

**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, November 4, 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. World Diabetes Day Proclamation

**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 2 – 35

**Open Public Comment** – Items 2 – 28 (3-minute time limit per speaker)

**Close Public Comment**

**CONSENT ITEMS** – Items 2 – 28

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

***Approve Minutes***

2. Approve Minutes for the October 21, 2019 Regular Council meeting.

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

***Alcoholic Beverage License Applications Set for Hearing (November 18, 2019)***

3. Hartmann Enterprises LLC DBA Stoney Creek Wine & Spirits, 5509 Bendt Drive Suite 305 for a Package (off-sale) Liquor License (Inactive) TRANSFER from Hartmann Enterprises LLC DBA Time Square Liquor, 13 New York Street
4. Smith’s Liquor Gallery Inc. DBA Smith’s Liquor Gallery, 2218 Jackson Blvd Suite 1, for a Package Delivery license.
5. Arrowhead Country Club DBA Arrowhead Country Club, 3675 Sheridan Lake Road, for a Retail (on-off sale) Wine and Cider license
6. Lucky Duck Casino Inc. DBA Lucky Duck Inc., 6639 Wellington Drive, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License TRANSFER from Dave and Linda Handley DBA Hot Spot Casino, 420 E St. Patrick Street #107
7. Staple and Spice Market LLC DBA Staple and Spice Market, 601 Mt. Rushmore Road for a Retail (on-off sale) Wine and Cider license

8. Staple and Spice Market LLC DBA Staple and Spice Market, 601 Mt. Rushmore Road for a Retail (on-off sale) Malt Beverage and SD Farm Wine License TRANSFER from Staple and Spice Market Inc. DBA Staple and Spice Market, 601 Mt. Rushmore Road

**Public Works Committee Consent Items**

9. PW102919-01: Approve Change Order 1 F to Simon Contractors of SD, Inc. for Pavement Rehabilitation Project, East Monroe Street, Project #18-2470/CIP 50844 for a decrease of \$9,498.62. Final quantities were adjusted to complete the project.
10. PW102919-02: Approve Change Order No. 1 – Final to Black Hills Roofing for 2018 Roof Replacement – Bid Package #2 Project #2431 CIP No. 50098 for an add of \$969.07.
11. PW102919-03: Authorize Staff to Seek Proposals for Engineering Services for Operations - Miscellaneous Improvements Projects, Project Number 19-2540 /CIP Number 51132, budgeted for approximately \$260,000 annually over three years for a total of \$780,000.
12. PW102919-04: Approve Request for Stormwater Drainage Utility Fee Abatement for Lombardy Shop, LLC, for property located at 1911 Lombardy Dr, Tax ID 36296, in the amount of \$182.08 (2019).
13. PW102919-05: Approve and Authorize Mayor and Finance Officer to sign Amendment No. 1 with FMG Engineering, Inc. for Elk Vale Reservoir Water Level Investigation, Project No. 19-2511/CIP No. 51238. This is a no cost schedule change.
14. PW102919-07: Authorize Mayor and Finance Officer to sign amendment 1 to an agreement between the City of Rapid City and FMG Engineering, Inc. for Engineering Services for Rapid City Landfill Permit 2018, Project Number: 18 – 2448 / CIP #51202 in the amount of \$8,561.00.
15. PW102919-06: Approve Change Order No. 1 to BTD Enterprises, LLC, for LaCroix Disc Golf and Sidewalk Project No. PR19-6169, for an increase of \$1,500.

**Legal & Finance Committee Consent Items**

16. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Patrick Boston (RSVP+)
17. LF103019-02 – Acknowledge September 2019 General Fund Cash Balance Report
18. LF103019-03 – Approve Resolution No. 2019-086 a Resolution Declaring Miscellaneous Personal Property Surplus to be Surplused

**CIP Committee Consent Items**

19. No. CIP101819-00 – Acknowledge Capital Improvement Programs Committee Monthly Updates for July 2019 and October 2019.
20. No. CIP101819-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, CSAC, Summary)
21. No. CIP101819-04 – Approve Capital Plan for Fire Vehicles
22. No. CIP101819-05 – Approve Capital Plan for Parks & Recreation
23. No. CIP101819-06 – Approve Capital Plan for Information Technology
24. No. CIP101819-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
25. No. CIP101819-02 – Approve Capital Plan for PW Infrastructure

**Community Development Consent Items**

26. 19DU001 – Approve A request by Jared Batman to consider an application for a Determination of Use to allow an in-door dog park as a Conditional Use in the SC-2 Community Shopping Center District

**Bid Award Consent Items**

27. No. CC110419-02.1 - Approve award of total bid for W Main and Jackson Blvd Panel Repair Project, Project No. 19-2513 / CIP No. 50445 opened on 10/29/2019 to the lowest responsible bidder, Journey Group Companies dba Ainsworth Benning Construction in the amount of \$138,861.94.

28. No. CC110419-02.2 – Approve award of total bid for Knollwood Drainage Basin Element 3 Improvement, Project No. 19-2526 / CIP No. 51248 opened on October 29, 2019 to the lowest responsible bidder, R.C.S. Construction, Inc. in the amount of \$179,945.99.

## END OF CONSENT ITEMS

**NON-CONSENT ITEMS** – Items 29 – 35**Open Public Comment** – Items 29 – 35 (3-minute time limit per speaker)**Close Public Comment****Ordinances**

29. No. 19RZ035 - First Reading, Ordinance 6364, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by AAB Engineering, LLC for Rupe Helmer Group for a Rezoning request from General Agricultural District to General Commercial District for property generally described as being located east of Haines Avenue just north of Kathryn Avenue.

**Recommendation: Approve**

30. No. 19RZ036 - First Reading, Ordinance 6365, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for G & G Investments, LLP for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located north of Degeest Drive.

**Recommendation: Approve**

31. No. 19RZ037 - First Reading, Ordinance 6366, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for G & G Investments, LLP for a Rezoning request from General Commercial District to Medium Density Residential District for property generally described as being located north of Neel Street.

**Recommendation: Approve**

32. LF103019-01 – First Reading, Ordinance No. 6367 Regarding Supplemental Appropriation #7 for 2019.

**Recommendation: Approve****Public Works Committee Items (NONE)****Legal & Finance Committee Items (NONE)****Community Development Items**

33. No. 19PL085 - A request by AAB Engineering, LLC for Rupe Helmer Group for a Preliminary Subdivision Plan for proposed Lot 1 of Block 1 of Dollar General Rapid City, generally described as being located east of Haines Avenue, north of Kathryn Avenue.

**Recommendation: Approve with Stipulations****Alcoholic Beverage License Applications – Item 35 (A – PPP)**

34.

| Item # | License # | Owner/Master Name | DBA                            | Address               |
|--------|-----------|-------------------|--------------------------------|-----------------------|
| A      | CL-15400  | RETSEL INC        | GRAND GATEWAY<br>HOTEL/ CHEERS | 1721 N LACROSSE<br>ST |

|   |          |                                  |                              |                           |
|---|----------|----------------------------------|------------------------------|---------------------------|
| B | PL-19003 | BW GAS & CONVENIENCE RETAIL, LLC | YESWAY # 1190                | 3887 E HIGHWAY 44         |
| C | PL-19804 | HOLIDAY STATIONSTORES LLC        | HOLIDAY STATIONSTORE #465    | 1610 CAREGIVER CIR        |
| D | PL-19915 | RUNNING SUPPLY INC               | RUNNINGS FARM & FLEET        | 1020 N LA CROSSE ST       |
| E | PL-20569 | BW GAS & CONVENIENCE RETAIL, LLC | YESWAY # 1188                | 2215 HAINES AVE           |
| F | PL-4443  | M G OIL COMPANY                  | CORNER PANTRY - LACROSSE     | 2130 LACROSSE ST          |
| G | PL-4574  | MINI MART INC                    | LOAF 'N JUG #447             | 1601 NO. HAINES           |
| H | PL-4600  | MINI MART INC                    | LOAF 'N JUG #446             | 2700 HIGHWAY 44 EAST - RC |
| I | PL-4607  | MINI MART INC                    | LOAF 'N JUG #443             | 3106 W MAIN               |
| J | PL-4610  | BW GAS & CONVENIENCE RETAIL, LLC | YESWAY # 1189                | 3275 CAMBELL ST           |
| K | PL-4704  | NASH FINCH COMPANY               | FAMILY FARE #265             | 751 MOUNTAIN VIEW RD      |
| L | PL-4764  | MOYLE PETROLEUM COMPANY          | COMMON CENTS FOOD STORE #125 | 1821 N ELK VALE RD        |
| M | PL-4765  | NASH FINCH COMPANY               | FAMILY FARE #253             | 1516 E SAINT PATRICK ST   |
| N | PL-4771  | MOYLE PETROLEUM COMPANY          | NORTH STREET SMOKE SHOP      | 634 E NORTH ST            |

|    |         |  |  |                           |
|----|---------|--|--|---------------------------|
| O  | PL-4772 | RETSEL INC                             | GRAND GATEWAY<br>HOTEL/ CHEERS         | 1721 N LACROSSE<br>ST     |
| P  | PL-4773 | MINI MART INC                          | LOAF 'N JUG #444                       | 1627 RUSHMORE<br>RD       |
| Q  | PL-4774 | CANYON LAKE<br>LIQUORS LTD             | CANYON LAKE<br>LIQUOR                  | 4244 CANYON LAKE<br>DRIVE |
| R  | PL-4787 | SAFEWAY STORES<br>46 INC               | SAFEWAY STORE<br>#1554                 | 730 MT VIEW ROAD          |
| S  | PL-4989 | CORTEZ LLC                             | ALEX JOHNSON<br>HOTEL                  | 523 6TH ST                |
| T  | PL-5025 | SAFEWAY STORES<br>46 INC               | SAFEWAY STORE<br>#581                  | 2120 MT<br>RUSHMORE RD    |
| U  | PL-5089 | BW GAS &<br>CONVENIENCE<br>RETAIL, LLC | BW GAS &<br>CONVENIENCE<br>RETAIL, LLC | 3343 HAINES AVE           |
| V  | RL-5858 | SHOOTERS INC                           | SHOOTERS                               | 2424 W MAIN ST            |
| W  | RL-5861 | OASIS LOUNGE<br>INC                    | OASIS LOUNGE                           | 711 MAIN ST               |
| X  | RL-5864 | BLUE LANTERN<br>LOUNGE INC             | BLUE LANTERN<br>LOUNGE                 | 1200 E ST PATRICK<br>ST   |
| Y  | RL-5865 | COLONIAL HOUSE<br>INC                  | COLONIAL HOUSE                         | 2315 MOUNT<br>RUSHMORE RD |
| Z  | RL-5869 | M G OIL COMPANY                        | CLOCK TOWER<br>LOUNGE                  | 2525 W MAIN ST            |
| AA | RL-5870 | M G OIL COMPANY                        | UNCLE SAM'S<br>SOUTH                   | 2110 JACKSON<br>BLVD      |

|    |          |                                    |                                       |                           |
|----|----------|------------------------------------|---------------------------------------|---------------------------|
| BB | RL-5872  | TADY LLC                           | TEDDYS SPORTS GRILL                   | 826 MAIN ST               |
| CC | RL-5875  | KELLY'S SPORTS LOUNGE INC          | KELLY'S SPORTS LOUNGE                 | 825 JACKSON BLVD          |
| DD | RL-5877  | BRINKER RESTAURANT CORP            | CHILIS GRILL & BAR #1813              | 2125 HAINES AVE           |
| EE | RL-5882  | SHIBA INVESTMENTS INC              | THE RUSHMORE HOTEL                    | 445 MT RUSHMORE RD        |
| FF | RL-5883  | RED LOBSTER HOSPITALITY LLC        | RED LOBSTER #460                      | 120 DISK DR               |
| GG | RL-5888  | RAPID CITY ELKS CLUB               | ELKS LODGE #1187                      | 3333 E 39TH ST            |
| HH | RL-5891  | LOYAL ORDER OF MOOSE               | LOYAL ORDER OF MOOSE                  | 841 E ST PATRICK ST       |
| II | RL-5920  | GMRI INC                           | THE OLIVE GARDEN #1664                | 160 DISK DR               |
| JJ | RL-6122  | MOYLE PETROLEUM COMPANY            | INFERNO FOOD BY FIRE - HWY 44         | 3503 E HWY 44             |
| KK | RR-19690 | RARE HOSPITALITY INTERNATIONAL INC | LONGHORN STEAKHOUSE- RAPID CITY #5406 | 1510 EGLIN ST             |
| LL | RW-19345 | LU SHUN LLC                        | GREAT WALL CHINESE RESTAURANT         | 315 E NORTH ST            |
| MM | RW-19769 | PURE BLISS LLC                     | A PERFECT 10                          | 1109 W OMAHA SUITE B      |
| NN | RW-20254 | FUJI ASIAN RESTAURANT INC          | FUJI ASIAN RESTAURANT                 | 2200 N MAPLE AVE UNIT 478 |

|     |          |                                    |                                      |                              |
|-----|----------|------------------------------------|--------------------------------------|------------------------------|
| OO  | RW-20381 | PURE BLISS LLC                     | A PERFECT 10<br>NAIL & BEAUTY<br>BAR | 36 E. STUMER RD<br>SUITE 118 |
| PP  | RW-20513 | TARGET<br>CORPORATION              | TARGET STORE T-<br>2457              | 1415 EGLIN ST                |
| QQ  | RW-20606 | KATHMANDU<br>BISTRO LLC            | KATHMANDU<br>BISTRO                  | 727 MAIN ST                  |
| RR  | RW-20816 | PURE BLISS LLC                     | A PERFECT 10                         | 1745 EGLIN ST STE<br>770     |
| SS  | RW-21028 | JYE GROUP INC                      | SUMO JAPANESE<br>KITCHEN             | 214 E SAINT<br>JOSEPH ST     |
| TT  | RW-21589 | CONTINENTAL<br>LEISURE INC         | CAROUSEL<br>CASINO                   | 2050 W MAIN ST #<br>2A       |
| UU  | RW-22933 | MOYLE<br>PETROLEUM<br>COMPANY      | ORCHARD<br>MEADOWS<br>COMMON CENTS   | 3501 E HWY 44                |
| VV  | RW-22989 | VITA SANA OLIVE<br>OIL COMPANY LLC | VITA SANA OLIVE<br>OIL COMPANY       | 627 SAINT JOSEPH<br>ST       |
| WW  | RW-23107 | MOYLE<br>PETROLEUM<br>COMPANY      | LACROSSE<br>COMMON CENTS             | 1909 LA CROSSE ST            |
| XX  | RW-23108 | MOYLE<br>PETROLEUM<br>COMPANY      | COMMON CENTS-<br>RUSHMORE RD         | 2660 MT<br>RUSHMORE RD       |
| YY  | RW-23110 | MOYLE<br>PETROLEUM<br>COMPANY      | COMMON CENTS<br>#107                 | 4128 JACKSON<br>BLVD         |
| ZZ  | RW-23698 | BLACK SHEEP<br>GROUP, LLC          | HARRIET CAFE                         | 329 MAIN ST                  |
| AAA | RW-23752 | K & P LLC                          | HAY CAMP<br>BREWING<br>COMPANY       | 601 KANSAS CITY<br>STREET    |

|     |                   |                             |                                  |                         |
|-----|-------------------|-----------------------------|----------------------------------|-------------------------|
| BBB | RW-24299          | MAVERIK INC                 | MAVERIK INC #571                 | 525 E NORTH ST          |
| CCC | RW-24532          | MAVERIK INC                 | MAVERIK INC #552                 | 1624 HAINES AVENUE      |
| DDD | RW-24886          | HIMALAYAN KITCHEN LLC       | HIMALAYAN KITCHEN                | 1720 MOUNT RUSHMORE RD  |
| EEE | RW-25013          | RAPID CITY EXTENDED STAY    | STAYBRIDGE SUITES                | 1314 LUNA AVE           |
| FFF | RW-26451          | HOLIDAY STATIONSTORES LLC   | HOLIDAY STATIONSTORES # 449      | 1846 EGLIN ST           |
| GGG | RW-26452          | HOLIDAY STATIONSTORES LLC   | HOLIDAY STATIONSTORE #455        | 3216 E HIGHWAY 44       |
| HHH | RW-6417           | LU SHUN LLC                 | IMPERIAL CHINESE RESTAURANT      | 702 E NORTH ST          |
| III | RW-6420           | THAI THAI LLC               | THAI THAI RESTAURANT             | 221 E NORTH ST          |
| JJJ | RW-6654           | JOSEFINA S LEUI             | ICHIBAN                          | 1109 A W OMAHA ST       |
| KKK | RW-6691           | FRANKIE'S LLC               | THIRSTY'S                        | 819 MAIN                |
| LLL | RW-7503           | BLACK HILLS COFFEE COMPANY  | STONEWALLS ESPRESSO CAFE & PIZZA | 5955 S HIGHWAY 16 STE G |
| MMM | RW-7540           | RAPID CITY ARTS COUNCIL INC | DAHL ARTS CENTER                 | 713 7TH ST              |
| NNN | Inactive PL-20030 | SAFEWAY STORE 46 INC        | SAFEWAY-R CITY #3166             | 730 MOUNTAIN VIEW DR    |



|     |                  |                    |                  |                         |
|-----|------------------|--------------------|------------------|-------------------------|
| OOO | Inactive PL-4781 | NASH-FINCH COMPANY | FAMILY FARE #265 | 751 MOUNTAIN VIEW RD    |
| PPP | Inactive PL-5004 | NASH-FINCH COMPANY | FAMILY FARE #253 | 1516 E SAINT PATRICK ST |

***Bid Awards***

35. No. CC110419-02.3 - Approve award of base bid plus alternates 1, 2, 3 and 4 for Star of the West Restrooms, Project No. 19-2527 / CIP No. 51249 opened on October 29, 2019 to the lowest responsible bidder, Complete Concrete, Inc. dba Complete Contracting Solutions in the amount of \$230,700.00 and authorize staff to use remaining budgeted funds for renovation of the existing restrooms.

**Staff Recommendation: Approve**

***Mayor's Items (NONE)******Council Items & Liaison Reports (NONE)***

Reconsideration Notices

Motion for Delivery of Items from Committee

***Staff Items (NONE)******Appeals (NONE)***

*Planning Commission Appeals*

*License Appeals*

*Sign Code Appeals*

*Other Appeals Heard by the Council*

**PUBLIC HEARING ITEMS** – Items 36 – 41

**Open Public Hearing (comment)** - Items 36 – 41 (3-minute time limit per speaker)

**[Public Hearing Remains Open]**

**Close Public Hearing (comment)** - Items 36 – 41

**CONSENT PUBLIC HEARING ITEMS** – Items 36 – 39

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

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

36. 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
37. 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

38. 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
39. **Withdraw** request for 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

***Assessment Rolls (NONE)***

END OF CONSENT PUBLIC HEARING CALENDAR

**NON-CONSENT PUBLIC HEARING ITEMS** – Items 40 – 41

40. No. 19TI002 - Approve Resolution No. 2019-081 A request by KTM Design Solutions, Inc. for Yasmeen Dream, LLC to consider an application for a Resolution to approve TID #78 Project Plan Amendment #1 for property generally described as being located in Section 9, T1N, R8E (East and west of Elk Vale Road between E. Highway 44 and the current terminus of East Fairmont Street)  
**Recommendation: Approve**
41. No. 19RZ029 - 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**

**BILLS**

42. No. CC110419-01 – Bill List for November 4, 2019

**ADJOURN**