

ADA Compliance: The City of Rapid City fully subscribes to the provisions of the Americans with Disabilities Act. If you desire to attend this public meeting and are in need of special accommodations, please notify the City Finance Office 24 hours prior to the meeting so that appropriate auxiliary aids and services are available.

**AGENDA FOR THE CITY COUNCIL
City of Rapid City, South Dakota
6:30 P.M., Monday, October 21, 2019**

ROLL CALL AND DETERMINATION OF QUORUM

INVOCATION (You are welcome to participate, but not required)

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

AWARDS AND RECOGNITIONS

1. Proclamation World Polio Day – Willis Sutliff
2. Proclamation Ralph Schwab Day

GENERAL PUBLIC COMMENT (3-minute time limit per speaker)

A time for the members of the public to discuss or express concerns to the Council on any issue not on the agenda. Action will not be taken at the meeting on any issue not on the agenda, except by placement on the agenda by unanimous vote of the Council members present.

NON-PUBLIC HEARING ITEMS -- Items 3 – 38

Open Public Comment – Items 3 – 30 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 3 – 30

Remove Items from the “Consent Items” and Vote on Remaining Consent Items

Approve Minutes

3. Approve Minutes for the October 7, 2019 Regular Council meeting.

Tax Increment District Set for Hearing (November 4, 2019)

4. No. 19TI002 - A request by KTM Design Solutions, Inc. for Yasmeen Dream, LLC for a Resolution to approve TID #78 Project Plan Amendment #1 for property generally described as being located east and west of Elk Vale Road between E. Highway 44 and the current terminus of East Fairmont Street.

Alcoholic Beverage License Applications Set for Hearing (November 4, 2019)

5. Youth and Family Services for a SPECIAL EVENT On-Sale Malt Beverage license and On-Sale Wine license for an event scheduled for February 21 and 22, 2019 at Youth and Family Services, 120 E. Adams Street
6. Golden Ticket Cinemas, Inc. DBA Golden Ticket Cinemas Rushmore 7, 350 East Disk Drive, for a Retail (on-off sale) Wine and Cider license and a Retail (on-off sale) Malt Beverage and South Dakota Farm Wine license
- 6A. Naja Shriners for a SPECIAL EVENT On-Sale Dealer license for an event scheduled for November 16, 2019 at Rapid City Shrine Center, 4091 Sturgis Road

Public Works Committee Consent Items

7. PW101519-03: Approve Request from School House, LLC for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 along Clarkson Road, Pioneer Circle and section line right-of-way for property located at 9340 Clarkson Road.
8. PW101519-04: Approve extension of contract bid to the following contractors for the Operated Equipment Rental for Street Snow Removal contract for the 2019-2020 snow season: Simon Contractors of SD
9. PW101519-05: Authorize Mayor and Finance Officer to sign an agreement between the City of Rapid City and Gregory and Janet Lester for construction of a public sewer main in Creek Dr.
10. PW101519-07: Authorize Mayor and Finance Officer to sign Professional Services Agreement with Architecture Incorporated for Fitzgerald Stadium Renovations Project No. 19-2508 CIP #51231 for and amount not to exceed \$89,942.00.
11. PW101519-08: Authorize staff to advertise for bids 2019 Roof Replacement Project No. 19-2492 / CIP No. 50098 estimated at \$900,000.
12. PW101519-10: Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and Advanced Engineering and Environmental Services, Inc. (AE2S) for Engineering Services for Elk Vale Lift Station Gravity Main & Force Main Upgrades Project No. 18-2480 / CIP No. 50729, in the amount of \$522,701.00.
13. PW101519-14: Approve Change Order 1 to R.C.S Construction, Inc. for Hanover Drive Drainage. Project #18-2460/CIP 51204. No cost change order.
14. PW101519-15: Authorize Mayor and Finance Officer to sign four permanent utility easements with Black Hills Power Inc. for power line relocation for the Rushmore Plaza Civic Center Arena Expansion Project, project number 18-2452
15. PW101519-01: Approve Resolution No. 2019-083 Authorizing Installation Of Roadway Lighting By The South Dakota Department Of Transportation Along SD79 Between The Intersections Of Us16B/Catron Blvd And Old Folsom Rd, Adjacent To The Rapid City Regional Landfill
16. PW101519-11: Authorize Mayor and Finance Officer to sign a three-year contract with ESRI for an Enterprise License Agreement for GIS software in the amount of \$57,900 the first year, and \$56,000 year two and three, for a total expenditure of \$169,900.
17. PW101519-06: Approve a request by BH Capital 7, LLC for authorization to prepare an H-Lot located in Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota and to authorize acceptance of the deed.
18. PW101519-09: Authorize staff to advertise for bids Downtown Lighting Project. Project #19-2500 CIP #51228 Engineers Estimate \$1,177,560.
19. PW101519-12: Approve with Stipulations, A Request from KTM Design Solutions, Inc. for an Exception to allow more than 40 dwelling units with one point of access. Per Section 2.6 of the Infrastructure Design Criteria Manual (IDCM), a single access can only serve 40 dwelling units unless an Exception is approved by City Council.
20. PW101519-13: Acknowledge Solid Waste Division update on Marketing and Recycle Operations

Legal & Finance Committee Consent Items

21. LF101619-07 – Authorize the Mayor and Finance Officer to Sign City Hall Service Agreements with JCI and Kone for Ongoing Facility Services
22. LF101619-03 – Authorize Staff to Purchase Jeep Grand Cherokee at State Bid Price to Replace Aging Vehicle in the Police Department Fleet
23. LF101619-05 – Approve Resolution No. 2019-085 a Resolution Declaring Miscellaneous Personal Property Surplus to be traded
24. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Kevin Carpenter (RSVP+), Kim Crago (RSVP+), Samantha Kellar (Fire Department), Marleah McClain (RSVP+), Kathleen Steiner (RSVP+)
25. LF101619-02 – Acknowledge August 2019 Sales Tax Report
26. LF101619-06 – Approve Resolution No. 2019-084 a Resolution Levying Assessment for Abatement of Nuisances

27. LF101619-01 – Acknowledge Update from the Opportunity Capture Fund Committee

Community Development Consent Items

28. LF101619-04 – Authorize the Mayor and Finance Officer to Sign the FY2019 Community Development Block Grant Contract for the Black Hills Community Loan Fund

Bid Award Consent Items

29. No. CC102119-02.1 – Approve award of total bid for PARK DRIVE STORM SEWER REPAIR, Project No. 19-2483 / CIP No. 51184 opened on OCTOBER 15, 2019 to the lowest responsible bidder, BTD Enterprises, LLC in the amount of \$47,139.38.
30. No. CC102119-02.2 – Approve award of total bid for Lion Drive Rehabilitation Project, Project No. 18-2474 / CIP No. 50549 opened on 10/15/2019 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of \$359,445.00.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 31 – 38

Open Public Comment – Items 31 – 38 (3-minute time limit per speaker)

Close Public Comment

Ordinances

31. No. 19RZ029 - First Reading, Ordinance 6356, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc for Sara Hyde for a Rezoning from Neighborhood Commercial District to Medium Density Residential District for property generally described as being located at 1006 and 1012 Farlow Avenue.
Recommendation: Approve

Public Works Committee Items

32. PW101519-02: Request from Hermanson Egge Engineering, INC. for a variance to waive the requirement to install sidewalk along North Plaza Drive, Rapid City, per City Ordinance 12.08.060.
Recommendation: Deny 4-1 with Modrick voting in favor of the variance.

Legal & Finance Committee Items (NONE)

Community Development Items

33. No. 19PL063 - A request by Longbranch Civic Engineering, Inc for Broker Dividend Fund, LLC for a Preliminary Subdivision Plan for proposed Lots 1 thru 10 of Block 1, Lots 1 thru 14 of Block 2, Lots 1 thru 27 of Block 3, Lots 1 thru 19 of Block 4, Lots 1 thru 18 of Block 5, Lots 1 thru 2 of Block 6, and Lots 1 thru 3 of Block 7 of Hillview Estates Subdivision, generally described as being located at the northern terminus of Haakon Street.
Recommendation: Approve with Stipulations

Alcoholic Beverage License Applications Renewals for 2020

34. 2020 Retail (on-sale) Liquor License Renewals

License #	Owner/Master Name	DBA	Address
RL-5734	HEINSEL INVESTMENTS LLC	COMFORT SUITES	1333 N ELK VALE RD
RL-5742	TEXAS ROADHOUSE HOLDINGS LLC	TEXAS ROADHOUSE	2106 N MAPLE AVE
RL-5810	RUSHMORE CUISINE INC	RUBY TUESDAY	821 FAIRMONT BLVD
RL-6327	BDUBS LLC	BUFFALO WILD WINGS	715 MOUNTAIN VIEW RD

35. 2020 Package Delivery Renewal

License #	Owner/Master Name	DBA	Address
PD-26200	CORTEZ LLC	ALEX JOHNSON HOTEL	523 6TH STREET

36. 2020 Retail (on-sale) Liquor License Renewals WITH Video Lottey

License #	Owner/Master Name	DBA	Address
RL-5863	JACKSON BLVD HOSPITALITY LLC	DAYS INN & LOUNGE	725 JACKSON BOULEVARD
RL-5866	CORTEZ LLC	ALEX JOHNSON HOTEL	523 6TH ST
RL-5873	MEADOWOOD LOUNGE INC	MEADOWOOD LOUNGE	3809 STURGIS RD
RL-5874	HUNGRY'S RESTAURANTS INC	MARLINS ROADHOUSE GRILL	2803 DEADWOOD AVE
RL-6151	FRATERNAL ORDER OF EAGLES	RAPID CITY AERIE NO 3555	1410 CENTRE ST
RL-5318	FRESCH INC	JOES PLACE	4302 PENDLETON DR
RL-5683	ATLANTIS LLC	FAIRFIELD INN & SUITES BY MARRIOTT	1314 N ELK VALE RD

37. 2020 Retail (on-off sale) Wine License Renewals

License #	Owner/Master Name	DBA	Address
RW-19170	WALGREEN CO	WALGREENS #10656-MT RUSHMORE RD	1902 MOUNT RUSHMORE RD
RW-19172	WALGREEN CO	WALGREENS 05643-MTN VIEW-RAPID CITY	540 MOUNTAIN VIEW RD
RW-19771	MAIN STREET SQUARE INC.	MAIN STREET SQUARE	526 MAIN STREET
RW-20546	PLATINUM RESTAURANT GROUP, INC	MARCOS PIZZA #3019	3625 JACKSON BLVD
RW-20790	PLATINUM RESTAURANT GROUP INC	MARCOS PIZZA #4010	4040 CHEYENNE BLVD SUITE A
RW-21670	IMPRESSIVE NAILS INCORPORATED	IMPRESSIVE NAILS	1301 W OMAHA ST STE 105
RW-23211	LC BEER LLC	LOST CABIN BEER CO	1401 W OMAHA ST
RW-26207	BW GAS & CONVENIENCE RETAIL, LLC	YESWAY # 1187	4030 CHEYENNE BLVD
RW-6479	WINE LAND INC	WINE CELLAR RESTAURANT	513 6TH ST
RW-6525	ROBERT W JOHNSON	CANYON LAKE PUB & CASINO	4116 JACKSON BLVD
RW-6572	PIESANO'S PACCHIA INC	PIESANO'S PACCHIA	3618 CANYON LAKE DR #121

38. 2020 Package (off-sale) Liquor Renewals

License #	Owner/Master Name	DBA	Address
PL-19233	WALMART INC	WALMART SUPERCENTER #1604	1200 N LACROSSE ST
PL-19346	BIG D OIL CO	BIG D OIL CO #54	3851 EGLIN ST
PL-19389	WALGREEN CO	WALGREENS #09512-LACROSSE ST-RAPID	1125 N LACROSSE ST
PL-20040	WALMART INC	WALMART #3872	100 STUMER RD
PL-20176	SKYWAY ENTERPRISES INC	AMERICINN MOTEL	1632 RAPP ST
PL-20177	WISDOM INC	COUNTRY INN & SUITES BY CARLSON-RC	2321 N LACROSSE ST
PL-20178	ATLANTIS LLC	FAIRFIELD INN & SUITES BY MARRIOTT	1314 N ELK VALE RD
PL-4576	SAMS WEST INC	SAMS CLUB #6565	925 EGLIN ST
PL-4646	THRIFTY SMOKE SHOP INC - KURT SCHIMMER	THRIFTY SMOKE SHOP	718 E ST PATRICK ST
PL-4656	THRIFTY SMOKE SHOP INC - KURT SCHIMMER	THRIFTY SMOKE SHOP III	1101 W OMAHA #3
PL-4851	TIMMONS MARKET, LLC	TIMMONS MARKET	747 TIMMONS BLVD

PUBLIC HEARING ITEMS – Items 39 – 44

Open Public Hearing (comment) - Items 39 – 44 (3-minute time limit per speaker)
[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 39 – 44

CONSENT PUBLIC HEARING ITEMS – Items 39 – 42

Remove Items from the “Consent Public Hearing Items” and Vote on Remaining Consent Items

Community Development Items (NONE)***Alcohol Licenses***

- 39. Pennington County Democratic Party for a SPECIAL EVENT On-Sale Malt Beverage license for an event scheduled for November 3, 2019 at Canyon Lake Activity Center, 2900 Canyon Lake Dr.
- 40. PV Rapid LLC DBA Puerto Vallarta Mexican Restaurant & Tequila Bar, 2205 N Lacrosse Street for a Retail (on-sale) Liquor License (Inactive) TRANSFER from Wisdom, Inc. DBA Wisdom Inc., 2205 N. Lacrosse Street
- 41. Pacific Pearl Hotel Mgmt – Pierre, LLC DBA Ramada by Wyndham, 1902 N. Lacrosse Street for a Retail (on-sale) Liquor License TRANSFER from First National Bank Rapid City DBA Ramada Hotel & Suites F&B, 1902 N. Lacrosse Street
- 42. OC Rapid City LLC DBA Old Chicago Restaurant, 1718 Eglin Street for a Retail (on-sale) Liquor – Restaurant license TRANSFER from Black Hills BBQ Inc. DBA Famous Dave’s BBQ, 1718 Eglin Street

Assessment Rolls (NONE)***Other Items Requiring Public Hearings (NONE)***

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 43 and 44

- 43. No. 19RZ034 - Second Reading, Ordinance 6362, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Renner Associates, LLC for Roadside Outdoor Advertising, LLC for a Rezoning Request from Office Commercial District to Low Density Residential District II for property generally described as being located north of Tower Road.
Recommendation: Approve
- 44. 19OA005 – Second Reading of Ordinance No. 6355 An Ordinance Amendment Amending Title 17 of the Rapid City Municipal Code to Exempt Small Wireless Facilities from the Definition of Microcell Wireless Communication Facilities
Recommendation: Approve

BILLS

- 45. No. CC102119-01 – Bill List for October 21, 2019

ADJOURN