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 Tuesday, January 2, 2018 at 6:30 P.M.

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

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, Community Development Director Ken Young, Parks and Recreation Director Jeffrey Biegler, and Administrative Coordinator Heidi Weaver-Norris

ADOPTION OF AGENDA  
Motion was made by Salamun, second by Drew and carried to adopt the agenda.

GENERAL PUBLIC COMMENT  
Julian Navarro asked if there was a way that the council could make a trauma recovery program for people that are out on the streets. He thanked them for considering the emergency shelter.

NON-PUBLIC HEARING ITEMS -- Items 1 – 39  
CONSENT ITEMS -- Items 1 – 33

Motion was made by Drew, second by Salamun and carried to approve the Consent Items 1-33.

Approve Minutes  
1. Approve Minutes for the December 18, 2017 Regular Council meeting.  
2. Approve Minutes for the December 27, 2017 Special Council meeting.

Vacations of Right-Of-Way Set for Hearing (NONE)

Alcoholic Beverage License Applications Set for Hearing (January 16, 2018)  
3. Youth & Family Services for a SPECIAL EVENT Malt Beverage and On-Sale Wine License for an Event Scheduled for February 23 and 24, 2018 at Youth and Family Services Inc. at 120 E Adams Street  
4. Milan K Syangtan DBA Himalayan Kitchen LLC, 1720 Mt. Rushmore Road for a Retail (on-off sale) Malt Beverage License and a Retail (on-off sale) Wine License  
5. Pennington County Democratic Party for a SPECIAL EVENT On-Sale Wine license for an Event scheduled for February 16, 2018 at Prairie Edge, 609 Main Street

Public Works Committee Consent Items  
6. PW122617-01 – Confirm the Reappointments of Joe Jarding, Kristofer James, and Doug Wilson to the Trenching Board.  
7. PW122617-02 – Confirm the Appointment of Michael Magda to the Rapid City Air Quality Board.  
8. PW122617-03 – Approve Change Order #1F to Lind-Exco, Inc. for East Rapid City Water System Expansion Southside Drive Water Main Extension, Project No. 14-2193 / CIP No. 50964.A for a decrease of $27,137.78.
9. PW122617-04 – Approve Change Order #1F to Highmark, Inc. for Seger Drive Reconstruction - 143rd Avenue to Lacrosse Street, Project No. 15-2268 / CIP No. 50277.1-4 for a decrease of $39,039.51.

10. PW122617-05 – Approve Change Order #2 to Complete Concrete, Inc. for Mount Rushmore Road Utility Reconstruction - Flormann Street to Saint James Street, Project No. 12-2051 / CIP No. 50867 for a decrease of $142,590.03.

11. PW122617-07 – Authorize Staff to Advertise for Bids for Well 12 / Stoney Creek HVAC Improvements, Project No. 17-2403 / CIP No. 51181. Estimated Cost: $72,700.00.

12. PW122617-08 – Authorize Staff to Advertise for Bids for Omaha Trunk Sewer Replacement – 1st Street to Maple Avenue, Project No. 17-2423 / CIP No. 50878.1. Estimated Cost: $1,300,000.00.

13. PW122617-09 – Authorize Mayor and Finance Officer to Sign a Professional Services Agreement for Construction Administration Services with Ferber Engineering Company, Inc. for 38th Street Reconstruction – Clifton Street to Range Road, Project No. 15-2232 / CIP No. 50716.1 & 50716.2.

14. PW122617-11 – Authorize Mayor and Finance Officer to Sign Resolution No. 2017-114 a Construction Fee Resolution for Wildwood Drive Phase 1 – 8” Sewer Main Per Benefit Fee, Project No. 13-2118.

Resolution # 2017-114
CONSTRUCTION FEE RESOLUTION FOR
WILDWOOD DRIVE PHASE 1 – 8” SEWER MAIN PER BENEFIT FEE
PROJECT NO. 13-2118

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

WHEREAS, an 8” sanitary sewer main was extended in Wildwood Drive per City Project No. 13-2118; and

WHEREAS, the total cost of constructing this sewer main was $101,407.07, of which $45,000.00 will be allocated on a per property basis; and

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

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

WHEREAS, the City Council has established a maximum connection fee of $7,500 for sanitary sewer construction projects identified in the Source Water Protection Study (W07-1684) prepared by Stanley Consultants in July 2009; and

WHEREAS, this project has been identified by the Director of Public Works as a source water protection project; and

WHEREAS, the City’s Public Works Director is recommending the construction cost be apportioned to the benefiting area shown on Exhibit A, based on the benefits that accrue to such property, and as such, should be established on a per-property basis; and
WHEREAS, the City Council, having considered the recommendation of the City’s Public Works Director and having made such investigation as it finds necessary, determines that it is in the best interests of the City and its sanitary sewer utility that the owners of properties within the benefiting area should pay their proportionate share of the cost to construct this project on a per property basis.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that prior to being allowed to connect to the City’s sanitary sewer system, the owners of property in the benefiting area shown in Exhibit A shall be required to pay a proportionate share of the cost of constructing the 8” sanitary sewer main shown in City Project No. 13-2118; and

BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay $7,500.00 to connect to the City’s sanitary sewer utility; and

BE IT FURTHER RESOLVED that in the event a property within the benefiting area shown on Exhibit A is sub-divided, each new property created shall pay $7,500 to connect to the City’s sewer utility; and

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

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the balance of the project costs totaling $45,000, plus $7,500 for each new lot created, has been collected, or until all benefiting properties have connected to City sewer, at which time this Resolution and the utility construction fee shall automatically expire.

Dated this 2nd day of January, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

15. PW122617-12 – Authorize Mayor and Finance Officer to Sign Resolution No. 2017-115 a Construction Fee Resolution for Wildwood Drive Phase 1 – 8” Water Main Per Benefit Fee, Project No. 13-2118.

Resolution # 2017-115
CONSTRUCTION FEE RESOLUTION FOR WILDCOOD DRIVE PHASE 1 – 8” WATER MAIN
PER BENEFIT FEE PROJECT NO. 13-2118

WHEREAS, Section 13.04.190 of the Rapid City Municipal Code (RCMC) authorizes the City Council to require properties benefited by the construction of water pipes or mains to pay their proportionate share of the cost to construct such water pipe or main prior to being allowed to connect to the City’s water utility; and

WHEREAS, an 8” water main was extended in Wildwood Drive per City Project No. 13-2118 and

WHEREAS, the benefiting properties vary in frontage length and acreage such that calculating the benefits on a purely frontage basis or a purely benefiting property basis would lead to relatively large fees for some parcels and relatively small fees for other parcels, for essentially the same benefit; and
WHEREAS, the total cost of constructing this water main was $78,430.52; and

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

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

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

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

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that prior to being allowed to connect to the City’s water system, the owners of property in the benefitting area shown in Exhibit A shall be required to pay a proportionate share of the cost of constructing the 8” equivalent water main shown in City Project No.13-2118; and

BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay $26,143.51 per property to connect to the City’s water utility; and

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

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the balance of the project costs totaling $78,430.52 has been collected, or until all benefiting properties have connected to City water, at which time this Resolution and the utility construction fee shall automatically expire.

Dated this 2nd day of January, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

16. PW122617-13 – Authorize Mayor and Finance Officer to Sign Resolution No. 2017-116 a Construction Fee Resolution for Wildwood Drive Phase 1 - 16” Water Main Oversize Fee, Project No. 13-2118.
WHEREAS, Section 13.04.190 of the Rapid City Municipal Code (RCMC) authorizes the City Council to require properties benefited by the construction of water pipes or mains to pay their proportionate share of the cost to construct such water pipe or main prior to being allowed to connect to the City’s water utility; and

WHEREAS, a 16” water main was extended in Wildwood Dr. per City Project No. 13-2118 and

WHEREAS, the City’s total cost of constructing this water main was $160,030.36; and

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

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

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

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

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that prior to being allowed to connect to the City’s water system, the owners of property in the benefitting area shown in Exhibit A shall be required to pay a proportionate share of the cost of constructing the 16” water main shown in City Project No. 13-2118.; and

BE IT FURTHER RESOLVED that the owners of the property shown on Exhibit A shall pay $284.45 per acre to connect to the City’s water utility; and

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

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the balance of the project costs totaling $160,060.36 has been collected, or until all benefiting properties have connected to City water, at which time this Resolution and the utility construction fee shall automatically expire.

Dated this 2nd day of January, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:

s/ Pauline Sumption
Finance Officer

(SEAL)
17. PW122617-14 – Authorize Staff to Purchase Two (2) 2018 Dodge Ram 1500 4x4 Crew Cab Short Box Pickups from Liberty Superstores with the purchase based on State Contract #17149. Estimated Cost: $55,196.00.
18. PW122617-15 – Authorize Lowering the Percentage of Work that the General Contractor Must Perform from 50% to 35% for the Well 12 / Stoney Creek HVAC Improvements, Project No. 17-2403 / CIP No. 51181.
19. PW122617-16 – Approve Request from Caekaert Construction, LLC for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 along Sandra Lane for the property located at 606 Topaz Lane.
21. PW122617-17 – Authorize Mayor and Finance Officer to Sign an Easement Agreement with Black Hills Energy for Relocation of 65kW Power Line on City Landfill Property Along Hwy 16 Bypass.
22. PW122617-06 – Approve Change Order #2F to Reede Construction, Inc. for Mount Rushmore Road - Saint James Street to Kansas City Street, Project No. 13-2139 / CIP No. 50950 for a decrease of $172,473.79.
23. PW122617-10 – Authorize Mayor and Finance Officer to Sign a “State of South Dakota Joint Powers Maintenance, Encroachment, and Financial Agreement Between Department of Transportation and City of Rapid City” and authorize the City Project, Project No. 16-2099 / CIP No. 50904, PCN X03W, to advertise in conjunction with the SDDOT projects P0231(13)79 PCN 03CP and NH 0044(167) PCN 027K.
24. PW122617-18 – Authorize Staff to Advertise for Bids for Landfill Cell 18-19 Liner and Leachate Collection, Project No. 16-2371. Estimated Cost: $6,800,000.00.

**Legal & Finance Committee Consent Items**

25. LF122717-02 – Approve Request to Purchase Fire Apparatus Specifically One (1) Rosenbauer Haz Mat Squad through National Joint Powers Alliance in the amount of $250,190.00.
26. LF122717-03 – Approve Request to Purchase Fire Apparatus, Specifically One (1) Rosenbauer Rescue Squad through National Joint Powers Alliance in the amount of $294,101.00.
27. LF122717-04 – Approve Request to Purchase Fire Apparatus, Specifically One (1) Rosenbauer Squad through National Joint Powers Alliance in the amount of $221,694.00.
28. LF122717-01 – Approve the Appointment of Patrick Jones and Dr. Mike Mathews to the Rapid City Library Board of Trustees.
29. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Aaron Klapkin (Police Department), Jordyn Thayer (RSVP+), Seth Trautman (RSVP+), Denalda Taggart (RSVP+), Rita Allgeber (RSVP+), Jeanette Bjugstad (RSVP+), Danielle Ragnone (RSVP+), Coleton Delitz (RSVP+), Vikki Parsons (RSVP+)
30. LF122717-05 – Acknowledge November 2017 General Fund Cash Balance Report
32. LF122717-08 – Authorize Mayor and Finance Officer to Sign Notice and Acknowledgment of Assignment notice of acknowledgment of Lease and Sublease Made by Miller & Sons Golf Cars, LLC for Golf Cart Fleet for Meadowbrook and Executive Golf Courses.

**Bid Award Consent Items**

33. No. CC010218-02.1 - Approve award of Total Bid for Reservoir Road Trunk Sewer Extension, Project No. 15-2315 / CIP No. 50328.1 opened on December 19, 2017 to the lowest responsible bidder, R.C.S. Construction, Inc. in the amount of $2,199,049.41.

END OF CONSENT ITEMS
Kyle Treloar addressed the council on items 37-38. He is asking for two exceptions to north Valley Park Subdivision, which is just north of Menards, near Rushmore Crossing shopping center. The exception was to allow a connection to North Street. The subdivision itself is a 50-acre subdivision that runs to the east, with a road that continues on through to the adjoining property east and south. He said a couple things to note about the connection is one, that is exists across from an existing road right-of-way. Therefore, they are able to minimize connections on to North Street. Second, as noted in the exception report prepared by city staff, they have a future collector street identified about 450 feet away, that is within the 250 feet allowed by the infrastructure design criteria manual. He said they are meeting the basic design guidelines. They are meeting the spacing by over 250 feet and are tying into an area where they already have right-of-way. He stated the proposed collector street has grade issues. They have an already graded lot with an over 20% grade to get to the top of this hill so it’s not a buildable street where it is. The collector street is located within an existing lot that’s already platted. This also has consequences when it comes to the construction of the street in the future. The Menards sign is in the middle of the lot and the lot isn’t conducive to a collector street. He said the connection they are proposing within the development, has a nice 4-5 degree slope to get back into the property. They are asking to make the connection to East North Street. He stated they have had conversation with Menards in which they are agreeing that it doesn’t make sense to build the road through the Mendards lot. An exception was granted by Mendards to re-plat one of their lots to not construct that intersection onto East North Street. By moving the street, it’s a better location, it helps connect the property to the south and to the east and it doesn’t have the limitations that the current street has.

James Howell spoke on Item 39. He said he got into trouble after he applied to renew his security license. He is the main financial provider for his family and kids. He asked to possibly have a temporary license for a month or two until he finds employment.

**Ordnances**

Ordnance 6213 (LF121317-01) An Ordinance Amending Chapter 5.36 of the Rapid City Municipal Code Relating to Pawnbrokers, Secondhand Dealers, and Gems and Precious Metals Dealers having passed its first reading on December 18, 2017 motion was made by Lewis, second by Laurenti that the title be read the second time. Upon vote being taken the following voted AYE: Drew, Nordstrom, Modrick, Salamun, Lewis, Armstrong, Laurenti and Roberts; NO: None; whereupon the Mayor declared the motion passed and Ordinance No. 6213 was declared duly passed upon its second reading.

**Community Development Department Items**

Drew read in item (LF121317-12) Appeal the Denial for Alterations to the Historic Structure Located at 430 Main Street Pursuant to SDCL1-19A-11.1 and RCMC 17.54.080 (17CM007). Motion was made by Laurenti, second by Nordstrom and carried to acknowledge withdrawal per applicant’s request.

**Public Works Committee Items**

Drew read in item (PW092617-13) Appeal of Denied Exception Request by Prairie Valley Development Company, LLC to Waive the Requirement to construct a 12-inch Diameter Water Main in Anderson Road. Motion was made by Nordstrom, second by Lewis and carried to acknowledge withdrawal per applicant’s request.

Drew read in item (PW122617-19) Appeal of Denied Exception Request from KTM Design Solutions on Behalf of BH Capital 4, LLC to allow the street connection of North Valley Drive and East North Street. (City File 17EX191). In response to a question from Modrick, Tech said they received a very preliminary draft traffic impact study. He said staff has reviewed it and it does not contain enough data for them to make a recommendation. It’s purely conceptual in nature and he would not hazard to provide a recommendation based on what the developer provided. In response to a question from Modrick, Kyle Treloar said they have been in contact with the Menards group for about five months. He stated that Menards does not think a road going through the Menards property is the best plan and it’s not
constructible with the way the grades lie right now through the back of their lot. Modrick stated if council allows this exception, the road would be changed from an industrial road to a collector road. Treloar said the developer has offered to build the street as a collector street which means they will provide additional right-of-way and street-way. Modrick said if this is approved then item 38 will allow the potential landscaping of the median as well and by a collector street it makes sense. She is in favor of this exception. Treloar said they hired a company out of Denver to start the traffic study. They started the traffic count and have written up the draft form of all of this. Motion was made by Lewis, second by Modrick to approve the appeal to allow the connection. Nordstrom said he was not comfortable moving forward without the complete traffic impact study. In response to a question from Roberts, Tech said the easements are not in place. He stated if the city were to build the road, the city would need to get the easements. If the developer or Menards were to do it in the future, they would be required to dedicate that. Roberts said he has seen in the past where there has been poor planning for roads due to topography and where the roads are going to go and what it's going to cost. Treloar said there is no mechanism to build through the existing lot and it’s not constructible. He said if they build the road it will meet the setback and the distances in the infrastructure design criteria manual. They are proposing for it to meet up with the right-of-way that lines up across East North Street and they feel it’s the best spot for the road to go. Treloar said they will be giving the city the right-of-way so the city won’t have to purchase it. Nordstrom asked if the street will need to have traffic signals. Until he knows the impact of the traffic study, he’s not comfortable approving. In response to a question from Laurenti, Tech said staff’s concern is not necessarily the location of the collector street, it is what the traffic impact to North Street is going to be. They have no data to discuss whether or not it's a good idea. Laurenti said he hesitates to approve this now without all the data especially when they are talking about industrial traffic. He would like to get additional information before they move forward. Modrick believes this is the right time to approve this. She stated there are two roads that run next to Mendards right now. The developer is willing to take on the costs so the city should move forward. Roberts said there are other roads to use like Creek Drive and Eglin, all the way over to Elk Vale, instead of East North Street. Treloar said it makes sense that there would be a light there in the future. They are proposing one road to travel north to south continually. Salamun said he would love to see the area developed. He asked Treloar why they couldn’t wait for the traffic impact study to be completed before council approved it. Treloar said this project has been on hold for five months and in that time they had two commitments on lots back out on them. They are at a point where they have to move forward with something on this property. In response to a question from Salamun, Treloar said there would be some pressure relieved at Cambell and East North Street with their proposed road. As the area develops there will be more access created. In response to a question from Salamun, Tech said the reason the traffic impact study is necessary for this is due to the sensitive nature of North Street and the traffic there as well as moving a collector on a major street plan. The applicant had an opportunity to take this through Planning Commission, which is the correct board, to see if there are any comprehensive plan amendments. He said the applicant chose not to do that. Tech stated that Menards has said it sounds like a good idea, they have not said go ahead and do it. Salamun asked why there wasn’t more communication. Tech said the only sharing of information needs to be with Menards, and the city and the developer have both been in contact with Menards. Tech said they can’t force Mendards to take a position. He stated the applicant has been collaborating with Menards and the city is the third party. Tech said the date on the traffic study was November 10, 2017 and the city didn’t receive it until last week. Salamun asked why they didn’t go through planning commission. Treloar said Menards agrees it’s a good plan, they just need to get the papers in front of the right people. Substitute motion by Drew, second by Nordstrom to have a traffic study complete before the item is approved. Tech said the developer could do a traffic study but it may show that it’s not a good place for an intersection. Drew retracted the substitute motion. In response to a question from Drew, Treloar agreed the road is being built entirely by the developer, he said no easements are necessary because they own the property, and it will be done sooner since the impediments are out of the way. The Mayor asked Tech if the traffic impact study comes back with problems, how the city gets road improvements to occur. Tech said they don’t get done. There is no going back if it’s approved. Motion carried 6-2 with Nordstrom and Laurenti voting no.
Drew read in item (PW122617-20) Appeal of Denied Exception Request from KTM Design Solutions on Behalf of BH Capital 4, LLC to allow a landscaped median on an industrial classification roadway, proposed North Valley Drive. (City File 17EX190). Motion was made by Drew, second by Modrick to approve the exception. Modrick said this benefits Rapid City and is at the Gateway/Interest Way from the east to the west. She complimented the developer and this will entice others to come to the area whether it’s industrial or commercial. Lewis asked the applicant why the median needs to be landscaped. Treloar said it would look better. In response to a question from Lewis, Treloar said the median would be dedicated to the city. Lewis said it would be additional upkeep for the city and he’s not sure that it’s needed. Treloar asked that the median be stamped concrete if not landscaped. Motion passed 6-2 with Salamun and Laurenti voting no.

**Appeals**

Mayor read in item (CC010218-04.1) Appeal of Denied Security License – James Howell. In response to a question from Drew, Howell said he was in possession of a controlled substance which was hash. He said he was cooperative, taken to jail and bonded out. He was sentenced on December 11, 2017 to two years of probation and used his suspended imposition since this was the first time he has been arrested as an adult. In response to a question from Roberts, Jegeris said Howell was convicted of a felony crime which is possession of a controlled substance. Jegeris said Howell was a security officer at the time of the offense. The current ordinance requires that all licensees reapply every two years. Jegeris said possession of hash is a felony. In response to a question from Roberts, Jegeris said marijuana was not a felony but it depends on the amount. Roberts gives Howell credit for standing in front of them and taking responsibility for his actions. He believes people deserve a second chance and he hopes Mr. Howell has learned his lesson from this. Motion was made by Laurenti, second by Modrick to deny the appeal. In response to a question from Salamun, Jegeris said there is no set time in the ordinance for an applicant to reapply. His recommendation would be to let him reapply after the probation period is up. Even though the sentence is two years of probation, it could be cut in half with good behavior. Salamun said he would support the denial. He thinks people deserve second chances and that he has a year to do what he needs to in order to reapply. Motion passed 6-2 with Roberts and Drew voting no.

**Assessment Rolls**

Mayor read in item (LF122717-06) Approve Resolution No. 2017-091B a Resolution Levying Assessment for Cleanup of Miscellaneous Property. Motion was made by Nordstrom, second by Drew and carried to approve.

**END OF CONSENT PUBLIC HEARING CALENDAR**

**NON-CONSENT PUBLIC HEARING ITEMS** – Item 41

Ordinance 6212 (No. 17RZ035) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning from No Use District to General Agricultural District for property generally described as being located southwest of E. Highway 44; east of South Valley Drive having passed its first reading on December 18, 2017 motion was made by Modrick, second by Nordstrom that the title be read the second time. Upon vote being taken the following voted AYE: Drew, Nordstrom, Modrick, Salamun, Lewis, Armstrong, Laurenti and Roberts; NO: None; whereupon the Mayor declared the motion passed and Ordinance 6212 was declared duly passed upon its second reading.

**BILLS**

The following bills have been audited:

**BILL LIST - JANUARY 2, 2018**

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Sumption presented the bill list total of $3,802,987.29. Motion was made by Laurenti, second by Roberts and carried to authorize (No. CC010218-01) 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 Armstrong, second by Salamun and carried to adjourn the meeting at 7:17 p.m.

Dated this 2nd day of January, 2018.

ATTEST:

________________________________________
Finance Officer

________________________________________
Mayor

(SEAL)