowhere and to build a line that could potentially be abandoned. Drew is happy with the compromise to develop the water main and she will support the exception to develop the sewer main. Motion carried 8-1, with Nordstrom voting no, to grant the exception to not build the sewer line.

PUBLIC HEARING ITEMS – Items 48 - 60

CONSENT PUBLIC HEARING ITEMS – Item 48 – 52

Mayor removed Item 51 as it is not inside city limits. Motion was made by Estes, second by Doyle to approve items 48-52 with the exception of 51. Motion carried 9-0.

Alcohol Licenses

48. Main Street Square for a SPECIAL EVENT Malt Beverage License for an Event scheduled for October 7, 2017 at Main Street Square, 526 Main Street
49. Rapid City Chamber of Commerce for a SPECIAL EVENT Malt Beverage and Wine License for an Event Scheduled for April 11, 2017 at Canyon Lake Senior Center, 2900 Canyon Lake Drive
50. Rapid City Chamber of Commerce for a SPECIAL EVENT Malt Beverage and Wine License for an Event Scheduled for April 20, 2017 at VAST Broadband, 809 Deadwood Avenue
51. Rapid City Chamber of Commerce for a SPECIAL EVENT Malt Beverage and Wine License for an Event Scheduled for May 9, 2017 at Fort Hays Chuckwagon Suppers, 2255 Ft. Hays Drive
52. Rapid City Chamber of Commerce for a SPECIAL EVENT Malt Beverage and Wine License for an Event Scheduled for May 18, 2017 at Liberty, Chrysler, Jeep, Volkswagen, 1101 E. Omaha St

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 53 – 60

Doyle read in item (No. 17VR002) Section 30, T2N, R8E – Approve 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. Motion was made by Doyle, second by Salamun and carried to approve with the following stipulation: Prior to City Council approval, a revised and signed utility easement shall be submitted to Community Planning and Development Services.

WHEREAS, it appears that the right-of-way located in that portion of March Avenue to be vacated in the NW1/4 and a portion of March Avenue and N. Lacrosse Street to be vacated and the NE1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being north of E. Mall Drive, east of North Lacrosse Street, south of Seger Drive, is not needed for public purposes; and

WHEREAS, the owner(s) of property adjacent to the above-described right-of-way desires said public right-of-way to be vacated and released.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the public right-of-way heretofore described, and as shown on Exhibit "A", attached hereto, and incorporated herein, is hereby vacated.

BE IT FURTHER RESOLVED, that the Mayor and Finance Officer are hereby authorized to execute a release of public right-of-way in regard thereto.

Dated this 3rd day of April, 2017.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

Doyle read in item (No. 17RZ003) Second Reading, Ordinance 6160, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Fisk Land Surveying and Consulting Engineers, Inc. for HER Enterprises LLC for a Rezoning from General Commercial District to Light Industrial District for property generally described as being located 1002 E. Omaha Street. Motion was made by Doyle, second by Roberts to approve in conjunction with Planned Development Designation File 17PD012 and that the title be read the second time. Upon vote being taken the following voted AYE: Nordstrom, Drew, Salamun, Doyle, Estes, Scott, Wright, Modrick and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6160 was declared duly passed upon its second reading.

Doyle read in item (No. 17RZ004) Second Reading, Ordinance 6161, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions Inc. for BH Capital, LLC for a Rezoning from No Use District to Low Density Residential District I for property generally described as being located southeast of E. St. Patrick Street and South Valley Drive intersection. Motion was made by Doyle, second by Modrick that the title be read the second time. Upon vote being taken the following voted AYE: Nordstrom, Drew, Salamun, Doyle, Estes, Scott, Wright, Modrick and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6161 was declared duly passed upon its second reading.

Doyle read in item (No. 17RZ005) Second Reading, Ordinance 6162, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions Inc. for BH Capital, LLC for a Rezoning from No Use District to Medium Density Residential District I for property generally described as being located southeast of E. St. Patrick Street and South Valley Drive intersection. Motion was made by Doyle, second by Modrick that the title be read the second time. Upon vote being taken the following voted AYE: Nordstrom, Drew, Salamun, Doyle, Estes, Scott, Wright, Modrick and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6162 was declared duly passed upon its second reading.

Doyle read in item (No. 17RZ006) Second Reading, Ordinance 6163, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions Inc. for BH Capital, LLC for a Rezoning from No Use District to General Commercial District for property generally located southeast of E. St. Patrick Street and South Valley Drive intersection. Motion was made by Doyle, second by Drew that the title be read the second time. Upon vote being taken the following voted AYE: Nordstrom, Drew, Salamun, Doyle, Estes, Scott, Wright, Modrick and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6163 was declared duly passed upon its second reading.

Doyle read in item (No. 17RZ007) Second Reading, Ordinance 6164, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions Inc. for BH Capital, LLC for a Rezoning from No Use District to General Commercial District I for property generally described as being located southeast of E. St. Patrick Street and South Valley Drive intersection. Motion was made by Doyle, second by Modrick that the title be read the second time. Upon vote being taken the following voted AYE: Nordstrom, Drew, Salamun, Doyle, Estes, Scott, Wright, Modrick and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6164 was declared duly passed upon its second reading.

Doyle read in item (No. 17RZ008) Second Reading, Ordinance 6165, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions Inc. for BH Capital, LLC for a Rezoning from General Agricultural District to Medium Density Residential District I for property generally described as being located southeast of E. St. Patrick Street and South Valley Drive intersection. Motion was made by Doyle, second by Modrick that the title be read the second time. Upon vote being taken the following voted AYE: Nordstrom, Drew, Salamun, Doyle, Estes, Scott, Wright, Modrick and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6165 was declared duly passed upon its second reading.

Doyle read in item (No. 17RZ009) Second Reading, Ordinance 6166, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions Inc. for BH Capital, LLC for a Rezoning from General Agricultural District to General Commercial District for property generally described as being located southeast of E. St. Patrick Street and South Valley Drive intersection. Motion was made by Doyle, second by Modrick that the title be read the second time. Upon vote being taken the following voted AYE: Nordstrom, Drew, Salamun, Doyle, Estes, Scott, Wright, Modrick and Roberts. NO: None: whereupon the Mayor declared the motion passed and Ordinance 6166 was declared duly passed upon its second reading.

BILLS

The following bills have been audited.

BILLIST - APRIL 3, 2017

P/ROLL PERIOD END 03/18/17, PD 03/24/17	1,061,226.97
CDEV P/ROLL PERIOD END 03/18/17, PD 03/24/17	3,512.39
PIONEER BANK & TRUST, 03/18/17 P/ROLL TAXES, PD 03/24/17	261,421.53
CDEV PIONEER BANK & TRUST, 03/18/17 P/ROLL TAXES, PD 03/24/17	637.24
SOUTH DAKOTA DEPARTMENT OF REVENUE, FEB17 SALES TAX PAYABLE PD 03/23/17	29,154.65
SOUTH DAKOTA DEPARTMENT OF REVENUE, FEB17 EXCISE TAX PAYABLE PD 03/23/17	164.87
SD DEPARTMENT OF REVENUE FEB17 CCTR SALES TAX PAYABLE PD 03/23/17	58,988.01
WELLMARK INC, HEALTH CLAIMS THROUGH 03/10/17, PD 03/16/17	182,124.82
WELLMARK INC, HEALTH CLAIMS THROUGH 03/17/17, PD 03/23/17	102,473.47

WAGE WORKS, SECTION 125 CLAIMS THROUGH 03/13/17, PD 03/14/17	8,453.84
WAGE WORKS, SECTION 125 CLAIMS THROUGH 03/20/17, PD 03/21/17	10,667.77
WAGE WORKS, SECTION 125 CLAIMS THROUGH 03/27/17, PD 03/28/17	9,414.84
SOUTH DAKOTA RETIREMENT SYSTEM, SPECIAL PAY PLAN-HERN, PD 03/24/17	45.00
BANK WEST, TID54 RAINBOW RIDGE, PD 03/21/17	844.11
BANK WEST, TID65 MINNESOTA ST, PD 03/21/17	1,212.05
BANK WEST, TID69 NORTH FIRE STATION, PD 03/21/17	1,784.72
FIRST INTERSTATE BANK, TID50 FEDERAL BEEF/FOUNDERS PARK DEV, PD 03/21/17	3,422.46
THF STONERIDGE DEVELOPMENT, TID71 S ROBBINSDALE, PD 03/23/17	3,358.96
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 03/27/17	30,424.50
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 03/28/17	34,810.35
BERKLEY ASSIGNED RISK SERVICES, CLAIM, PD 03/21/17	14,216.70
BLACK HILLS ENERGY, ELECTRICITY, PD 03/27/17	30.22
US BANK, CREDIT CARD CHARGES, PD 03/29/17	46,884.39
US BANK – CDEV, CREDIT CARD CHARGES, PD 03/29/17	128.50
COMPUTER BILL LIST	1,474,642.16
CDEV COMPUTER BILL LIST	4,080.22
SUBTOTAL	3,344,124.74
RSVP, P/ROLL PERIOD END 03/18/17, PD 03/24/17	3,583.90
RSVP, PIONEER BANK & TRUST, 03/18/17 P/ROLL TAXES, PD 03/24/17	737.17
RSVP, COMPUTER BILL LIST	64.60
TOTAL	3,348,510.41

Sumption presented the bill list total \$3,348,510.41. Motion was made by Estes, second by Scott and carried to authorize (No. CC040317-01) 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 Salamun, second by Modrick and carried to adjourn the meeting at 7:56 p.m.

Dated this 3rd day of April, 2017.

CITY OF RAPID CITY

ATTEST:

Finance Officer

Mayor

(SEAL)