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, August 20, 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 (NONE)

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 1 – 41

Open Public Comment – Items 1 – 33 (3-minute time limit per speaker)
Close Public Comment

CONSENT ITEMS – Items 3 – 33

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

Approve Minutes
1. Approve Minutes for the August 6, 2018 Regular Council meeting.
2. Approve Minutes for the August 6, 2018 Special Council meeting.

Vacations of Right-Of-Way Set for Hearing (September 17, 2018)
3. No. 18VR003 - A request by KTM Design Solutions, Inc. for Eugene and Laveen Bolton Family Trust for a Vacation of Right-of-Way for property generally described as being located at 1122 Franklin Street.

Alcoholic Beverage License Applications Set for Hearing (September 4, 2018)
4. Black Hills Flooring, LLC DBA Black Hills Flooring, 333 Omaha Street Suite 1 for a Retail (on-off sale) Malt Beverage License and a Retail (on-off sale) Wine License

Public Works Committee Consent Items
6. PW081418-12 – Confirm the Reappointment of Michael Magda to the Rapid City Area Air Quality Board.
8. PW081418-02 – Approve Change Order 1F to Tru-Form Construction, Inc. for Concrete Repair - Sheridan Lake Road, Project No. 17-2422 / CIP No. 50445 for a decrease of $2,542.28.
9. PW081418-03 – Approve Change Order 2 to Western Construction for Catron Boulevard Widening Project, Project No. 16-2343 / CIP No. 51115 for an increase of $12,768.74.
10. PW081418-04 – Approve Change Order 3F to Complete Concrete, Inc. for Mt. Rushmore Road Utility Reconstruction - Flormann Street to St. James Street, Project No. 15-2051 / CIP No. 50867 for a decrease of $17,694.67.
11. PW081418-05 – Authorize Staff to Advertise for Bids for 2018 MIPS - Asphalt, Project No. 18-2457 / CIP No. 50298. Estimated Cost: $150,000.00.
12. PW081418-06 – Authorize Staff to Advertise for Bids for 2018 MIPS - Concrete, Project No. 17-2395 / CIP No. 50298. Estimated Cost: $210,000.00.
13. PW081418-09 – Authorize Mayor and Finance Officer to Sign Amendment No. 1 between the City of Rapid City and FMG Engineering for Landfill Cell 18 Liner and Leachate Collection, Project No. 16-2371, in the amount of $43,344.00.
14. PW081418-10 – Approve Change Order No. 1 to Simon Contractors of SD, Inc. for Braeburn Dog Park Parking Lot Imp. Project PR18-2407, for an increase of $87.77.
15. PW081418-08 – Authorize Staff to Purchase a New Caterpillar 826K Landfill Compactor for Rapid City Solid Waste Landfill through Sourcewell Contract #032515 CAT for a total cost $714,310.00. Anticipated delivery, February 2019.
16. PW071018-04 – Acknowledge the Applicant’s withdrawal of Request from MF Properties, LLC for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 along La Crosse Street for the property located at 601 E Omaha Street.

**Legal & Finance Committee Consent Items**
18. LF081518-05 – Confirm the Appointment of Mary Jane Chiles to the RSVP+ Community Advisory Council
19. LF081518-03 – Authorize Staff to Apply and Accept if Awarded the 2018 JAG Grant in the Amount of $96,176 to be Evenly Split Between RCPD and the Pennington County Sheriff’s Office
20. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Mary Jane Chiles (RSVP+), Lynette Hayford (RSVP+), Deborah Jurski (RSVP+), Patricia Tibbetts (RSVP+), Joy Williams (RSVP+)
21. LF081518-01 – Acknowledge June 2018 Sales Tax Report
22. LF081518-02 – Approve Resolution No. 2018-059 a Resolution Declaring Miscellaneous Personal Property Surplus
23. LF081518-04 – Authorize Mayor and Finance Officer to Sign Life Safety Loan Agreement Between Love, Inc. of the Black Hills and the City of Rapid City

**CIP Committee Consent Items**
24. No. CIP081718-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, CSAC, Summary)
25. No. CIP081718-04 – Approve Capital Plan for Fire Vehicles
26. No. CIP081718-05 – Approve Capital Plan for Parks & Recreation
27. No. CIP081718-06 – Approve Capital Plan for Information Technology
28. No. CIP081718-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
29. No. CIP081718-02 – Approve Capital Plan for PW Infrastructure (Formerly called Capital Plan for Streets, Drainage, MIP Projects).
30. No. CIP081718-07 – Acknowledge Stormwater Drainage Discussion – Lisa Modrick

**Community Planning & Development Services Department Consent Items**
31. 18RS003 – Approve Option 1 of the Appeal the Denial for New Construction in a Historic District Located at 1221 12th Street Pursuant to SDCL1-19A-11.1 and RCMC 17.54.080.
**Bid Award Consent Items**

32. No. CC080618-02.1 – Approve Award of Bid for Cemetery Storage Building Project No. PR18-6165 to RCS Construction, the sole bidder, based on their low unit prices bid, for a total contract amount of $243,235.15.

33. No. CC082018-02.1 – Approve Award of Bid for Six (6) Pre-Wet Systems in the amount of $17,133.00 to Dakota Fluid Power as the lowest bidder. These Pre-Wet Systems are will be used at the Streets Division.

END OF CONSENT ITEMS

**NON-CONSENT ITEMS** – Items 34 – 41

*Open Public Comment* – Items 34 – 41 (3-minute time limit per speaker)

*Close Public Comment*

**Ordinances**

   **Recommendation: Approve**

35. LF080118-03 – Second Reading, Ordinance 6272, an Ordinance Regarding Supplemental Appropriation #5 for 2018.  
   **Recommendation: Approve**  
   No. 18RZ021 - First Reading, Ordinance 6273, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Brandon Powles of Copper Canyon Homes for a Rezoning from General Commercial District to Medium Density Residential District for property generally described as being located at 816 1/2 Saint James Street.  
   **Recommendation: Approve**

36. No. 18RZ023 - First Reading, Ordinance 6275, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Fisk Land Surveying and Consulting Engineers, Inc. for Dr. Dale Anderson for a Rezoning from Light Industrial District to Office Commercial District for property generally described as being located at 1622 and 1636 Concourse Court.  
   **Recommendation: Staff recommends to continue to the 9/4/2018 City Council meeting at applicant’s request to be heard in conjunction with the Appeal of 18UR008.**

**Public Works Committee Items**

37. PW081418-07 – Authorize Mayor and Finance Officer to Sign Professional Services Agreement between the City of Rapid City and Renner Associates, LLC for Tower Court Stormwater Outfall Stabilization, Project No. 18-2455 / CIP No. 51203 in the amount of $31,730.90.  
   **Recommendation: Approve 4-1 with Modrick voting no.**

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

**CIP Committee Items (NONE)**

**Community Planning & Development Services Department Items**

38. LF081518-06 – Approve Request for Council Approval to Subordinate CDBG Assisted Mortgages.  
   **Recommendation: Approve 3-0 with Salamun abstaining**

39. No. 18PL061 - A request by KTM Design Solutions, Inc. for Zeus Land Holdings, LLC for a Preliminary Subdivision Plan for proposed Lots 1, 2A thru 4B, 11A thru 14B, 15 thru 19, 20A thru
26B of Block 1 of Stoney Creek Reserve, generally described as being located southeast of the intersection of Overview Road and Nugget Gulch Road.

**Recommendation: Approve with Stipulations**

40. No. 18PL062 - A request by KTM Design Solutions, Inc. for Bradley Nible for a Preliminary Subdivision Plan for proposed Lot 2C and 2D of Block 6 of Harney Peak View Addition, generally described as being located approximately 600 feet west of the intersection of Jolly Lane and School Drive.

**Recommendation: Approve with Stipulations**

41. No. 18PL065 - A request by John Van Beek of Ferber Engineering Company for Hay Land LLC for a Preliminary Subdivision Plan for proposed Lots 1 and 2 of Block 2 of East Mall Business Center Subdivision, generally described as being located north of 1-90, south of E. Mall 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 (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 42 – 47

**Open Public Hearing (comment)** - Items 42 – 47 (3-minute time limit per speaker)

[Public Hearing Remains Open]

**Close Public Hearing (comment)** - Items 42 – 47

**CONSENT PUBLIC HEARING ITEMS** – Item 42 – 44

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

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

**Alcohol Licenses**

42. West Boulevard Neighborhood Association for a SPECIAL EVENT Malt Beverage and On-Sale Wine license for an event scheduled for September 8, 2018 at the intersection of Fulton and West Blvd, 1115 West Boulevard
43. Canyon Lake Activity Center for a SPECIAL EVENT Malt Beverage and On-Sale Wine license for an event scheduled for October 12, 2018 at 2900 Canyon Lake Drive
44. Western Dakota Tech Foundation for a SPECIAL EVENT Malt Beverage license for an event scheduled for September 14, 2018 at 800 Mickelson Drive

Assessment Rolls (NONE)

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 44 – 47
45. No. 18RZ018 – Second Reading, Ordinance 6267, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Joseph Simpson for a Rezoning from General Agricultural District to Medium Density Residential District for property generally described as being located northeast of the intersection of Harmony Heights Lane and Sunny Springs Drive.
   **Recommendation: Approve**
46. No. 18RZ019 - Second Reading, Ordinance 6268, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning from No Use District to Park Forest District for property generally described as being located at 3700 Red Rock Canyon Road.
   **Recommendation: Approve contingent upon the approval of Petition for Annexation (18AN004)**
47. No. 18RZ020 - Second Reading, Ordinance 6269, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Renner Associates, LLC for Paradigm Construction for a Rezoning from General Commercial District to Office Commercial District for property generally described as being located at 1330 E. Minnesota Street.
   **Recommendation: Approve in conjunction with Initial Planned Development (18PD022)**
   **Which was approved at the July 26, 2018 Planning Commission meeting**

BILLS
48. No. CC082018-01 – Bill List for August 20, 2018

ADJOURN