

**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, June 4, 2018**

**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 for Veteran Suicide Awareness Day
2. Employee Award – Jerry Gaa

**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 – 45

**Open Public Comment** – Items 3 – 37 (3-minute time limit per speaker)

**Close Public Comment**

**CONSENT ITEMS** – Items 4 – 37

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

***Approve Minutes***

3. Approve Minutes for the May 21, 2018 Regular Council meeting.

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

***Alcoholic Beverage License Applications Set for Hearing (June 18, 2018)***

4. American Legion Post 22 DBA Post 22 Baseball Field Parking Lot for a SPECIAL EVENT On-Sale Malt Beverage License for an event scheduled for June 28 – July 4, 2018 at 2900 Jackson Blvd (Tract 8 Rapid City Greenway Tract)

***Public Works Committee Consent Items***

5. PW052918-01 – Approve Change Order 1F to AB Contracting, LLC for WRF Process Reliability Improvements, Project No. 16-2342 / CIP No. 51141 for an increase of \$3,714.81.
6. PW052918-02 – Rescind approval of Change Order No. 1F (Agenda Item PW121217-09) as approved at the December 18, 2017 City Council Meeting and Approve Change Order No. 1F Revised to Mainline Contracting, Inc. for East Rapid City Water Expansion Valley View and Radar Hill Road North Extensions Project No. 14-2197 / CIP No. 50964.E for a decrease of \$62,649.50. City Council approval is contingent on concurrence and approval of the revised change order by the South Dakota Department of Environment and Natural Resources.

7. PW052918-03 – Authorize Staff to Advertise for Bids for 2018 Roof Replacement, Project No.18-2431 / CIP No. 50098. Estimated Cost: \$300,000.00.
8. PW052918-04 – Authorize Staff to Advertise for Bids for Pavement Rehabilitation Project – Maple Avenue Area, Project No. 18-2438 / CIP No. 50844. Estimated Cost: \$500,000.00.
9. PW052918-05 – Authorize Mayor and Finance Officer to Sign a Professional Services Agreement between the City of Rapid City and Sperlich Consulting, Inc. for Engineering Services for Grey Fox Court and Fox Run Drive Storm Sewer Outfall Stabilization, Project No. 18-2444 / CIP No. 51167 in the amount of \$51,775.00.
10. PW052918-06 – Authorize Mayor and Finance Officer to Sign Amendment No. 3 to the Agreement between the City of Rapid City and Bartlett and West for Red Rock Booster Pump Station Upgrades, Project No. 14-2177 / CIP No. 50812.B, in the amount of \$25,457.00.
11. PW052918-07 – Authorize Mayor and Finance Officer to Sign a Temporary Construction Easement between the City of Rapid City and The North Atlantic Developers, LLC for the construction of Buffalo Crossing West and Promise Road.
12. PW052918-08 – Approve Authorize Mayor and Finance Officer to Sign a Temporary Construction Easement and Permanent Storm Sewer Easement between the City of Rapid City and Rapid City Area School District for Meadowbrook Elementary Drainage Improvements.
13. PW052918-09 – Authorize Mayor and Finance Officer to Sign Resolution No., 2018-041, a Construction Fee Resolution for Airport Water Transmission Main Loop – Oversize Construction Fee – Project No. 11-1992, 12-2011, 12-2012, 12-2013, 12-2014 to recapture a portion of the cost of oversizing the 16” water main constructed to the airport. The maximum collectable amount in this resolution is \$886,335.82.
14. PW052918-10 – Approve Authorize Mayor and Finance Officer to Sign Resolution No. 2018-042, a Construction Fee Resolution for Airport Water Transmission Main Loop – Frontage Construction Fee – Project No. 11-1992, 12-2011, 12-2012, 12-2013, 12-2014 to recapture the base cost (8” equivalent) of the 16” water main constructed to the airport. The maximum collectable amount in this resolution is \$4,015,483.93.
15. PW052918-11 – Authorize Mayor and Finance Officer to Sign Resolution No. 2018-043, a Construction Fee Resolution for Haines Ave. Water Oversize North of Auburn Drive – Project No. DEV17-1356 to recapture oversize payment of \$42,780.00 paid to Muth Holdings, LLC.
16. PW052918-12 – Approve Request from Ross Brown for a Variance to Defer the Requirement to Install Sidewalk per City Ordinance 12.08.060 along the westerly portion of Camden Drive for the property located at 1700 Camden Drive.
17. PW052918-13 – Approve Request from KTM Design Solutions, Inc. for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 along Fountain Plaza Drive for the property located at 1848 Fountain Plaza Drive.
18. PW052918-14 – Authorize Staff to Submit Transit Grant to the Federal Transit Administration (FTA) for 5307 Formula funds for operating assistance in the amount of \$1,229,125.00. Second by Salamun.
19. PW052918-16 – Authorize Staff to Advertise for Bids for Two (2) new 8000 Pound Triple Stage forklift trucks for the Solid Waste Material Recovery Facility for use in processing, baling and shipping of recyclables. Estimated cost is \$148,000.00 - utilizing revenues from Landfill/MRF Reserve Fund.
20. PW052918-17 – Approve Change Order No. 1 to Highmark, Inc. for Bike Path Restoration and Rapid Creek Bank Stabilization Project PR14-6118, for an increase in the amount of \$2,929.38.
21. PW052918-18 – Authorize Mayor & Finance Officer to execute the release of an agreement for property generally located at 2108 N. Elk Vale Rd. in Box Elder, SD.
22. PW052918-19 – Approve Request to Hang Banners on Light Poles – Bill Casper.

***Legal & Finance Committee Consent Items***

23. LF053018-05 – Approve the Reappointment of Shawn Gab and New Appointment of Rod Pettigrew to the Rapid City Regional Airport Board of Directors

24. LF053018-06 – Approve the Appointments of Marty Miracle and Laura Dyer to RSVP Advisory Council
25. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Angie Boeve (RSVP+), Dawn Hagan (RSVP+), Georgianna Little Bull (RSVP+), Jo Mundaniohl (RSVP+), Marnie Mutascio (RSVP+), Debra Torgerson (RSVP+), Jasmine LeMaire (Police Department), Abbee Hall (Police Department),
26. LF053018-01 – Acknowledge April 2018 General Fund Cash Balance Report
27. LF053018-03 – Authorize Mayor and Finance Officer to Sign Amendment #2 to the State of South Dakota Historic Preservation Allocation Award (SD 17-027) between the State of South Dakota and the Rapid City Historic Preservation Commission, Extending the Grant End Date from May 31 to July 15, 2018
28. LF053018-07 – Approve Authorize Mayor to Sign Joint Powers Agreement Between the Department of Public Safety, Division of State Radio Communications and Pennington County and the City of Rapid City.

***CIP Committee Consent Items***

29. No. CIP051818-00 – Acknowledge Capital Improvement Programs Committee Monthly Updates for April 2018 and May 2018
30. No. CIP051818-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, CSAC, Summary)
31. No. CIP051818-05 – Approve Capital Plan for Parks & Recreation
32. No. CIP051818-06 – Approve Capital Plan for Information Technology
33. No. CIP051818-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
34. No. CIP051818-02 – Approve Capital Plan for PW Infrastructure (Formerly called Capital Plan for Streets, Drainage, MIP Projects)
35. No. CIP051818-08 – Approve request to move \$150K from 2020 Roof Replacement to 2018 and \$150K from West Side Salt Storage to 2020.

***Community Planning & Development Services Department Consent Items (NONE)***

***Bid Award Consent Items***

36. CC060418-02.1 – Approve award of total bid for 2018 Chip Sealing Project, Project No. 18-2436 / CIP No. 50844 opened on May 29, 2018 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of \$217,623.91.
37. CC060418-02.2 – Approve award of contract to Tru-Form Construction, Inc. for Concrete Replacement for Main Breaks in the amount of \$189,175.00

END OF CONSENT ITEMS

**NON-CONSENT ITEMS** – Items 38 – 45

**Open Public Comment** – Items 38 – 45 (3-minute time limit per speaker)

**Close Public Comment**

***Ordinances***

38. LF053018-04 – First Reading of Ordinance No. 6261 an Ordinance to Amend Rapid City Municipal Code Section 12.24.050 to Allow E-Bikes on City Bicycle and Pedestrian Trail Systems.  
**Recommendation: Approve**
39. LF051618-03 – Second Reading Ordinance No. 6257 an Ordinance to Amend Chapter 5.12 of the Rapid City Municipal Code to Incorporate Changes to State Law Regarding Alcoholic Beverages.  
**Recommendation: Approve**

**Public Works Committee Items**

- 40. PW052918-15 – Approve Authorize Staff to Enter into an Agreement with Creative Outdoor Advertising for bus benches with advertising. Staff recommends the Avenue and Lexington bench styles with a three-year revenue return of \$46,125.00.

**Recommendation: Approve 3-2 with Drew and Modrick voting no.**

**Legal & Finance Committee Items (NONE)**

**CIP Committee Items**

- 41. No. CIP051818-04 – Approve Capital Plan for Fire Vehicles

**Recommendation: Approve 3-1 with Drury voting no.**

**Community Planning & Development Services Department Items**

- 42. No. 18PL027 - A request by Davis Engineering, Inc for Murphy Brothers Partnership, LLC for a Preliminary Subdivision Plan for proposed Lots 11 thru 20 of Block 10 and Lots 7 thru 18 of Block 11 of Murphy Ranch Estates Subdivision, generally described as being located east of Reservoir Road on the south side of Longview Road.

**Recommendation: Approve with Stipulations**

- 43. No. 18PL031 - A request by Jeff Howe of Howe Land Surveying for Ronald J. and Cheryl A. Loftus for a Preliminary Subdivision Plan for proposed Lot 1 of Jack's View Subdivision, generally described as being located 3700 Red Rock Canyon Road.

**Recommendation: Approve with Stipulations**

- 44. No. 18PL032 - A request by FMG Engineering for Menard Inc for a Preliminary Subdivision Plan for proposed Lots B-1, B-2 and C-1 of Menard Subdivision, generally described as being located south of E. North Street at Camden Drive.

**Recommendation: Approve with Stipulations**

**Other Board, Commission & Committee Items (NONE)**

**Bid Awards (NONE)**

**Alcoholic Beverage License Applications (NONE)**

- Reissuance*
- Special Event*

**Mayor's Items (NONE)**

**Council Items & Liaison Reports**

- 45. PW052918-20 – Acknowledge Sustainability Committee Annual Update

**Recommendation: Send to Council Without Recommendation.**

**Staff Items (NONE)**

**Appeals (NONE)**

- Planning Commission Appeals*
- License Appeals*
- Sign Code Appeals*
- Other Appeals Heard by the Council*

**PUBLIC HEARING ITEMS – Items 46 – 73**

**Open Public Hearing (comment) - Items 46 – 73**

Close Public Hearing (comment) - Items 46 – 73**CONSENT PUBLIC HEARING ITEMS** – Item 46 – 71Remove Items from the “Consent Public Hearing Items” and Vote on Remaining Consent Items***Community Planning & Development Services Department Items (NONE)******Alcohol Licenses***

46. Storybook Island DBA Storybook Island for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine license for an event scheduled for September 7, 2018 at 1301 Sheridan Lake Road, Children’s Park
47. Rapid City Summer Nights DBA Rapid City Summer Nights for a SPECIAL EVENT On-Sale Malt Beverage License and On-Sale Wine License for an event scheduled for July 28, 2018 at the 500 Block of Seventh Street
48. Performing Arts Center of Rapid City DBA Performing Arts Center of Rapid City for a SPECIAL EVENT On-Sale Wine, On-Sale Malt Beverage, Off-Sale Package Wine and Off-Sale Package Dealer for an event scheduled for July 27, 2018 at 1850 Skyline Ranch Road
49. Blacksheep Group LLC DBA Harriet Café, 329 Main Street (RB-23461)
50. WR Rapid City Ventures LP DBA Minerva’s Bar and Restaurant, 2111 N LaCrosse St (RB-3000)

**New 2018-2019 Retail (on-off sale malt beverage and on-off sale South Dakota farm wines) License****Previously licensed as: Package (off sale) Malt Beverage License (PB)**

51. Dakotah Steakhouse LLC dba Dakotah Steakhouse, 1325 N Elk Vale Road (PB-21342)
52. LaCrosse Hospitality Management LLC dba Ramada, 1902 N LaCrosse Street (PB-20941)
53. B & L Inc dba Liquor Mart, 655 Mountain View Road (PB-1351)
54. B & L Inc dba Boyds Liquor Mart, 909 E St Patrick Street Ste 1 (PB-1369)
55. Jim Buchli dba Rushmore Sinclair, 2420 Mt. Rushmore Road (PB-1505)
56. I-90 Service Center Inc dba I-90 Service Center, 2213 N LaCrosse Street (PB-1737)
57. Bobs Amoco Inc dba Bobs Amoco, 721 Mount Rushmore Road (PB-19951)
58. Holiday Station Stores, LLC dba Holiday #456, 35 Omaha Street (PB-23322)
59. Holiday Station Stores, LLC dba Holiday #449, 1846 Eglin Street (PB-22650)
60. Dolgen Midwest, LLC dba Dollar General #18267, 1137 E Saint Patrick Street (PB-24692)
61. Mini Mart Inc dba Loaf ‘N Jug #444, 1627 Mt. Rushmore Road (PB-1696)
62. Mini Mart Inc dba Loaf ‘N Jug #446, 2700 E Highway 44 (PB-1742)
63. Mini Mart Inc dba Loaf ‘N Jug #443, 3106 W Main Street (PB-1654)
64. Mini Mart Inc dba Loaf ‘N Jug #447, 1601 N Haines Ave (PB-1778)

**Previously licensed as: Package (off sale malt beverage and off sale South Dakota farm wine) License (PF)**

65. Black Hills Badlands & Lakes Association dba Black Hills Visitor Information Center, 1851 Discovery Circle (PF-19621)
66. Sodaco Inc dba Baymont Inn & Suites, 4040 Cheyenne Boulevard (PF-23878)
67. Mostly Chocolates LLC dba Mostly chocolates, 1919 Mount Rushmore Road (PF-23368)
68. Fancies Flowers & Gifts Inc. dba Fancies Flowers & Gifts, 1301 Mt. Rushmore Road (PF-8164)
69. Victoria’s Garden LLC dba Victoria’s Garden LLC, 320 7<sup>th</sup> Street (PF-24502)
70. Microtel Chrisbro, LLC dba Microtel Inn & Suites, 1740 Rapp Street (PF-25086)

***Assessment Rolls***

71. LF053018-02 – Approve Resolution No. 2018-036B a Resolution Levying Assessment for Cleanup of Miscellaneous Property

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

END OF CONSENT PUBLIC HEARING CALENDAR

**NON-CONSENT PUBLIC HEARING ITEMS** – Items 72 – 73

72. 18OA012 – Second Reading, Ordinance No. 6250 an Ordinance Amendment to Adopt Regulations Concerning Mobile Food Vendors by Adopting Provisions in Title 17 of the Rapid City Municipal Code.

**Recommendation: Approve**

73. No. 17VR009 - A request by Fisk Land Surveying & Consulting Engineers, Inc for Northwestern Engineering Company, Harney Lumber Company and The Robford Company, LLC for a Vacation of Right-of-Way for property generally described as being located on the north side of Kansas City Street west of West Street.

**Recommendation: Approve**

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

**BILLS**

74. No. CC060418-01 – Bill List for June 4, 2018

**ADJOURN**