

PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota

August 7, 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, August 7, 2017 at 7:00 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Lisa Modrick, Becky Drury, Ritchie Nordstrom, Steve Laurenti, Jason Salamun, Chad Lewis, John B Roberts, Amanda Scott and Laura Armstrong; and the following Alderpersons arrived during the course of the meeting: None; and the following were absent: Darla Drew.

Staff members present included: Finance Officer Pauline Sumption, City Attorney Joel Landeen, Public Works Director Dale Tech, Police Chief Karl Jegeris, Interim Fire Chief Rod Seals, Parks and Recreation Director Jeffrey Biegler and Interim Administrative Coordinator Sharlene Mitchell

ADOPTION OF AGENDA

Mayor Allender requested the addition of Item 61A-Executive Session to Consult with Legal Counsel regarding pending litigation to the agenda. Motion was made by Lewis, second by Salamun and carried unanimously to adopt the agenda as amended.

AWARDS AND RECOGNITIONS

Mayor Allender and John Riker, Historic Preservation Commission Chairman, presented the 2017 Norm E. Nelson Preservation Awards to Stephanie Schumacher for the Brass Rail (façade improvement) at 624-628 St Joseph Street; to Kelly Gibson and Brad Benham for the Dean Motor Company Building (adaptive reuse) at 329 Main Street; and to Gene Fennel, Sam Papendick and Karl Koth for the Hay Camp Building (commercial building) at 601 Kansas City Street.

NON-PUBLIC HEARING ITEMS

CONSENT ITEMS

The following items were removed from the Consent Items:

32. LF080217-04 – Approve Resolution No. 2017-067 a Resolution to Donate Surplus Real Property to Passages Women’s Transitional Living, Inc. with the addition of a reversionary clause.
35. LF080217-01 – Approve Resolution No. 2017-061 a Resolution to Write-off Uncollectable Ambulance Billing Accounts
36. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Stella Bond, Kailey Tubbs, Maria Vasquez Garcia, Austin Freeman, Tim Bjork, Gordon Bradley, Margaret Engler, Leon Fenhaus, Cody Hodson, Pete Koupal, Tom Kraka, Mark Miller, Jeff Olson, Paul Vinatieri, Gary Crockett, Leslie Crockett, Tyson Baker, Isaac Pacheo, Jared Zubia, Dakota Hunter, Evan Bateman, Blaine Rogers, Kendall Jacobs, Ami Jacobs, Wyatt Eaton, Kaleb Reichert, Miller Slaughter, Tyler Jones, Tyler Wilkes, Dallas Hunt, Jacob Swanson, Jason Bertagnole, Ethan Gonda, Matthew Browning, Michael Bambo, Josh Bowman, Jacob Stine, Damon Lillemo, Benjamin Wilson, Mark Pingel, Gaven Munson, Thayne Allen, Caleb Williams, Ben Davis, Jacob Stacey, Nicholas Griffin, Nathaniel Griffin, Matt Schipper, Taj Cunningham, Brad Taylor, Roy Isom, Talbot McLaws, Aaron Thomas, Eric Mohler Garrett Hamby, Jordan Federowich, Carson Roberts, Joshua Sanders, Joshua Campbell, Brent Winward, Diane Winward, Richard Salkeld, Samantha Maxfield, Josephine Bryan, Tiffany Sprague, Anna Williams, Rebekah Ward, Sierra

Braithwaite, Lindsay Sanders, Abigail Krum, Ashley Frizzall, Jackie Killian, Wynter Miller, Tabitha Brown, Billie Garner, Queen Dairo, Judith Olson, Parry Olsen, Madeline Nelson, Holly McCoy, Zannah Pacheco, Jessica Gentry, Ariza Zubia, Hannah Reichman, Kathryn Reichman, Ila Mattson, Emily Nelson, Callista Worthen, Hailey Longhurst, Rachel Burton, Kelsie Sanders, Koki Fowlke, Taylor D. Oliver, Chantal Lawrence, Emily Martineau, Rose Hegel, Cathryn Burrows, Trista Maisey, Emily Ward, Eliza Anderson, Nicole Emmett, Jenna Wyson, Breyannah Elizabeth, Marcia Canter, Jack Coakley, Miles Coakley, Ally Ritterholz, Emma Ritterholz, Isabel Shinn, Molly Smith, Faith Christen, Lisa Frisch, Anthony Dyk

42. LF080217-10 – Approve Resolution No. 2017-066 a Resolution to Create Position of Human Resources and Payroll Liaison

Motion was made by Lewis, second by Salamun and carried unanimously to approve Items 2 – 53 as they appear on the Consent Items with the exception of Items 32, 35, 36 and 42.

Approve Minutes

2. Approve Minutes for the July 17, 2017 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (August 21, 2017)

3. West Boulevard Neighborhood Association for a SPECIAL EVENT Malt Beverage and On-Sale Wine license for an event scheduled for August 26, 2017 at the intersection of Fulton and West Blvd, 1115 West Boulevard
4. Lu Shun LLC DBA Lu Shun LLC (Imperial), 702 E North Street for a Retail (on-off sale) Malt Beverage License TRANSFER from Rui Feng Inc DBA Rui Feng Inc, 702 E North Street
5. Lu Shun LLC DBA Lu Shun LLC (Imperial), 702 E North Street for a Retail (on-off sale) Wine License TRANSFER from Rui Feng Inc DBA Rui Feng Inc, 702 E North Street
6. Lu Shun LLC DBA Lu Shun LLC (Great Wall), 315 E North Street for a Retail (on-off sale) Malt Beverage License TRANSFER from Rui Feng Inc DBA Rui Feng Inc, 315 E North Street
7. Lu Shun LLC DBA Lu Shun LLC (Great Wall), 315 E North Street for a Retail (on-off sale) Wine License TRANSFER from Rui Feng Inc DBA Rui Feng Inc, 315 E North Street

Public Works Committee Consent Items

8. PW080117-01 – Approve Change Order #1F to Hills Materials Company for Tatanka Road Water Main Extension, Project No. 16-2357 / CIP No. 51152 for a decrease of \$9,925.78.
9. PW080117-02 – Authorize Staff to Advertise for Bids for Pavement Rehabilitation Project – Chief Drive, Project No. 17-2360 / CIP No. 50549. Estimated Cost: \$200,000.00.
10. PW080117-03 – Authorize Staff to Advertise for Bids for Main Street Water Valve Repair Project – 2nd Street to East Boulevard. Project No. 17-2390 / CIP No. 50705. Estimate Cost: \$200,000.00.
11. PW080117-04 – Authorize Mayor and Finance Officer to Sign a South Dakota Department of Transportation Agreement for Use and Restoration of Detour for SDDOT Project No. IM-PH 0902(167)58, Pennington County, PCN 05MJ.
12. PW080117-05 – Authorize Mayor and Finance Officer to Sign an Amendment to the Agreement between the City of Rapid City and Advanced Engineering and Environmental Services, Inc. for Pavement Rehabilitation Project – East Saint Joseph Street Overlay, Project No. 17-2363 / CIP No. 51161, for an increase of \$4,079.50.
13. PW080117-06 – Authorize Mayor and Finance Officer to Sign an Agreement between City of Rapid City and Dakota Pump, Inc. for Red Rocks Booster Pump Station Supervisory Control and

- Data Acquisition (SCADA) Integration, Project No, 14-2177 / CIP No. 50812.B, in the amount of \$90,854.00.
14. PW080117-07 – Authorize Mayor and Finance Officer to Sign Amendment No. 2 to Bartlett and West for Red Rocks Booster Pump Station Upgrades, Project No. 14-2177 / CIP No. 50812.B, in the amount of \$126,105.00.
 15. PW080117-08 – Authorize Mayor and Finance Officer to Sign an Agreement Concerning Transfer of Water System Between Mesa View Water Users Association, Inc., and City of Rapid City.
 16. PW080117-09 – Authorize Mayor and Finance Officer to Sign a Joint Powers Maintenance and Encroachment Agreement between the City of Rapid City and Department of Transportation for City Project No. 14-2170 / CIP No. 50866, State Projects NH 0044(00)45 PCN 0515 and P 1774(00)06 PCN 02SF.
 17. PW080117-11 – Approve List of Property Owners to Send Notices to Construct or Repair Sidewalks; 2016 Assessed Sidewalk Improvement Project, Project No. 16-2344.
 18. PW080117-12 – Approve Acceptance of Infrastructure for Village at Skyline Pines Water, Sewer and Storm Sewer - DEV12-1090.
 19. PW080117-13 – Approve Acceptance of Infrastructure for Fairmont Boulevard Extension – DEV11-1063.
 20. PW080117-14 – Approve a Request from Travis Swift for Volt Properties, LLC for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 Along Creek Drive for the Property Located at 1714 Creek Drive.
 21. PW080117-16 – Authorize Staff to Seek Proposals for Deadwood Avenue Reconstruction – I-90 to Meade County, Project No. 17-2375 / CIP No. 50437.
 22. PW080117-17 – Approve a request by Lazy P6 Land Company 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.
 23. PW080117-18 – Approve Transit Grant from FTA for 5307 Formula funds for operating and capital assistance in the amount of \$1,199,900.
 24. PW080117-19 – Authorize Mayor and Finance Officer to sign 2018-2020 Title VI Program Plan as required by FTA to receive federal transit grant funds.
 25. PW080117-20 – Authorize Staff to Advertise for Bids for Landfill Cell 17 Closure, Project No SW16-2370. Estimated Cost: \$1,400,000.00.
 26. PW080117-21 – Authorize staff to advertise for bids for PR17-6159 Roosevelt Ice Arena Roof Top Unit Replacement Project. Estimated cost \$65,000.00.
 27. PW080117-22 – Authorize Mayor and Finance Officer to sign Extension of Term of Contract for Services Agreement for Manager of Meadowbrook Golf Course Clubhouse and Pro-Shop Between the City of Rapid City and BF Variety Store, Inc.

28. PW080117-23 – Authorize Staff to Request Proposals for Security Services for Parks Shelters, Gates and Restrooms and Cemetery Gates and Office.
29. PW080117-10 – Authorize Mayor and Finance Officer to Sign a Professional Services agreement between City of Rapid City and HDR Engineering, Inc. for Sheridan Lake Road Traffic Study – Alberta Drive to Corral Drive; Project No. 17-2373 / CIP No. 51122 in the amount of \$148,190.00.
30. PW080117-15 – Authorize properties outside City limits to connect to City water in accordance with Resolution 2014-192, upon execution of covenant agreement and payment of construction fees.
31. PW080117-24 – Authorize Mayor and Finance Officer to Sign Amendment to Professional Services Agreement with Ferber Engineering Company, Inc. for City Bike Path Restoration and Rapid Creek Bank Stabilization, Project No. PR14-6118, in the amount of \$6,475.00.

Legal & Finance Committee Consent Items

33. LF080217-07 – Confirm the Reappointment of Gavin Fawbush and New Appointments of Logan Steffens and Stacie Hull to the Hotel BID Board
34. LF080217-08 – Confirm the Appointment of Malcom Chapman and the Reappointment of Lisa Modrick to the Performing Arts Board
37. LF080217-02 – Approve Resolution No. 2017-062A a Resolution Fixing Time and Place for Hearing on Assessment Roll for Cleanup of Miscellaneous Property

RESOLUTION No. 2017-062A
RESOLUTION FIXING TIME AND PLACE FOR HEARING ON ASSESSMENT ROLL FOR
CLEANUP OF MISCELLANEOUS PROPERTY

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

1. The Assessment Roll for Cleanup of Miscellaneous Property was filed in the Finance Office on the 7th day of August, 2017. The City Council shall meet at the City / School Administration Center in Rapid City, South Dakota, on the 5th day of September, 2017 at 6:30 P.M., this said date being not less than twenty (20) days from the filing of said assessment roll for hearing thereon.
2. The Finance Officer is authorized and directed to prepare a Notice stating the date of filing the assessment roll, the time, and place of hearing thereon; that the assessment roll will be open for public inspection at the Office of the Finance Officer, and referring to the assessment roll for further particulars.
3. The Finance Officer is further authorized and directed to publish notice in the official newspaper one week prior to the date set for hearing and to mail copy thereof, by first class mail, addressed to the owner or owners of any property to be assessed at his, her, or their last mailing address as shown by the records of the Director of Equalization, at least one week prior to the date set for hearing.

Dated this 7th day of August, 2017.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption

Finance Officer

(SEAL)

- 38. LF080217-11 – Approve Resolution No. 2017-068 a Resolution Declaring Miscellaneous Personal Property Surplus

Resolution # 2017-068
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: Police Department (201)

For trade:

- 2011 Ford Expedition, VIN 1FMJK1J54BEF18807
- 2010 Nissan Xterra, VIN 5N1AN0NW9AC505615

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 7th day of August, 2017.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

(SEAL)

- 39. LF080217-05 – Authorize Mayor and Finance Officer to Sign FY2016 Community Development Block Grant Contract with Feeding South Dakota
- 40. LF080217-06 – Authorize Mayor and Finance Officer to Sign FY2016 Community Development Block Grant Contract with Working Against Violence, Inc. (WAVI)
- 41. LF080217-09 – Authorize Mayor and Finance Officer to Sign FY2016 Community Development Block Grant Contract with Catholic Social Services
- 43. 17TP012 – Authorize Mayor and Finance Officer to Sign the Agreement Between the City of Rapid City and the City of Box Elder for Accomplishing the Rapid City Area Transportation Planning Process
- 44. 17TP013 – Authorize Mayor and Finance Officer to Sign the Agreement Between the City of Rapid City and Pennington County for Accomplishing the Rapid City Area Transportation Planning Process

45. LF080217-12 – Approve Resolution No. 2017-069 a Resolution Authorizing the Finance Officer to Reimburse the South Dakota School of Mines & Technology Out of the City’s Vision Account for a Portion of the Costs Associated with Improvements to O’Harra Stadium Pursuant to the Recommendation of the Vision Citizen’s Committee

Resolution No. 2017-069

RESOLUTION AUTHORIZING THE FINANCE OFFICER TO REIMBURSE THE SOUTH DAKOTA SCHOOL OF MINES & TECHNOLOGY OUT OF THE CITY’S VISION ACCOUNT FOR A PORTION OF THE COSTS ASSOCIATED WITH IMPROVEMENTS TO O’HARRA STADIUM

WHEREAS, the City of Rapid City (the “City”) solicited potential community projects to receive funding from the City’s Vision Account; and

WHEREAS, the South Dakota School of Mines & Technology (“SDSM&T”) submitted a request for \$2,500,000 to fund a portion of improvements needed for O’Harra Stadium including new turf, new fencing, and new signage; and

WHEREAS, the City formed a citizen committee to review and make funding recommendations regarding the proposed community projects which sought money from the Vision Account; and

WHEREAS, the citizen committee recommended that SDSM&T’s proposed project receive \$1,897,604 of what was originally requested; and

WHEREAS, the City Council reviewed and ratified the citizen committee’s recommendations at its December 5, 2016, meeting; and

WHEREAS, SDSM&T has begun the project to improve the stadium and as a State entity will administer and bid out the project pursuant to state law; and

WHEREAS, the City and SDSM&T have determined that the most efficient way to complete this project is for SDSM&T to pay the contractor for the construction of the project subject to reimbursement by the City from the Vision Account; and

WHEREAS, in order for the SDSM&T to be reimbursed for this project the City must authorize the Finance Officer to reimburse SDSM&T in two phases which includes phase 1 during the fall of 2017 and then phase 2 after all of the other projects are complete, or when the amount expended by SDSM&T on the project exceeds the City’s share of the overall project cost.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the City Finance Officer is hereby authorized to reimburse the SDSM&T for the actual cost of the improvements identified in its Vision Fund application in an amount not to exceed \$1,897,604.

BE IT FURTHER RESOLVED, that the reimbursement to SDSM&T is subject to the following additional conditions:

1. SDSM&T will follow all applicable state laws in the bidding, award, and construction of the proposed project.
2. The final constructed project will be substantially similar to the project presented in the application and all supporting statements and materials provided by SDSM&T in obtaining approval of its funding request.

3. SDSM&T will provide the City Finance Office with sufficient documentation to demonstrate the total cost of the project, the amounts paid to the contractors on the project, and any other information necessary to confirm that the monies being reimbursed were actually expended on the project for which the City approved funding and that the completed project is substantially the same as the project identified in SDSM&T's funding application.

Dated this 7th day of August, 2017.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

CIP Committee Consent Items

- 46. No. CIP072117-00 – Acknowledge Capital Improvement Programs Committee Monthly Update for May 2017
- 47. No. CIP072117-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, CSAC)
- 48. No. CIP072117-04 – Approve Capital Plan for Fire Vehicles
- 49. No. CIP072117-05 – Approve Capital Plan for Parks & Recreation
- 50. No. CIP072117-06 – Approve Capital Plan for Information Technology
- 51. No. CIP072117-01 – Approve Financial Reports (Contingency, DCA Charges, Matching Grants, Penn Co Loan)
- 52. No. CIP072117-02 – Approve Capital Plan for Streets, Drainage, MIP Projects

Bid Award Consent Items

- 53. No. CC080717-02.1 – Approve award of total bid for 5th Street Concrete Repair Project - Minnesota Street to Texas Street, Project No. 15-2292 / CIP No. 50445 opened on August 1, 2017 to the lowest responsible bidder, J.V. Bailey Co. Inc., in the amount of \$369,275.50.

END OF CONSENT ITEMS

Scott introduced (LF080217-04) Resolution No. 2017-067. In response to a question from Scott, Landeen addressed the reversionary time period and terms for the property donation. In response to a question from Scott, Landeen advised that the reversionary time period could be amended if necessary. Nordstrom voiced his support for the project. Landeen addressed the issue of insuring that the facility is constructed and in use for the intended purpose. Landeen addressed the need to insure that the reversionary agreement language does not adversely impact the project financing while protecting the City's interests. Motion was made by Salamun, second by Lewis and carried unanimously to Approve (LF080217-04) Resolution No. 2017-067 a Resolution to Donate Surplus Real Property to Passages Women's Transitional Living, Inc. with the addition of a reversionary clause.

Resolution 2017-067
A RESOLUTION TO DONATE SURPLUS REAL PROPERTY TO
PASSAGES WOMEN'S TRANSITIONAL LIVING, INC.

WHEREAS, the City of Rapid City has declared certain real property, described below, to be surplus and no longer suitable for municipal purposes; and

WHEREAS, a board of three freeholders was appointed to establish a value of the property as required by statute; and

WHEREAS, the freeholders have presented their report on the value; and

WHEREAS, SDCL § 6-5-2 allows gratuitous transfers of real or personal property to nonprofit corporations for public, charitable, or humanitarian purposes; and

WHEREAS, the Common Council finds it to be in the best interests of the community to donate the property to Passages Women’s Transitional Living, Inc., a South Dakota non-profit corporation, for use as a women’s transitional living facility.

NOW THEREFORE, BE IT RESOLVED by the Common Council of the City of Rapid City that the following property shall be donated to Passages Women’s Transitional Living, Inc., a South Dakota non-profit corporation of 529 Kansas City Street, Suite 204, Rapid City, South Dakota:

Lots 1-12 of Block 19 of the Original Town of Rapid City, Pennington County, South Dakota

BE IT FURTHER RESOLVED that the Mayor and Finance Officer are authorized to execute a quitclaim deed transferring the property as described above, with a deed restriction, acceptable to the City Attorney, requiring construction of a transitional living facility on the property within five years.

Dated this 7th day of August, 2017.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

Motion was made by Scott, second by Modrick to Approve (LF080217-01) Resolution No. 2017-061 a Resolution to Write-off Uncollectable Ambulance Billing Accounts. In response to a question from Scott, Seals addressed the audit recommendations and software upgrades that will enable the process to be facilitated on a more current timeframe. In response to a question from Scott, Sumption advised that the City does continue collection efforts on accounts that have been written off. In response to a question from Nordstrom, Lewis addressed the state regulations regarding the remittance of insurance payments for ambulance services. Motion to approve carried unanimously.

Resolution No. 2017-061
RESOLUTION WRITING OFF UNCOLLECTABLE AMBULANCE BILLING ACCOUNTS

WHEREAS, The City Finance Office has determined that certain ambulance billing accounts, shown on Appendix A, attached, and totaling \$626,320.31 are uncollectible; 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 7th day of August, 2017.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

(SEAL)

(NOTE: The full text of Resolution No. 2017-061 and Appendix A are available for review in the City Finance Office)

Scott commented on the volume of volunteers being presented and requested that future acknowledgements identify the volunteers by department. Motion was made by Nordstrom, second by Laurenti and carried unanimously to Acknowledge the Following Volunteers for Worker's Compensation Purposes: Stella Bond, Kailey Tubbs, Maria Vasquez Garcia, Austin Freeman, Tim Bjork, Gordon Bradley, Margaret Engler, Leon Fenhaus, Cody Hodson, Pete Koupal, Tom Kraka, Mark Miller, Jeff Olson, Paul Vinatieri, Gary Crockett, Leslie Crockett, Tyson Baker, Isaac Pacheo, Jared Zubia, Dakota Hunter, Evan Bateman, Blaine Rogers, Kendall Jacobs, Ami Jacobs, Wyatt Eaton, Kaleb Reichert, Miller Slaughter, Tyler Jones, Tyler Wilkes, Dallas Hunt, Jacob Swanson, Jason Bertagnole, Ethan Gonda, Matthew Browning, Michael Bambo, Josh Bowman, Jacob Stine, Damon Lillemo, Benjamin Wilson, Mark Pingel, Gaven Munson, Thayne Allen, Caleb Williams, Ben Davis, Jacob Stacey, Nicholas Griffin, Nathaniel Griffin, Matt Schipper, Taj Cunningham, Brad Taylor, Roy Isom, Talbot McLaws, Aaron Thomas, Eric Mohler Garrett Hamby, Jordan Federowich, Carson Roberts, Joshua Sanders, Joshua Campbell, Brent Winward, Diane Winward, Richard Salkeld, Samantha Maxfield, Josephine Bryan, Tiffany Sprague, Anna Williams, Rebekah Ward, Sierra Braithwaite, Lindsay Sanders, Abigail Krum, Ashley Frizzall, Jackie Killian, Wynter Miller, Tabitha Brown, Billie Garner, Queen Dairo, Judith Olson, Parry Olsen, Madeline Nelson, Holly McCoy, Zannah Pacheo, Jessica Gentry, Ariza Zubia, Hannah Reichman, Kathryn Reichman, Ila Mattson, Emily Nelson, Callista Worthen, Hailey Longhurst, Rachel Burton, Kelsie Sanders, Koki Fowlke, Taylor D. Oliver, Chantal Lawrence, Emily Martineau, Rose Hegel, Cathryn Burrows, Trista Maisey, Emily Ward, Eliza Anderson, Nicole Emmett, Jenna Wyson, Breyannah Elizabeth, Marcia Canter, Jack Coakley, Miles Coakley, Ally Ritterholz, Emma Ritterholz, Isabel Shinn, Molly Smith, Faith Christen, Lisa Frisch, Anthony Dyk.

In response to a question from Scott, Mayor Allender addressed the staffing needs of the Human Resources Department payroll positions. Mayor Allender advised that the position will fill a current vacancy and will not increase the department FTE count. In response to a question from Scott, Nancy Hamak, HR Manager, indicated that the position was referred for outside review due to the conflict of interest issue arising from her position on the City Compensation Committee. Hamak addressed the pay grade differences between the new and vacant positions noting that the 2017 budget can support the wage increase. Motion was made by Salamun, second by Lewis and carried unanimously to Approve (LF080217-10) Resolution No. 2017-066 a Resolution to Create Position of Human Resources and Payroll Liaison.

RESOLUTION NO. 2017-066

RESOLUTION TO AMEND THE CITY OF RAPID CITY COMPENSATION PLAN BY ESTABLISHING THE NEW POSITION OF HUMAN RESOURCES AND PAYROLL LIAISON WITHIN THE COMMUNITY RESOURCES DEPARTMENT

WHEREAS, duties and responsibilities for positions within Departments throughout the City change and evolve over time; and

WHEREAS, respective Leaders within City Management request recommend that the new position of Human Resources and Payroll Liaison be created; and

WHEREAS, the duties and responsibilities of the below listed position have been evaluated by Condrey and Associates, Inc. utilizing the Factor Evaluation System (FES) to establish the appropriate placement on the respective pay scale; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rapid City to revise the City of Rapid City Compensation Plan by adding the position of Human Resources and Payroll Liaison to the respective pay scale; and

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Rapid City that the position listed below is hereby created; and

BE IT FURTHER RESOLVED by the City Council of the City of Rapid City that the compensation plan is hereby revised as follows:

ADD TO THE NON-UNION PAY SCALE

Position Title	Pay Scale	Job Classification	Grade	FLSA Classification	SALARY RANGE	
					Min	Max
Human Resources and Payroll Liaison	Non-Union	HRPL	16	Non-exempt	\$44,007.22	\$66,307.10

Dated this 7th day of August, 2017.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

(SEAL)

NON-CONSENT ITEMS

Rex Hagg (LF080217-03) addressed the need for government financial assistance in the development of affordable housing projects and urged council support for the grant as presented.

Eric Yellow Boy (CC070317-04.2) requested council consideration of his application for a security license calling attention to the letter of support from his potential employer. Yellow Boy indicated that he has previously held a city security license noting that his proposed work duties would not involve alcohol activities. Yellow Boy addressed his on-going efforts to address the issues prompting the denial of the application.

Legal & Finance Committee Items

Scott read in the item (LF080217-03) and voiced her inability to support the grant as presented. Motion was made by Modrick, second by Lewis to Approve (LF080217-03) Final Community Development Block Grant (CDBG) FY2017 Annual Action Plan and Authorize Mayor and Finance Officer to Sign the SF-424 and CDBG Certifications. Modrick voiced her support for the affordable housing project and encouraged council support for affordable housing projects. A substitute motion was made by Laurenti, second by Scott, to approve the reallocation of the grant funds to the Housing Development fund. Lewis voiced his

support for the grant as proposed and urged the Council to honor the agreement. Acknowledging the pending grant deadlines, Scott encouraged support for the substitute motion noting the developer's intent to seek additional project funding via other city programs. In response to a question from Lewis, Barbara Garcia, CDBG Manager, addressed the Annual Plan filing deadline, the process and impact of the proposed funding reallocation and the subsequent impact on the expenditure of grant funds and future grant funding. Laurenti clarified that the proposed study is an amendment of the original grant proposal. Upon vote being taken the substitute motion failed (4-5) with the following voting AYE: Salamun, Scott, Drury and Laurenti; NO: Armstrong, Lewis, Modrick, Nordstrom and Roberts. In response to a question from Nordstrom, Garcia addressed the HUD rules regarding the Annual Plan and the impact on the grant funding should the filing deadline not be met. Garcia addressed the payback requirement should the developer fail to meet the final objective of the project. Garcia addressed the City's financial risk under the grant program noting that the developer has provided an irrevocable letter of credit to the City in the full amount of the existing grant and that the developer will be required to increase that line of credit to cover the additional funding from this grant. Upon vote being taken the main motion to approve carried (5-4) with the following voting AYE: Armstrong, Lewis, Modrick, Nordstrom and Roberts; NO: Salamun, Scott, Drury and Laurenti.

Public Works Committee Items

Motion was made by Lewis, second by Nordstrom and carried unanimously to Continue (PW080117-25) Request to Allow a Food Truck on City Property After Leased Hours to be Located in the Southwest Corner of Mount Rushmore Road and Main Street – Jamie Jackson to the September 5, 2017 City Council meeting at the applicant's request.

Appeals

Motion was made by Scott, second by Lewis to Uphold the Denial of (No. CC070317-04.2) Security License – Eric Yellow Boy. Scott stated that she cannot support approving the application based on the Police recommendation. In response to a question from Modrick, Yellow Boy addressed his current employment status and his possible employment and work responsibilities. Yellow Boy acknowledged the issues identified in the denial of his application noting that his potential employment would not be associated with alcohol related businesses. Modrick encouraged Yellow Boy to continue with his self-improvement efforts. In response to a question from Salamun, Jegeris addressed the requirements and timeframe for reconsideration of the application. Motion to uphold the denial of the Security License carried unanimously.

PUBLIC HEARING ITEMS

CONSENT PUBLIC HEARING ITEMS

The following item was removed from the Consent Public Hearing Items: 57.

57. Maverik, Inc. DBA Maverik, Inc. #552, 1624 Haines Avenue for a Package (off sale) Malt Beverage license and Retail (on-off sale) Wine license

Motion was made by Scott, second by Laurenti and carried unanimously to approve Items 57 – 59 as they appear on the Consent Public Hearing Items with the Exception of the Item 57.

Alcohol Licenses

58. Storybook Island for a SPECIAL EVENT Malt Beverage and On-Sale Wine license for an event scheduled for September 8, 2017 at Storybook Island, 1301 Sheridan Lake Road
59. Rapid City Chamber of Commerce for a SPECIAL EVENT Malt Beverage and On-Sale Wine license for an event scheduled for November 14, 2017 at Servall Uniform and Linen Supply, 410 4th Street

END OF CONSENT PUBLIC HEARING CALENDAR

Motion was made by Laurent, second by Scott to Divide Item 57 to Approve Maverik, Inc. DBA Maverik, Inc. #552, 1624 Haines Avenue for a Package (off sale) Malt Beverage License and to Continue Maverik, Inc. DBA Maverik, Inc. #552, 1624 Haines Avenue for a Retail (on-off sale) Wine License to the September 18, 2017 City Council meeting. In response to a question from Landeen, Sumption advised that the continuance is to allow the applicant time to secure the required Conditional Use Permit for the "on-sale" element of the wine license. Motion carried unanimously.

NON-CONSENT PUBLIC HEARING ITEMS

Motion was made by Salamun, second by Laurenti and carried with Roberts abstaining to Withdraw (No. 17RZ022) Second Reading, Ordinance 6187, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Mollers Limited Partnership for a **Rezoning from General Commercial District to Office Commercial District** for property generally described as being located northwest of the intersection of E. Omaha Street and Lacrosse Street at the applicant's request.

BILLS

The following bills have been audited.

BILL LIST - AUGUST 7, 2017

P/ROLL PERIOD END 07/08/17, PD 07/14/17	1,081,438.43
P/ROLL PERIOD END 07/22/17, PD 07/28/17	1,091,319.65
P/ROLL PERIOD END 07/31/17, PD 07/31/17	1,660,124.48
CDEV P/ROLL PERIOD END 07/08/17, PD 07/14/17	3,291.93
CDEV P/ROLL PERIOD END 07/22/17, PD 07/28/17	3,291.98
PIONEER BANK & TRUST, 07/08/17 P/ROLL TAXES, PD 07/14/17	258,992.85
PIONEER BANK & TRUST, 07/22/17 P/ROLL TAXES, PD 07/28/17	259,465.82
PIONEER BANK & TRUST, 07/31/17 P/ROLL TAXES, PD 07/31/17	426,527.83
CDEV PIONEER BANK & TRUST, 07/08/17 P/ROLL TAXES, PD 07/14/17	874.26
CDEV PIONEER BANK & TRUST, 07/22/17 P/ROLL TAXES, PD 07/28/17	876.28
SOUTH DAKOTA DEPARTMENT OF REVENUE JUNE17 SALES TAX PAYABLE PD 07/18/17	49,589.37
SOUTH DAKOTA DEPARTMENT OF REVENUE JUNE17 EXCISE TAX PAYABLE PD 07/18/17	263.46
SOUTH DAKOTA DEPARTMENT OF REVENUE MAY17 CCTR SALES TAX PAYABLE PD 07/25/17	30,220.02
WELLMARK INC, HEALTH CLAIMS THROUGH 07/07/17, PD 07/13/17	118,502.32
WELLMARK INC, HEALTH CLAIMS THROUGH 07/14/17, PD 07/20/17	102,211.95
WELLMARK INC, HEALTH CLAIMS THROUGH 07/21/17, PD 07/27/17	128,525.36
WELLMARK INC, HEALTH CLAIMS THROUGH 07/28/17, PD 08/03/17	211,321.18
WAGE WORKS, SECTION 125 CLAIMS THROUGH 07/17/17, PD 07/18/17	2,012.32
WAGE WORKS, SECTION 125 CLAIMS THROUGH 07/24/17, PD 07/25/17	2,881.93
WAGE WORKS, SECTION 125 CLAIMS THROUGH 07/31/17, PD 08/01/17	3,711.33
SOUTH DAKOTA RETIREMENT SYSTEM, JUL17 RETIREMENT, PD 08/02/17	477,046.59
SD RETIREMENT SYSTEM, SPECIAL PAY PLAN-LEONARD, K, PD 07/28/17	45.00
1ST NATIONAL BANK IN SIOUX FALLS 2009 WATER REVENUE BOND PYMT, PD 08/01/17	203,309.38
1ST NATIONAL BANK IN SIOUX FALLS 2010 CFC BOND PYMT, PD 08/01/17	32,541.67
1ST NATIONAL BANK IN SIOUX FALLS 2011B WASTEWATER BOND PYMT, PD 08/01/17	86,298.54
1ST NATIONAL BANK IN SIOUX FALLS 2011A AIRPORT BOND PYMT, PD 08/01/17	80,553.75

1ST NATIONAL BANK IN SIOUX FALLS	
2015 PARKING REVENUE BOND PYMT, PD 08/01/17	15,515.21
BERKLEY ASSIGNED RISK SERVICES, CLAIMS, PD 08/02/17	49,143.02
BANK WEST, TID56 RUSHMORE CROSSING, PD 07/26/17	7,399.50
CITY OF RAPID CITY, TID42 ELK VALE/TIMMONS, PD 07/26/17	297.90
CITY OF RAPID CITY, TID56 RUSHMORE CROSSING, PD 07/26/17	1,409.43
FIRST INTERSTATE BANK,	
TID50 FEDERAL BEEF/FOUNDERS PARK DEV, PD 07/26/17	218.27
US BANK, CREDIT CARD CHARGES, PD 07/31/17	56,527.82
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 07/17/17	31,726.00
BLACK HILLS ENERGY, ELECTRICITY, PD 07/25/17	155,897.48
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 07/25/17	20,455.08
SOUTH DAKOTA DEPARTMENT OF LABOR	
UNEMPLOYMENT INSURANCE BENEFIT CHARGES, PD 07/25/17	1,690.11
COMPUTER BILL LIST	4,227,128.90
CDEV COMPUTER BILL LIST	350.25
SUBTOTAL	10,882,996.65
RSVP, P/ROLL PERIOD END 07/08/17, PD 07/14/17	3,347.24
RSVP, P/ROLL PERIOD END 07/22/17, PD 07/28/17	3,347.24
RSVP, PIONEER BANK & TRUST, 07/08/17 P/ROLL TAXES, PD 07/14/17	985.67
RSVP, PIONEER BANK & TRUST, 07/22/17 P/ROLL TAXES, PD 07/28/17	992.77
RSVP, COMPUTER BILL LIST	10.30
TOTAL	10,891,679.87

Sumption presented the bill list total of \$10,891,679.87. Motion was made by Laurenti, second by Roberts and carried to authorize (No. CC080717-01) the Finance Officer to issue warrants or treasurers checks, drawn on proper funds, in payment thereof.

Motion was made by Scott, second by Salamun and carried unanimously to go into Executive Session at 8:09 p.m. for the purpose of consulting with legal counsel regarding pending litigation. Motion was made by Scott, second by Drury and carried unanimously to come out of Executive Session at 8:14 p.m. with all members present.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Scott, second by Armstrong and carried to adjourn the meeting at 8:14 p.m.

ATTEST:

CITY OF RAPID CITY

Finance Officer

Mayor

(SEAL)