

PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota

February 5, 2018

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, February 5, 2018 at 6:30 P.M.

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

Staff members present included: Finance Officer Pauline Sumption, City Attorney Joel Landeen, Public Works Director Dale Tech, Police Chief Karl Jegeris, Fire Chief Rod Seals, Community Development Director Ken Young, Parks and Recreation Director Jeffrey Biegler, Budget Analyst Sean Kurbanov, Administrative Secretary Angie Boeve and Administrative Coordinator Heidi Weaver-Norris

ADOPTION OF AGENDA

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

PRESENTATION

Sean Kurbanov, Budget Analyst, presented the council with the Citizen Budget Priority Survey results. He said the survey started in November 2017. There were a total of 1,665 valid responses received. He stated there were relatively equal responses from all age groups, income levels, online vs mailed surveys and all five wards were represented equally. He said the most important strategic goal for Rapid City citizens was a safe, healthy and skilled community. The most important issues to improve livability in the city include housing, safety, and infrastructure. Almost 80% rate Rapid City as a good or excellent place to live. The full report is available on the city website, www.rcgov.org. Motion was made by Lewis, second by Salamun and carried to Acknowledge the report.

NON-PUBLIC HEARING ITEMS -- Items 2 – 77

Daene Boosma spoke on Item 35. He said he has no financial interest in the request. He has an interest in the direction of the city. Item 35 is in regards to water service lines. He stated there was a really good debate at that meeting. He believes the city needs to change the design criteria manual. He said the city Engineering Department is granting exceptions to the design criteria manual from the curb stop/valve to the house. The exception request is from the curb stop to the main. From main waterline to the curb valve, you can't have anything but copper. From the curb valve to the house, you can use poly. Both lines can't work without the other one. If they are granting exceptions from the curb stop to the house, he thinks the exception should be granted from the main to the curb stop. The developer pays for all the pipe that goes into the ground, which affects the lot price in the end. When that material is in the ground, there is a 2-year warranty that the contractor warrants that pipe. After that, the homeowner is responsible from their house to the water main. There is no cost or risk to the city or utility maintenance. He thinks it only makes sense to grant the exception since they are granting the exception from the curb stop to the main.

Michael Whalen spoke on Item 55. He represents Red Rock Meadows Home Owner's Association, which are the neighbors to the subject property. He stated he was at last week's Legal and Finance meeting to voice concerns about the proposed agreement. He said he told the committee that the 2015 legislative audit showed approximately \$250,000 as due and owing from the developer. He stated that the new agreement failed to show the current amount or the payments that would be due in the future. The letter of credit securing the developer's original debt may have been released and there was a promissory note not attached. Today he knows there is \$234,000 owing on the original loan. There is a

missing \$90,000 promissory note, with reason to believe that the note wasn't drafted or signed. The original letter of credit lapsed in 2010, the city failed to renew it and the debt is now unsecured. The assignment is a novation under the law and constitutes a new agreement discharging the original obligation. Finally, the 11 lots identified in the proposed agreement, take those by \$10,000 each covers less than half of the debt due, despite this. From these facts and in the information provided he urges council to ratify the new agreement because to some degree this is a salvage operation.

Tina Mullally spoke on item 56. She is concerned council is putting the cart before the horse. She said there is Special Election on February 20th. She is concerned they are spending tax payer money that doesn't need to be spent. She asked why two resolutions need to be done on the bonds. She wanted to remind the council of the Civic Center election from March 10, 2015. She said the Rapid City citizens voted not to expand the civic center and that should be taken into consideration. Jordan Mason said that 61% of citizens voted no on the expansion in 2015. He said they are not prioritizing what matters most in the city. You can't do business without roads and that needs to be addressed. He thinks there are other problems to address besides entertainment. He stated that Rapid City has been ranked the sixth poorest city in South Dakota. He asked council to do their due diligence and take care of the things that matter most, roads and water. You don't hire a consultant unless you are going to do the work. You are telling the citizens that you aren't interested in what they have to say. Jodie Frye Byington said she was part of the group who got signatures in 2015 on the referendum. She stated the citizens said no to the expansion. It angers her that no one is listening. The city doesn't have the money to proceed with this and there is no use in wasting \$15,000 to hire a consultant when the citizens have said no. She said she is pro-building but not pro-wasting. She thinks a lot can be fixed at a minimal price not the outrageous remodeling price. Needs can be met without the huge price tag. She said the city slipped this item in under the radar. She asked that they listen to the voters. Mary Piper has lived here since 1954. She said things are getting out of hand and the city doesn't have the money to be spent. The city needs to be more frugal. She said if the city doesn't have the money, then they shouldn't spend it. Mike Mueller, President of SD Citizens for Liberty is a group that protects the citizens, promotes limited government, and protects the constitution and hold elected officials accountable. He said his group has saved the citizens of Rapid City one half of a billion dollars with the referendums on the civic center, the school opt-out, the wheel tax and hopefully the water hike. The citizens have a voice and if you proceed then you aren't listening to the citizens.

Jackie Gerry said she was there to answer questions on item 77 if the council needs her.

CONSENT ITEMS – Items 2 – 68

The following items were removed from the Consent Items:

34. PW013018-28 – Acknowledge Report on Importance of Standardized Materials for Residential Water Service Lines within the Public Right of Way.
35. PW013018-29 – Deny Appeal of Exception Request from Renner and Associates to Waive the Requirements of Standard Specification Section 8.2, A, 4 and allow the use of HDPE pipe in lieu of K Copper for residential water services within the street right-of-way.
40. LF013118-06 – Approve Special Event Application for Annual RCPD Cruiser Car Show
46. LF013118-08 – Acknowledge December 2017 General Fund Cash Balance Report
49. LF013118-12 – Approve Resolution No. 2018-006 a Resolution Establishing 2018 Encumbrances
50. LF013118-14 – Approve Resolution No. 2018-008, a Resolution Declaring Certain Real Property Located Along Promise Road Surplus and Appointing Freeholders to Appraise the Property Prior to Sale

- 51. LF013118-05 – Approve FY2017 Community Development Block Grant Contract with Youth and Family Services
- 55. LF013118-16 – Acknowledge Ratify Agreement for Assignment of Proceeds of Real Estate Sales by Red Rock Development Company, LLC, to the City of Rapid City
- 56. LF013118-18 – Approve Authorize Mayor and Finance Officer to Sign Municipal Advisor Agreement with Dougherty & Co. in Regard to the Rushmore Plaza Civic Center Barnett Arena Project.
- 65. CIP011918-08 – Acknowledge Developer Deferred Projects

Motion was made by Laurenti, second by Drury and carried unanimously to approve items 2-68 as they appear on the Consent Items with the exception of Items 34, 35, 40, 46, 49, 50, 51, 55, 56 and 65.

Approve Minutes

- 2. Approve Minutes for the January 16, 2018 Regular Council meeting.

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

Alcoholic Beverage License Applications Set for Hearing (February 20, 2018)

- 3. Ana Line Enterprises LLC DBA Sabor A Mexico, 208 E North Street for a Retail (on-off sale) Malt Beverage & SD Farm Wine License TRANSFER from Sergio & Ana Line Munoz, DBA Sabor A Mexico, 208 E North Street
- 4. Fuji Asian Restaurant Inc. DBA Fuji Asian Restaurant Inc., 2200 N Maple Ave Unit 478 for a Retail (on-off sale) Malt Beverage and a Retail (on-off sale) Wine License TRANSFER from Mall Fuji Corp. DBA Fuji Sushi & Saki Bar, 2200 N Maple Ave, Rushmore Mall, #478
- 5. Working Against Violence Inc. (WAVI) for a SPECIAL EVENT Off-Sale Package Wine Dealer License for an Event scheduled for April 14, 2018 at Best Western Ramkota Hotel, 2111 N LaCrosse Street
- 6. Dakota Point Brewing, LLC DBA Dakota Point Brewing, LLC, 405 Canal Street, Suite 1200 for a Retail (on-off sale) Malt Beverage License and a Retail (on-off sale) Wine License
- 6A. Working Against Violence Inc. (WAVI) for a SPECIAL EVENT Malt Beverage and Wine License for an Event scheduled for February 25, 2018 at Sol Yoga, 611 ½ Main Street

Public Works Committee Consent Items

- 7. PW013018-01 – Confirm the Reappointment of Karen Gundersen Olson and New Appointments of Thomas Whillock, Dr. Brett Lawlor, and Lynn Paulson to the Parks and Recreation Advisory Board.
- 8. PW013018-02 – Approve Change Order #1F to Hills Materials Company for Big Sky Subdivision Street Rehabilitation, Project No. 17-2380 / CIP No. 51160 for an increase of \$2,467.29.
- 9. PW013018-03 – Authorize Staff to Advertise for Bids for Concrete Repair Project – Sheridan Lake Road, Project No. 17-2422 / CIP No. 50445. Estimated Cost: \$475,000.00.
- 10. PW013018-04 – Authorize Staff to Advertise for Bids for Pavement Rehabilitation Project – Soo San Drive, Project No. 17-2415 / CIP No. 50798. Estimated Cost: \$290,000.00.
- 11. PW013018-05 – Authorize Staff to Advertise for Bids for Pavement Rehabilitation Project – E Saint James Street and Cherry Ave, Project No. 17-2417 / CIP No. 50549. Estimated Cost: \$250,000.00.
- 12. PW013018-06 – Authorize Staff to Advertise for Bids for East Rapid City Water Expansion – Anderson Road Water Main Extension, Project No. 14-2194 / CIP No. 50964.B. Estimated Cost: \$870,000.00.

- 13. PW013018-07 – Authorize Staff to Advertise for Bids for East Rapid City Water Expansion – Mesa View Estates Subdivision, Radar Hill Road and Morris Lane Water Extensions, Project No. 14-2198 / CIP No. 50964.F. Estimated Cost: \$1,150,000.00.
- 14. PW013018-08 – Authorize Mayor and Finance Officer to Sign a Bridge Improvement Grant Agreement with South Dakota Department of Transportation for Cambell Street Box Culvert Outlet Repair, Project No. 15-2313 / CIP No. 51035.
- 15. PW013018-09 – Authorize Mayor and Finance Officer to Sign a Bridge Improvement Grant Agreement with South Dakota Department of Transportation for Cherry Avenue Bridge Repair, Project No. 16-2368 / CIP No. 51140.
- 16. PW013018-10 – Authorize Mayor and Finance Officer to Sign a Bridge Improvement Grant Agreement with South Dakota Department of Transportation for 12th Street Bridge Repair, Project No. 16-2367 / CIP No. 51139.
- 17. PW013018-11 – Authorize Mayor and Finance Officer to Sign a Joint Funding Agreement between U.S. Department of Interior, U.S. Geological Survey and City of Rapid City for 2018 Water Resource Investigations for operation and maintenance of selected gaging stations and for hydrologic investigations including hydrogeologic data collection and analysis, applications of groundwater-flow modeling, storm-water monitoring, and evaluation of selenium and other trace elements.
- 18. PW013018-12 – Authorize Mayor and Finance Officer to Sign an Agreement Between Montana-Dakota Utilities Co and The City of Rapid City for Water Main Encroachment in Underground Pipeline Utility Easement.
- 19. PW013018-13 – Authorize Mayor and Finance Officer to Sign a Memorandum of Understanding Between the City of Rapid City and Pennington County Regarding National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System and Storm Water Management Plan Implementation.
- 20. PW013018-14 – Authorize Mayor and Finance Officer to Sign Resolution 2018-009, A Resolution to Declare Property Located at the Southwest Corner of Anamosa and Maple Street Surplus and Appoint Freeholders to Appraise the Property for Sale.

Resolution 2018-009

A RESOLUTION TO DECLARE PROPERTY LOCATED AT THE CORNER OF ANAMOSA AND MAPLE STREET SURPLUS AND APPOINT FREEHOLDERS TO APPRAISE THE PROPERTY FOR SALE

WHEREAS, the property listed below was purchased as a part of the project to reconstruct the intersection of Anamosa Street and Maple Street; and

WHEREAS, the property contained structures that required removal to facilitate the project; and

WHEREAS, the structures have been removed and the project is nearing completion; and

WHEREAS, the property is no longer necessary, useful or suitable for municipal purposes or the purposes for which it was acquired.

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statutes:

1111 N. Maple Ave

Parcel ID: 2036228002

Tax ID: 36383

Legal Description: Lot 1 Less Lot H1; Lot 2 Less Lot H1; 40 ft wide vacated street adjacent to said Lots 1 and 2, Millard Subdivision, City of Rapid City, Pennington County

BE IT FURTHER RESOLVED that Jason Salamun, Ritchie Nordstrom, and Pauline Sumption be and are hereby appointed as a Board of Freeholders to appraise the property listed above as authorized by SDCL 6-13-2; and

BE IT FURTHER RESOLVED that the Board of Freeholders shall also appraise the adjacent property declared surplus by Resolution 2017-084; and

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 5th day of February, 2018.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

(SEAL)

21. PW013018-15 – Approve Final Assessment Role For the 2016 Assessed Sidewalk Improvement Project; Project No. 16-2344.
22. PW013018-16 – Approve Request for Stormwater Drainage Utility Fee Abatement from Delaware Land Holdings LLC., 6303 Mount Rushmore Rd., Tax ID 43168, in the amount of \$1,498.22 (2018).
23. PW013018-17 – Authorize Public Works Director to Sign a Professional Services Agreement Amendment between the City of Rapid City and FMG Engineering for 2017 Citywide Geotechnical Construction Materials & QA/QC Services, Project No. 16-2369 / CIP No. 50637 in the amount of \$2,779.79.
24. PW013018-18 – Set Hearing date for SRF Application for funding pertaining to the “East Rapid City Water Expansion Project”.
25. PW013018-19 – Authorize Staff to Advertise for Bids for Two (2) new Dial-A-Ride vehicles to replace 2012 Eldorado vehicles which have exceeded their useful life. Funding is 80% Federal Transit Administration (FTA) and 20% local general fund.
26. PW013018-20 – Approve Contract Renewal with Rehrig Pacific Company for 65 & 95 Gallon Automated Garbage Collection Containers for one year.
27. PW013018-21 – Approve Contract Renewal with Rehrig Pacific Company for 35 Gallon Automated Garbage Collection Containers for one year.
28. PW013018-22 – Authorize Staff to Advertise for Bids for One (1) new Current Model Year Dump Truck for Utility Maintenance. Estimated Cost: \$130,000.00.
29. PW013018-23 – Authorize Staff to Advertise for Bids for One (1) Current Model Year Tandem Dump Truck. Estimated Cost: \$130,000.00.
30. PW013018-24 – Authorize Staff to Purchase a 2018 Ford Super Duty DRW XL 4wd Supercab 192” WB 84” CA with Curbtender Quantum 6 Cubic Yard Capacity Rear Load Garbage Packer Body, additional Ignition Key and CD Service Manual from National Auto Fleet Group NJPA Pricing for a total price of \$96,109.00.
31. PW013018-25 – Authorize Staff to Purchase a 2018 Groundsmaster 7210D with a 12 Volt Power Pak, GM7210 Polar Trac Kit, Polar Trac Cab and MB V Plow from Midwest Turf & Irrigation with National IPA Pricing for a total price of \$43,297.00.
32. PW013018-26 – Authorize Staff to Purchase Two (2) 2018 RAM Tradesman, 4x4, Regular Cab, Long Box (8ft.) Trucks from Liberty Superstores with matching State Bid Pricing in the amount of \$26,435.00 each for a total amount of \$52,870.00.

- 33. PW013018-27 – Authorize Mayor and Finance Officer to Sign Resolution No. 2018-007, A Resolution of Intent to Enter into Leases of Land with the following organizations for Rapid City Recreation Facilities, Pursuant to SDCL 9-12-5.2: Black Hills Lacrosse Association – Star of the West Fields, Black Hills Pony League – Jamie Johnson & Horace Mann Baseball Fields, Black Hills Sports – Fitzgerald Stadium, Rapid City BMX – BMX Facility, Canyon Lake Little League – Baseball Facility, Rapid City Church Softball League – Whitehead Fields, Harney Little League – Baseball Facility, Post 22 Girls Softball League – Softball Facility, Post 320 Baseball, Inc. – Pete Lien Field, Rapid City High School Baseball – McKeague Field, Rapid City Softball Association – Star of the West Softball Facility, RC Girls Junior Olympic Amateur Softball Assoc. – Parkview Softball Facility, Rushmore Little League, Inc. – Baseball Facility, Timberline Little League, Inc. – Baseball Facility.

RESOLUTION NO. 2018-007
 A RESOLUTION OF INTENT TO ENTER INTO LEASES OF LAND
 WITH VARIOUS ORGANIZATIONS FOR RAPID CITY RECREATION FACILITIES,
 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 each of the following organizations:

- Black Hills Lacrosse Association – Star of the West Fields
- Black Hills Pony League – Jamie Johnson & Horace Mann Baseball Fields
- Black Hills Sports – Fitzgerald Stadium
- Rapid City BMX – BMX Facility
- Canyon Lake Little League – Baseball Facility
- Rapid City Church Softball League – Whitehead Fields
- Harney Little League – Baseball Facility
- Post 22 Girls Softball League – Softball Facility
- Post 320 Baseball, Inc. – Pete Lien Field
- Rapid City High School Baseball – McKeague Field
- Rapid City Softball Association – Star of the West Softball Facility
- RC Girls Junior Olympic Amateur Softball Assoc. – Parkview Softball Facility
- Rushmore Little League, Inc. – Baseball Facility
- Timberline Little League, Inc. – Baseball Facility

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 20th day of February, 2018 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 5th day of February, 2018.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

(SEAL)

- 36. 18TP004 – Authorize staff to advertise the Request for Proposals for the Coordinated Public Transit – Human Services Transportation Plan.
- 37. PW013018-30 – Authorize Mayor and Finance Officer to Sign Resolution 2018-010, A Resolution of Intent to Enter into Real Estate Exchange Agreement with Gerhardt and Elizabeth Heck Pursuant to SDCL 9-27-34.1.

Resolution 2018-010
 A RESOLUTION OF INTENT TO ENTER INTO REAL ESTATE EXCHANGE AGREEMENT WITH
 GERHARDT AND ELIZABETH HECK PURSUANT TO SDCL 9-27-34.1

BE IT RESOLVED by the City of Rapid City that the City of Rapid City intends to enter into a real estate exchange agreement with Gerhardt and Elizabeth Heck, which real estate is located in Pennington County, South Dakota, and is more fully described as follows:

CITY PROPERTY

A portion of Lot B of Government Lot 1, less Lot B-1, Lot B-2, Lot B-3 and right-of-way, and Government Lot 2, less right-of-way, all in Section 19, T1N, R9E, B.H.M., Pennington County, South Dakota, consisting of approximately 1.7 acres.

HECK PROPERTY

A portion of Lot B-3 of Lot B of Government Lot 1, Section 19, T1N, R9E, B.H.M. Pennington County, South Dakota, consisting of approximately 1.7 acres.

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 the meeting of the Common Council at the City School Administration Center, 300 Sixth Street, Rapid City, South Dakota, at 6:30 p.m., on the 20th day of February, 2018, 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 an agreement authorizing a real estate exchange upon the terms and conditions as it shall determine.

Dated this 5th day of February, 2018.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

(SEAL)

- 38. PW013018-31 – Authorize Mayor and Finance Officer to Sign Resolution 2018-011, A Resolution to Declare Property Located Near Radar Hill Road and Morris Lane Surplus and Appoint Freeholders to Appraise the Property for Sale.

Resolution 2018-011
 A RESOLUTION TO DECLARE PROPERTY LOCATED NEAR RADAR HILL ROAD AND MORRIS
 LANE SURPLUS AND APPOINT FREEHOLDERS TO APPRAISE THE PROPERTY FOR SALE

WHEREAS, the property listed below is no longer necessary, useful or suitable for municipal purposes or the purposes for which it was acquired; and

WHEREAS, the property is proposed to be exchanged for adjacent property from a neighboring landowner.

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statutes:

A portion of Lot B of Government Lot 1, less Lot B-1, Lot B-2, Lot B-3 and right-of-way, and Government Lot 2, less right-of-way, all in Section 19, T1N, R9E, B.H.M., Pennington County, South Dakota, consisting of approximately 7 acres as more particularly shown on Exhibit A, attached hereto and incorporated herein by this reference.

BE IT FURTHER RESOLVED that Jason Salamun, Ritchie Nordstrom, and Pauline Sumption be and are hereby appointed as a Board of Freeholders to appraise the property listed above as authorized by SDCL 9-27-34.1; and

BE IT FURTHER RESOLVED that the Mayor and Finance Officer may do all acts necessary to dispose of this property according to state law, upon approval of an exchange agreement pursuant to SDCL 9-27-34.1.

Dated this 5th day of February, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

Legal & Finance Committee Consent Items

- 39. LF013118-10 – Approve the New Appointments of Eric Zimmer and Hayley Brooks to the Museum Alliance of Rapid City (MARC) Board
- 41. LF013118-13 – Authorize Staff to Purchase Nine Vehicles Off State Bid from Liberty Dodge to Replace Aging Vehicles in the Police Department Fleet for the Total Amount of \$248,455.00
- 42. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Connie Hobbs (RSVP+), Barbara Annan (Library), Kim D’Hont (Library), Nathalie Holberg (Library), Stacey Scholten (Library), Father Andrezej Wyrostek (Police Department), Lauren Eccarius (Police Department)
- 43. LF013118-01 – Approve Resolution No. 2018-004 a Resolution Declaring Miscellaneous Personal Property Surplus

Resolution #2018-004
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: Water Operations-Treatment Plant (7011)

For Trade:

2007 Bad Boy Buggy, S/N BBE514B3475004747

From: Streets (301)

For Trade:

2005 Sterling Dump Truck with Slide in Sander/Plow; VIN#2FZHCHBS95AU33046

From: Snow Removal (302)

For Trade:

2003 Freightliner FL80 Truck with Monroe Sander; VIN#1FVABHBS83HK86342

From: Street Cleaning (401)

For Trade:

2006 Sterling Schwartz A700 Regenerative Air Sweeper; VIN#49HAAEBY06DW52995

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 5th day of February, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:

s/ Pauline Sumption

Finance Officer

(SEAL)

- 44. LF013118-02 – Approve Resolution No. 2018-005 a Resolution Removing the Rapid City Special Assessment on Airport Addition, Block 31, S78.5’ of W98.5’, Less Lot H-1

RESOLUTION No. 2018-005

A RESOLUTION REMOVING THE RAPID CITY SPECIAL ASSESSMENT ON AIRPORT ADDITION, BLOCK 31, S78.5’ OF W98.5’, LESS LOT H-1

WHEREAS, the City of Rapid City had previously approved a special assessment for the property located at 248 Curtis Street with the tax identification number of 20127 (the “Property”) and legally described as: “S78.5’ of W98.5’, less Lot H-1, Block 31, Airport Addition”; and

WHEREAS, there were multiple special assessment approved on this property between September 2015 and February 2017”; and

WHEREAS, a total of \$1,630.00 in special assessments was assessed against the Property, which over time accrued interest and late fees, making the total outstanding balance approximately \$1,865.62 to-date; and

WHEREAS, the City of Rapid City now owns the Property and has no need to keep a special assessment on its own property; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of Rapid City, South Dakota that any special assessment approved by the City of Rapid City is removed from the Property,

BE IT FURTHER RESOLVED, by the City of Rapid City that any lien against the Property, created as a result of the special assessment, is satisfied and extinguished.

Dated this 5th day of February, 2018.

CITY OF RAPID CITY
s/ Steve Allender
 Mayor

ATTEST:
s/ Pauline Sumption
 Finance Officer

(SEAL)

45. LF013118-03 – Approve FY2018 Allied Arts Funding Allocation for Community Investments (Arts & Humanities)
47. LF013118-09 – Approve Request for Property Tax Abatement as Follows: Owen Hawkins, 2017, \$786.78; City of Rapid City, 2017, \$213.20 [Total for Rapid City: \$999.98]
48. LF013118-11 – Authorize Mayor and Chief of Police to Sign the 2018 Federal Equitable Sharing Agreement
52. 18TP005 – Authorize Mayor and Finance Officer to Sign Consent to Assignment of Contract for the Digital GIS Base Map Development Services from Fugro Geospatial, Inc. to Fugro USA Land, Inc.
53. LF013118-07 – Approve Purchase of 2018 Dodge Durango for Risk Management Off State Bid from Liberty Superstore in the Amount of \$27,826.00
54. LF013118-17 – Approve Amended City DOT Drug/Alcohol Testing Policy to Reflect New DOT Opioid Testing Requirements

CIP Committee Consent Items

57. CIP011918-00 – Acknowledge Capital Improvement Programs Committee Monthly Update for October 2017
58. CIP011918-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, CSAC)
59. CIP011918-04 – Approve Capital Plan for Fire Vehicles
60. CIP011918-05 – Approve Capital Plan for Parks & Recreation
61. CIP011918-06 – Approve Capital Plan for Information Technology
62. CIP011918-07 – Acknowledge CIP Policy Reminder
63. CIP011918-01 – Acknowledge Financial Reports (Contingency, DCA Charges, Matching Grants, Penn Co Loan)
64. CIP011918-02 – Approve Capital Plan for Streets, Drainage, MIP Projects

Bid Award Consent Items

66. No. CC011618-02.2 – Approve award of Total Bid for Tandem Axle Dump Truck with Slide in Sander and Plow to Boyer Trucks, opened on January 9, 2108, in the amount of \$187,860.00 less \$26,768.00 for trade in of 2005 Sterling Dump Truck with Sander for a total of 161,092.00. (This item was continued from the January 16, 2018 City Council meeting.)
67. No. CC011618-02.3 – Approve award of Total Bid for Single Axle Medium-Duty 4X4 Sander with Plow to Boyer Trucks, opened on January 9, 2108, in the amount of \$161,920.00 less \$26,675.00 for trade in of 2003 Freightliner FL80/Monroe Sander for a total of \$137,245.00. (This item was continued from the January 16, 2018 City Council meeting.)
68. No. CC020518-02.1 – Approve award of total base bid for Well 12/Stoney Creek HVAC Improvements, Project No. 17-2403 / CIP No. 51181 opened on January 30, 2018, to the lowest responsible bidder, Tessier's Inc. in the amount of \$82,718.00

END OF CONSENT ITEMS

Mayor read in item (PW013018-28) Acknowledge Report on Importance of Standardized Materials for Residential Water Service Lines within the Public Right of Way. Motion was made by Salamun, second by Nordstrom to acknowledge the report. Salamun thanked the developers and builders who were at the public works meeting. Council needs to be cautious about making exceptions until they have all the data. It's also important to look at progression in the industry. He said the Public Works Director will take the lead to form a task force to study the design criteria manual and bring in industry experts to make sure they approach this carefully. He looks forward to receiving the data.

Mayor read in item (PW013018-29) Deny Appeal of Exception Request from Renner and Associates to Waive the Requirements of Standard Specification Section 8.2, A, 4 and allow the use of HDPE pipe in lieu of K Copper for residential water services within the street right-of-way. Roberts said he would like to see this approved. He said you have to get this in the ground to prove that it works. There is no risk to the city because the homeowner is responsible to the service line. He said it's being used in other parts of the country. Drew said she supports changing the design criteria. They owe it to the builders to look at the new product. Landeen said he wanted to clarify that the South Dakota Supreme Court said the city is responsible for the service line from the mainline to the curb stop. They did not overturn that the homeowner was responsible from the curb stop to the home. This is why exceptions have been granted from the curb stop to the home because that is the homeowner's responsibility. From the main to the curb stop is the city's responsibility. Motion was made by Lewis, second by Roberts to approve the exception. Lewis said he had a bad experience with copper pipe and it broke. He is in favor of using the new material. He stated the wrong kind of soil mixed with copper causes corrosion. Substitute motion was made by Scott, second by Laurenti to uphold the denial. She said there was a great discussion at public works. She stated that Dale Tech is looking into this. She would support a pilot program for trial of the new material. Laurenti said he trusts the engineers and he is willing to look at this in the future when there is more data to support it. Motion passed to uphold the denial 8-2 with Lewis and Roberts voting no.

Mayor read in item (LF013118-06) Approve Special Event Application for Annual RCPD Cruiser Car Show. Motion was made by Salamun, second by Modrick to approve. In response to a question from Salamun, Jegeris said the date changed to July 14, 2018. They are changing the annual car show from a Sunday to a Saturday. It will start at 4:00 p.m. and go to 9:00 p.m. Dan Senftner stated the downtown businesses are excited for the change. There should be better attendance on a Saturday. More businesses are open on Saturday than Sunday. He welcomes all the guests that will be attending. In response to a question from Drew, Senftner said the roads will be closed from Main Street and Sixth Street to Eighth Street. The St. Joseph corridor will remain open. This is the seventh year for the car show.

Mayor read in item (LF013118-08) Acknowledge December 2017 General Fund Cash Balance Report. In response to a question from Scott regarding the note at the bottom of the report, Sumption said at year end all of the ordinances and supplemental ordinances are no longer in play. Scott noted there was decrease in total cash from the previous year of about \$2.4 million dollars. Scott said there was \$570,000 left in undesignated cash. She asked if anything else is coming out. Sumption said two things are coming out in 2018 which are encumbrances and a supplemental appropriation for carry-overs. Sumption noted that carry-overs are not guaranteed. She said as of January 1st the new designated reserve also changes with the new 2018 budget. It is 15% of the general fund expenses less the capital outlay expenditures. Sumption said council approved balancing the budget with \$1.3 million in undesignated cash. Sumption said this does not include any sales tax received in January or February that would have been for 2017 which would offset the expenditures that are carried over. They have not received final payment for 2017. Motion was made by Drew, second by Nordstrom and carried to acknowledge.

Mayor read in item (LF013118-12) Approve Resolution No. 2018-006 a Resolution Establishing 2018 Encumbrances. Scott said there was \$570,000 currently undesignated and now \$425,000 of that are the encumbrances. Motion was made by Modrick, second by Nordstrom and carried to approve.

**RESOLUTION 2018-006
RESOLUTION ESTABLISHING 2018 ENCUMBRANCES**

WHEREAS there are existing bills due and payable relating to Calendar Year 2017 operations of the City of Rapid City totaling \$1,499,024.48, and

WHEREAS it is desirable that these bills be charged to the 2017 appropriation;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Rapid City does hereby request that the Rapid City Finance Officer encumber appropriate balances of December 31, 2017, in the amount of \$1,499,024.48.

GENERAL FUND 0101

0101 MAYOR	145.53	
1010 COUNCIL	91.82	
0104 FINANCE	3,517.88	
0106 ATTORNEY	883.19	
0108 PUBLIC WORKS ADMINISTRATION	4,879.62	
0109 GENERAL GOVERNMENT BUILDINGS	33,995.71	
0111 HUMAN RESOURCES	11,605.91	
0201 POLICE	57,453.09	
0202 FIRE	52,479.89	
0204 DEVELOPMENT SERVICE CENTER	4,501.61	
0205 TRAFFIC ENGINEERING	3,148.31	
0301 STREETS & HIGHWAYS	3,979.79	
0302 SNOW REMOVAL	6,489.19	
0304 STREET LIGHTING	8,500.80	
0305 EQUIPMENT MAINTENANCE	1,654.76	
0401 STREET CLEANING	1,646.93	
0601 RECREATION	0.91	
0603 ICE ARENA	452.48	
0607 PARKS DEPARTMENT	14,344.45	
0608 URBAN FORESTRY	14,048.88	
0609 LIBRARY	101,564.71	
0610 LIBRARY RURAL	35,149.79	
0612 SWIMMING POOL	28.57	
0616 SIOUX PARK POOL	551.11	
0617 HORACE MANN POOL	116.71	
0618 PUBLIC TRANSPORTATION	3,702.70	
0620 PARK & RECREATION ADMINISTRATION	4,643.36	
0706 TRANSPORTATION PLANNING	15,608.75	
0707 HISTORIC PRESERVATION	44.00	
0711 CODE ENFORCEMENT	25.37	
0714 COMM DEVELOPMENT NON-GRANT	17.42	
0860 CEMETERY	133.25	
6024 INFORMATION TECHNOLOGY	40,257.49	425,663.98

WILDLAND FIRE FUND 0104		
0112 WILDLAND FIRE		1,860.60
HAZARD MITIGATION GRANT FUND 0105		
0115 HAZARD MITIGATION GRANT		611.96
AIRPORT AIP FUND 0501		
2085 AIRPORT CONSTRUCTION GRANTS		26,905.13
CONSOLIDATED CONSTRUCTN FUND 0505		
0910 CONSOLIDATED CONSTRUCTION		319,088.63
COMMUNITY DEVELOPMENT 0510		
0930 COMMUNITY DEVELOPMENT		121,946.39
WATER ENTERPRISE FUND 0602		
0810 WATER OPERATIONS	50,730.53	
0932 JACKSON SPRINGS WATER TREATMENT	12,391.25	
0933 WATER RPLACEMENT & IMPROVEMNT	2,627.65	
0934 WATER EXPANSION PROJECTS	26,739.49	92,488.92
WASTEWATER ENTERPRISE FUND 0604		
0830 WASTEWATER OPERATIONS	16,377.51	
0831 WASTEWATER .16/SRF PROJECTS	24,417.90	
0833 WASTEWATER REPLCEMT & IMPRVMNT	30,200.61	
0834 WASTEWATER EXPANSION PROJECTS	5,226.40	76,222.42
UTILITY FACILITIES FUND 0605		
0835 UTILITY FACILITIES		239,046.71
AIRPORT FUND 0606		
0850 AIRPORT OPERATIONS		53,275.69
TRANSPORTATION TERMINAL 0608		
0840 TRANS TERMINAL		831.08
STORMWATER DRAINAGE FUND 0609		
7401 STORMWATER DRAINAGE OPERATIONS		233.87
PARKING LOT & AREA FUND 0610		
0870 PARKING LOT & AREA		7,837.00
SOLID WASTE ENTERPRISE FUND 0612		
7101 WASTE COLLECTION		9,494.35
GOLF ENTERPRISE FUND 0613		
0604 GOLF ENTERPRISE	1,361.64	

CITY COUNCIL

FEBRUARY 5, 2018

0664 GOLF COURSE MAINTENANCE	4,180.65	5,542.29
EXECUTIVE GOLF COURSE FUND 0614		
0605 EXECUTIVE GOLF COURSE	(29.26)	
0606 LACROIX LINKS GOLF COURSE	113.90	
0665 EXECUTIVE GOLF COURSE MAINT	63.83	148.47
SOLID WASTE DISPOSAL FUND 0615		
7102 WASTE DISPOSAL	17,462.75	
7103 SOLID WASTE MRF/COMPOST FUND	20,366.97	
7104 SOLID WASTE CAPITAL PROJECTS	6,611.00	44,440.72
AMBULANCE ENTERPRISE 0618		
0890 AMBULANCE ENTERPRISE		21,179.93
PAYROLL WITHHOLDING FUND 0702		
0922 PAYROLL WITHHOLDING		486.00
EDUCATION LOAN FUND 0718		
1002 EDUCATIONAL LOAN		2,692.16
AIRPORT TERMINAL DEPRECIATION 0734		
0909 AIRPORT TERMINAL DEPRECIATION		1,416.05
CIVIC CENTER ENTERPRISE FUND 0775		
0911 CIVIC CENTER CONCESSION	6,985.72	
0913 CIVIC CENTER OPERATIONS	29,327.48	
0917 CIVIC CENTER TICKET OFFICE	612.19	36,925.39
ENERGY PLANT REVOLVING FUND 0777		
0914 ENERGY PLANT		5,877.04
AIRPORT CFC FUND 0781		
0942 AIRPORT CFC		750.00
PASSENGER FACILITY CHARGE FUND 0782		
0939 PASSENGER FACILITY CHARGE		1,782.50
RSVP FUND 0785		
0928 RSVP		17.42
LIABILITY INSURANCE FUND 0793		
0968 LIABILITY INSURANCE		914.00
LIBRARY BOARD FUND 0996		
0971 LIBRARY BOARD		1,345.78
*** GRAND TOTAL ***		1,499,024.48

AND BE IT FURTHER RESOLVED that this Resolution is necessary for the immediate preservation of the public peace, health, safety and support of the municipal government and its existing public institutions, and shall take effect upon the passage and publication thereof.

Dated this 5th day of February, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

Mayor read in item (LF013118-14) Approve Resolution No. 2018-008, a Resolution Declaring Certain Real Property Located Along Promise Road Surplus and Appointing Freeholders to Appraise the Property Prior to Sale. Motion was made by Scott, second by Modrick. Scott is in favor of declaring property surplus and having it appraised. She has heard rumors that buyers are ready to jump on the property. She isn't sure the city should turn around and sell it. She is interested in hearing on how the city proposes to sell it because there are projects that are up and coming in our community. She is not necessarily ready to sell the property. Salamun echoes what Scott said. This property isn't promised to anybody. Promise Road will be developed soon, so this is a valuable piece of property. The city needs to get the most out of the property that they can. Scott said the Fire Chief told them that this property was used with CIP Fire Department money. She said generally the practice is that money goes back for the same intention that it was first used. She stated this money didn't come out of general fund. This money was not there for operating costs. She said city council could reallocate if they choose. Motion passed. The Mayor stated to reassure the council this is just surplussing the property and there are different options they can use to sell it. In the end, it will take 2/3 of the council to sell it.

Resolution #2018-008
A RESOLUTION TO DECLARE CERTAIN REAL PROPERTY LOCATED
ALONG PROMISE ROAD SURPLUS AND APPOINT FREEHOLDERS TO APPRAISE PROPERTY
PRIOR TO SALE

WHEREAS, the properties described below were acquired by the City of Rapid City in 1999 for purposes of constructing Station 6 for the Rapid City Fire Department; and

WHEREAS, the fire station only covers a portion of the property which was acquired; and

WHEREAS, the City desires to sell the properties as they are no longer needed for the fire station; and

WHEREAS, the below-described property is no longer necessary, useful or suitable for municipal purposes or the purposes for which it was acquired.

NOW, THEREFORE, BE IT RESOLVED, that the following property be declared surplus and disposed of according to state statutes:

Parcel ID: 3723351005
Tax ID: 54433
Legal Description: Lot 3
Subdivision: Owen Hibbard Subdivision

Total Acres: 0.63

Parcel ID: 3723352002

Tax ID: 54431

Legal Description: Lot 1

Subdivision: Owen Hibbard Subdivision

Total Acres: 3.07

BE IT FURTHER RESOLVED, that Jason Salamun, Ritchie Nordstrom, and Pauline Sumption be and are hereby appointed as a Board of Freeholders to appraise the property listed above as authorized by SDCL 6-13-2; and

BE IT FURTHER RESOLVED, that the Board of Freeholders shall also appraise the adjoining property declared surplus by Resolution 2014-097; and

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

BE IT FURTHER RESOLVED, any proceeds from the disposal of said properties shall be placed in the Capital Improvement Program Fund and shall be designated for use by the Fire Department.

Dated this 5th day of February, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

Mayor read in item (LF013118-05) Approve FY2017 Community Development Block Grant Contract with Youth and Family Services. Scott said she would not support this item. She said when they originally applied the funds were supposed to go to repair a roof. She said this is federal money and she has a huge concern if they don't track and utilize the funds in which the committee recommended, the city will get in trouble. She said now they are going to remodel a bathroom, buy a convection oven and move an HVAC cooling system. In response to a question from Drew, Landeen said he would need to review it further but he thinks since council authorized the change it's more of a philosophical issue than a legal one. He thinks council has the authority to change it but can see where it could be subject to criticism. Modrick recalls prior discussion and that HVAC and other items were qualified items for CDBG funds. She said YFS needs to use awarded funds even if the project changed because the projects are still qualified under the rules. Motion was made by Lewis, second by Roberts approve. Lewis stated he is the liaison for this committee and the committee said this change was fine. Motion passed 9-1 with Scott voting no.

Mayor read in item (LF013118-16) Acknowledge Ratify Agreement for Assignment of Proceeds of Real Estate Sales by Red Rock Development Company, LLC, to the City of Rapid City. Motion was made by Lewis, second by Modrick to acknowledge. Lewis thanked Whalen for bringing the item forward, he believes it was an oversight that the agreement was not attached to the agenda. Motion passed.

Mayor read in item (LF013118-18) Approve Authorize Mayor and Finance Officer to Sign Municipal Advisor Agreement with Dougherty & Co. in Regard to the Rushmore Plaza Civic Center Barnett Arena

Project. Motion was made by Modrick, second by Drew to approve. In response to a question from Roberts, Sumption said Dougherty is helping to write the resolution for whichever item ends up being passed. Their role is to help find the best financing options available for the city at the time they are looking to sell the revenue bonds. Roberts asked if it would be cheaper to have Dougherty look at bonds after option is picked instead of looking at financing options for \$25 million and \$110 million. Sumption said they aren't doing it for both. It's just the preliminary data that can work for either option. Right now they are looking at RFP's for underwriters that would actually go out and sell the bonds. Whichever one is passed or referred and ends up being the one the council chooses, they are doing things now that will help the city in either scenario. The money and investment of time will not be wasted. Roberts said it still seems like they should be doing this after the vote. Sumption said they have to be under contract as a municipal advisor to run numbers so the city can do projections based on the estimated cost are going to be. The city wants to have the best information possible to get out to the public and get to council as well. Sumption explained what will happen at the special meeting on February 26, 2018. The council will decide which way they want to go. After that decision is made, the council will be presented with two different resolutions. The city is required to wait until 20 days after publication of the minutes before they can do anything with it anyway. Both resolutions will be on the agenda and council will choose one. Roberts asked why the original \$25,000 was not paid between then and now. Sumption said the intent was to pay that fee out of the bond proceeds but Dougherty chose not to invoice the city because then the city would have had to take cash out of the vision fund. Landeen pointed out in the previous effort, this same process took place. He said it's structurally the same and without the financial advisor, they can't put together the bonding source. Landeen said because Dougherty did the work on the original one, it was financially better to have them do it again. Landeen said that Ray Woodsend was in the audience and he was the original city attorney when the civic center was bonded and built. He has a level of history and knowledge on the project that they couldn't find with any other financial advisor. In response to a question from Nordstrom, Landeen said the resolution is what gets approved or referred and the financial information is needed to do the resolutions. The financial data is crucial for council to see before they decide which option to choose as far as repair or new. Nordstrom said it was very important for him to have the financial data before he chooses the option he wants. Nordstrom started talking about the street fixes. Roberts called for point of order. He said Nordstrom was off topic. Mayor agreed and directed Nordstrom to stick to the topic. Nordstrom wanted the audience to know that the money for the civic center was coming from the vision fund and not money for street fixes. Modrick asked Ray Woodsend if he wanted to share anything with council. Woodsend said he would assist in making sure bond council writes a resolution that provides for flexibility. He said if the item gets referred, the resolution basically has to be done on the 26th in order to make the June primary. Modrick appreciates the time Dougherty has spent now and in 2014 on its work for the civic center. In response to a question from Laurenti, Landeen said everything is in place exactly how it was the first time it was referred. Scott called the question. Roberts objected. Mayor said he was out of time to speak. Motion was approved 9-1 with Roberts voting no. Mayor stated that this item is an emotional issue. He thanked Roberts and Sumption for their dialogue. He said there are protections in place to protect the citizen's right to refer things, including the 20-day period after publication. He said there is no way council could sneak this by the citizens and there is no effort or intent to do any such thing. It has been publicized in the open and that's why we are here.

Mayor read in item (CIP011918-08) Acknowledge Developer Deferred Projects. Motion was made by Nordstrom, second by Armstrong to acknowledge. Nordstrom drew attention to the attachment. The list shows developer deferred infrastructure improvements. In most cases, those projects end up in front of the CIP committee. He would like city council to review the projects that have been kicked down the road because of waiving requirements.

Roberts left the meeting at 7:58 p.m.

NON-CONSENT ITEMS – Items 69 – 77
Ordinances

Ordinance 6221 (LF011018-07) An Ordinance Regarding Supplemental Appropriation #1 for 2018 having passed its first reading on January 20, 2018 motion was made by Salamun, second by Lewis that the title be read the second time. Upon vote being taken the following voted AYE: Scott, Drew, Nordstrom, Modrick, Salamun, Lewis, Armstrong, Laurenti, Drury and Roberts; NO: None; whereupon the Mayor declared the motion passed and Ordinance 6221 was declared passed upon its second reading.

Ordinance 6217 (No. 17RZ036) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for DTH, LLC for a Rezoning from Low Density Residential District to Medium Density Residential District for property generally described as being located southwest of the intersection of Degeest Drive and Big Sky Drive. Motion was made by Drew, second by Modrick and carried that Ordinance 6217 be approved and placed upon its first reading and the title was fully and distinctly read and second reading be set for Tuesday, February 20, 2018.

Ordinance 6218 (No. 17RZ037) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Margaret Grosse Hyatt for a Rezoning from Light Industrial District to General Commercial District for property generally described as being located southeast corner of the intersection of Dyess Avenue and E. Mall Drive. Motion was made by Modrick, second by Drury and carried that Ordinance 6218 be placed upon its first reading and the title was fully and distinctly read and second reading be set for Tuesday, February 20, 2018.

Ordinance 6219 (No. 17RZ038) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Stoneridge LLC for a Rezoning from Low Density Residential District to General Commercial District for property generally describes a being located northwest of the intersection of Parkview Drive and 5th Street. Motion was made by Salamun, second by Lewis and carried that Ordinance 6219 be approved in conjunction with Planned Development 17PD057 and placed upon its first reading and the title was fully and distinctly read and second reading be set for Tuesday, February 20, 2018.

Roberts returned to the meeting at 8:01 p.m.

Ordinance 6222 (No. 17RZ039) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for ZCO Incorporated for a Rezoning from General Agricultural District to Light Industrial District for property generally described as being located at the intersection of Marlin Drive and Bernelli Drive. Motion was made by Drew, second by Lewis and carried that Ordinance 6222 be placed upon its first reading and the title was fully and distinctly read and second reading be set for Tuesday, February 20, 2018.

Ordinance 6220 (17OA003) An Ordinance Amendment to Clarify Uses in Residential Districts by Amending Title 17 of the Rapid City Municipal Code. Motion was made by Drury, second by Armstrong and carried that Ordinance 6220 be placed upon its first reading and the title was fully and distinctly read and second reading be set for Tuesday, February 20, 2018.

Ordinance 6224 (LF013118-04) An Ordinance Repealing Chapter 1.08 of the Rapid City Municipal Code Relating to Wards and Precincts and Adopting a New Revised Chapter 1.08 of the Rapid City Municipal Code. Motion was made by Modrick, second by Laurenti and carried that Ordinance 6224 be placed upon its first reading and the title was fully and distinctly read and second reading be set for Tuesday, February 20, 2018.

Public Works Committee Items

Drew read in item (PW112817-17) Appeal of Denied Exception Request from KTM Design Solutions on Behalf of Dean Hamm to waive the requirement to construct sewer main along Muirfield Drive (City File

17EX197), the only exception denied by Staff out of four total exceptions submitted for the project. Motion was made by Salamun, second by Nordstrom and carried to approve the exception.

Council Items & Liaison Reports

Motion was made by Modrick, second by Salamun to (LF013118-15) Acknowledge Human Relations Commission – Semi-Annual Update. Modrick thanked Jackie Gerry and the committee for their work and asked her to highlight the report. Gerry said between August and December 2017, they had one employment complaint that was dismissed because it didn't meet the criteria. The city attorney's office fielded 12 phone calls and four of those resulted in meeting with staff. The remaining called were referred to the state. There were a few resignations on the commission and Seth Mallot and Shad Storm were appointed to fill the positions. The committee had sexual harassment training with Jess Rogers. The public service announcements continue to run on all channels in Rapid City. Modrick said the committee is very valuable. They are there for any human relations problems and is a good resource.

PUBLIC HEARING ITEMS – Items 78 – 79

CONSENT PUBLIC HEARING ITEMS – Item 78 – 79

Alcohol Licenses

- 78. Essence of Coffee DBA Essence of Coffee, 5509 Bendt Drive, Suite 305 for a Retail (on-off sale) Malt Beverage License and Retail (on-off sale) Wine License TRANSFER from LMN LLC DBA Pure Bean SW, 5509 Bendt Drive Suite 305
- 79. Knights of Columbus Council #8844 for a SPECIAL EVENT Malt Beverage and On Sale Wine for an event scheduled for February 9, 2018 at Blessed Sacrament Church, 4500 Jackson Blvd

Motion was made by Scott, second by Laurenti and carried to approve items 78 and 79.

END OF CONSENT PUBLIC HEARING CALENDAR

Motion was made by Lewis, second by Armstrong and carried to go into Executive Session at 8:08 p.m.

EXECUTIVE SESSION - Pursuant to SDCL 1-25-2(3) to consult with legal counsel regarding pending litigation.

Motion was made by Salamun, second by Roberts and carried to come out of Executive Session at 8:28 p.m. with all members present.

BILLS

The following bills have been audited:

BILL LIST - FEBRUARY 5, 2018

P/ROLL PERIOD END 01/20/18, PD 01/26/18	1,092,097.78
SUPP P/ROLL PERIOD END 01/20/18, PD 01/30/18	502.54
P/ROLL PERIOD END 01/31/18, PD 01/31/18	1,682,753.85
CDEV P/ROLL PERIOD END 01/20/18, PD 01/26/18	4,986.25
PIONEER BANK & TRUST, 01/20/18 P/ROLL TAXES, PD 01/26/18	265,069.05
PIONEER BANK & TRUST, 01/31/18 P/ROLL TAXES, PD 01/31/18	434,238.51
PIONEER BANK & TRUST, SUPP 01/30/18 P/ROLL TAXES, PD 01/30/18	71.43
CDEV PIONEER BANK & TRUST, 01/20/18 P/ROLL TAXES, PD 01/26/18	1,319.93
SOUTH DAKOTA DEPARTMENT OF REVENUE, DEC17 SALES TAX PAYABLE PD 01/17/18	43,121.21
SOUTH DAKOTA DEPARTMENT OF REVENUE, DEC17 EXCISE TAX PAYABLE PD 01/17/18	147.02
SOUTH DAKOTA DEPARTMENT OF REVENUE, DEC17 CCTR SALES TAX PAYABLE	

PD 01/17/18	26,752.82
WELLMARK INC, HEALTH CLAIMS THROUGH 01/12/18, PD 01/18/18	230,027.18
WELLMARK INC, HEALTH CLAIMS THROUGH 01/19/18, PD 01/25/18	133,579.73
WAGE WORKS, SECTION 125 CLAIMS THROUGH 01/15/18, PD 01/16/18	3,739.51
WAGE WORKS, SECTION 125 CLAIMS THROUGH 01/22/18, PD 01/23/18	8,003.13
WAGE WORKS, SECTION 125 CLAIMS THROUGH 01/29/18, PD 01/30/18	12,241.68
SD RETIREMENT SYSTEM, SPECIAL PAY PLAN- FISCHER, G PD 01/12/18	45.00
SD RETIREMENT SYSTEM, SPECIAL PAY PLAN- PULKRABEK, M PD 01/26/18	45.00
BANK WEST, TID54 RAINBOW RIDGE, PD 01/23/18	1,762.68
BANK WEST, TID56 RUSHMORE CROSSING, PD 01/23/18	34,610.36
CITY OF RAPID CITY, TID42 ELK VALE/TIMMONS, PD 01/23/18	47,447.10
CITY OF RAPID CITY, TID56 RUSHMORE CROSSING, PD 01/23/18	6,592.45
CITY OF RAPID CITY, TID64 CABELA'S, PD 01/23/18	3,550.79
CORTRUST BANK, TID38 HEARTLAND RETAIL CENTER, PD 01/23/18	1,334.61
FIRST INTERSTATE BANK, TID50 FEDERAL BEEF/FOUNDERS PARK DEV, PD 01/23/18	3,212.47
US BANK, CREDIT CARD CHARGES, PD 01/31/18	66,229.67
WEST RIVER ELECTRIC ASSOCIATION, ELECTRICITY, PD 01/16/18	31,860.80
BLACK HILLS ELECTRIC ASSOCIATION, ELECTRICITY, PD 01/25/18	2,898.68
BLACK HILLS ENERGY, ELECTRICITY, PD 01/23/18	66,989.47
BLACK HILLS ENERGY, ELECTRICITY, PD 01/25/18	104,532.49
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 01/23/18	1,590.39
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 01/25/18	57,305.46
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 01/29/18	11,437.99
SOUTH DAKOTA DEPARTMENT OF LABOR, UNEMPLOYMENT INSURANCE BENEFIT CHARGES, PD 01/23/18	7,881.17
COMPUTER BILL LIST	8,834,417.66
CDEV COMPUTER BILL LIST	3,853.50
SUBTOTAL	13,226,249.36
RSVP, P/ROLL PERIOD END 01/20/18, PD 01/26/18	3,405.62
RSVP, PIONEER BANK & TRUST, 01/20/18 P/ROLL TAXES, PD 01/26/18	1,000.74
RSVP, COMPUTER BILL LIST	227.92
TOTAL	13,230,883.64
IMPREST ACCOUNT	
OFFICE PRIDE, FEB 18 JANITORIAL SERVICES - AIRPORT	18,221.14
GRAND TOTAL	13,249,104.78

Sumption presented the bill list of \$13,249,104.78. Motion was made by Laurenti, second by Armstrong and carried to authorize (No. CC020518-01) 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 Nordstrom, second by Armstrong and carried to adjourn the meeting at 8:29 p.m.

Dated this 5th day of February, 2018.

ATTEST:

CITY OF RAPID CITY

Finance Officer

Mayor

(SEAL)