

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, September 17, 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 – 47

Open Public Comment – Items 1 – 38 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 1 – 38

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

Approve Minutes

1. Approve Minutes for the September 4, 2018 Regular Council meeting.
2. Approve Minutes for the August 28, 2018 Special Council meeting.

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

Alcoholic Beverage License Applications Set for Hearing (October 1, 2018)

3. Rapid City Chamber of Commerce for a SPECIAL EVENT on-Sale Malt Beverage and on-Sale Wine License for an Event scheduled for October 9, 2018 at VAST Broadband, 809 Deadwood Ave
4. Rapid City Chamber of Commerce for a SPECIAL EVENT on-Sale Malt Beverage and on-Sale Wine License for an Event scheduled for October 18, 2018 at Regional Health Center, 2925 Regional Way
5. Rapid City Catholic School System for a SPECIAL EVENT On-Sale Malt Beverage, On-Sale Wine and Off-sale package wine license for an Event scheduled for November 30, 2018 at Terra Sancta, 2101 City Springs Road
6. Western Dakota Tech Foundation for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine License for an Event schedule for October 25, 2018 at Western Dakota Tech, 800 Michelson Drive
- 6A. Fiesta Tequila Mexican Restaurant LLC, DBA Fiesta Tequila Mexican Restaurant, 1001 E North Street for a Retail (on-off Sale) Malt Beverage & SD Farm Wine License.

Public Works Committee Consent Items

7. PW091118-01 – Approve Change Order 1F to Simon Contractors of SD, Inc. for Pavement Rehabilitation Project – East Van Buren Street, Project No. 17-2418 / CIP No. 50844 for a decrease of \$4,153.99.
8. PW091118-02 – Approve Change Order 1F to Simon Contractors of SD, Inc. for 2018 Chip Sealing Project, Project No. 18-2436 / CIP No. 50844 for an increase of \$20,755.96.
9. PW091118-03 – Approve Change Order 1 to Simon Contractors of SD, Inc. for E. Blvd / E. North Street Utility Reconstruction, Project No. 14-2170 / CIP No. 50866.1. This is a no cost change order to correct a bid item.
10. PW091118-04 – Approve Change Order 1F to Simon Contractors of SD, Inc. for Pavement Rehabilitation Project – Soo San Drive, Project No. 17-2415 / CIP No. 50798 for a decrease of \$2,936.95.
11. PW091118-05 – Approve Change Order 1F to Western Construction, Inc. for Tomahawk Area Overlay Pavement Rehabilitation Project., Project No. 17-2361 / CIP No. 50844 for an increase of \$52,883.17.
12. PW091118-06 – Approve Change Order 5 to R.C.S. Construction, Inc. for E. Idaho, E. Nevada, Ivy Ave Street and Utility Reconstruction and Meade/Hawthorne Drainage Element 221 Improvements, Project No. 15-2253 / CIP No. 5421.3.1B for an increase of \$51,861.81.
13. PW091118-07 – Authorize Staff to Advertise for Bids for 2018 Traffic Operations Upgrades – Sign Replacement, Project No. 18-2459 / CIP No. 51407. Estimated Cost: \$82,715.
14. PW091118-08 – Authorize Staff to Seek Proposals for Alfalfa/Hay Harvesting of City Property.
15. PW091118-09 – Authorize Mayor and Finance Officer to Sign an Amendment to Professional Services Agreement with FMG Engineering for Rushmore Plaza Civic Center Arena Expansion – Boundary and Topographic Survey, Project No. 18-2452 in the amount of \$19,770.00.
16. PW091118-10 – Authorize Mayor and Finance Office to sign permanent and temporary easement agreements with the SDDOT for the installation of ADA ramps under the SDDOT projects NH-PS 0044(00)44, PCN No. 04Tg and NH 0016(00)68 PCN No. 05JH. City Project No. 18-2451 / CIP No. 51193.
17. PW091118-11 – Authorize Mayor and Finance Office to Sign an Agreement between the City of Rapid City and FMG Engineering for Professional Engineering Services for Perrine and Unnamed Tributary Drainage Basin Design Plans (DBDPs) Amendment – Phase 2, Project No. 18-2430 / CIP No. 51189.2, in the amount of \$146,196.00.
18. PW091118-12 – Authorize Mayor and Finance Officer to Sign Amendment No. 1 to Agreement No. 715367 between Department of Transportation and City of Rapid City for City Project No. SS10-1837 / CIP 50177, PCN X02U, and SDDOT project P 0044(149)40 PCN 6925 and P 0044(0040 PCN 04QJ.
19. PW091118-13 – Authorize Mayor and Finance Officer to Sign Amendment No. 5 to the Agreement between Kadrmass, Lee and Jackson and the City of Rapid City for East North/East Boulevard from St. Joseph Street to Herman Street, Project No. 08-1511 / CIP No. 50142, in the amount of \$102,940.10.
20. PW091118-14 – Approve a Request from Mountain Shadow, LLC for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 along South Plaza Drive for the property located at 2329 South Plaza Drive.
21. PW091118-15 – Delegate Authority to the Public Works Director for Execution of Standard Agreement for Utility Relocation Without Regard to Aggregate Limitation of Section 3.04.090.
22. PW091118-16 – Authorize Staff to Advertise for Bids for Snow Removal Operations for City Parking Lots. Estimated Cost: \$60,000.00.
23. PW091118-18 – Authorize Staff to Advertise for Bids for Equipment Rental Rates for Snow Removal Operations. Estimated Cost: \$50,000.00.
24. 18TP026 – Approve the 2019-2022 Transportation Improvement Program – Final Report.
25. 18TP027 – Approve the Rapid City Railroad Quiet Zone – Final Report.
26. PW091118-17 – Approve Contract Extension to G. J. Holsworth & Son, Inc. for Parking Lot Contracts for Lot 6-2 and Lot 9 for the 2018-2019 snow season.

27. 18TP029 – Authorize Staff to Advertise a Request for Proposals for the Meade County Corridor Study from Erickson Ranch Road to 143rd Avenue
28. PW091118-20 – Acknowledge Water Division Presentation – Jeff Crockett.

Legal & Finance Committee Consent Items

29. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Nancy Eldridge (RSVP+), LaDonna LaDeaux (RSVP+), Andrew Simco (Library), Erika Cervený (Library), Colin Killpack (RSVP+), Aliya Thompson (Library), Felicia Sauceman (Police Department)
30. LF091218-08 – Approve Resolution No. 2018-067 a Resolution Declaring Miscellaneous Personal Property Surplus
31. LF091218-09 – Approve Resolution No. 2018-068 a Resolution Declaring Miscellaneous Personal Property Surplus and Transferring Property to Pennington County Sheriff’s Office
32. LF091218-10 – Approve Resolution No. 2018-071 a Resolution Levying Assessment for Abatement of Nuisances
33. LF091218-11 – Approve Audit Report of City of Rapid City – 2017 Financial and Compliance Report
34. LF091218-02 – Authorize Mayor and Finance Officer to Sign the FY2016 Community Development Block Grant (CDBG) Indenture of Restrictive Covenants for Working Against Violence, Inc. (WAVI)
35. LF091218-03 – Authorize Mayor and Finance Officer to Sign the FY2017 Community Development Block Grant (CDBG) Indenture of Restrictive Covenants for Youth and Family Services, Inc.
36. LF091218-04 – Authorize Mayor and Finance Officer to Sign the FY2016 Community Development Block Grant (CDBG) Indenture of Restrictive Covenants for Feeding South Dakota, Inc.
37. LF091218-05 – Authorize Mayor and Finance Officer to Sign the FY2016 Community Development Block Grant (CDBG) Indenture of Restrictive Covenants for Lutheran Social Services – New Alternative Program
38. LF091218-07 – Approve Resolution No. 2018-070 a Resolution Pledging Revenue from the City’s Water Utility for Use in Repaying Bonds to Construct Certain Improvements to the City’s Water System

Community Development Department Consent Items (NONE)

Bid Award Consent Items (NONE)

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 39 – 47 [to Public Hearing Items]

Open Public Comment – Items 39 – 47 (3-minute time limit per speaker)

Close Public Comment

Legal & Finance Committee Items

39. LF091218-06 – Resolution 2018-069 a Resolution of Intent to Take the Statutorily Authorized Increase in Property Tax Revenue as Part of the Annual Appropriation Ordinance for the 2019 Fiscal Year.
Recommendation: Send to Council without recommendation.

Ordinances

40. LF082918-07 – Second Reading of Ordinance No. 6281 an Ordinance Regarding FY2019 Appropriation Ordinance.
Recommendation: Approve

41. LF082918-01 – Second Reading of Ordinance No. 6276 an Ordinance to Amend Sections of the Rapid City Municipal Code Relating to Infested Trees and Storage of Wood.
Recommendation: Approve
42. LF091218-01 – First Reading of Ordinance No. 6283 an Ordinance Regarding Supplemental Appropriation #6 for 2018.
Recommendation: Approve
43. No. 18RZ022 - First Reading, Ordinance 6274, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for BH Capital, LLC for a Rezoning from General Agricultural District to Medium Density Residential District for property generally described as being located east of Valley Drive and west of Copperfield Vista.
Recommendation: Approve in Conjunction with Preliminary Subdivision Plan 18PL064

Public Works Committee Items

44. PW091118-19 – Request from Independent Truck Repair for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 along Emerson Lane for the property located at 2333 Emerson Lane.
Recommendation: Approve 4-1 with Nordstrom voting no.

CIP Committee Items (NONE)**Community Development Items**

45. LF082918-04 – Approve Investment Committee’s Recommendation to Council to Cancel Community Development Block Grant (CDBG) Funding for FY2015 (\$120,721.56) and FY2017 (\$75,000) Awarded to Freeland Ranch/Hagg for Non-Performance and Call the Irrevocable Letter of Credit Due for the FY2015 Funds (*continued from the August 29, 2018 Legal and Finance Committee Meeting*)
Recommendation: Allow additional time for Freeland Ranch/Hagg to meet three benchmarks: 1) October 1, 2018 – an extension on the irrevocable line of credit for the FY 2015 funds in the amount of \$120,000 must be submitted; 2) March 10, 2019 – Re-evaluate to make sure he is making all of the milestones with Planning; and 3) May 1, 2019 – Funding must be secured and identified.
46. No. 18PL064 - A request by KTM Design Solutions, Inc for BH Capital, LLC for a Preliminary Subdivision Plan for proposed Lots A and B of Diamond Ridge Subdivision, generally described as being located east of Valley Drive and west of Copperfield Vista.
Recommendation: Approve with stipulations
47. No. 18PL074 - A request by KTM Design Solutions, Inc for Dakota Heartland, Inc. for a Preliminary Subdivision Plan for proposed Lots 4 thru 6 of Block 5 and Lots 1 thru 2 of Block 6 of Big Sky Business Park, generally described as being located lying north of the terminus of Degest Drive.
Recommendation: Approve with Stipulations

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 48 - 51

Open Public Hearing (comment) - Items 48 –51 (3-minute time limit per speaker)
[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 48 – 51

CONSENT PUBLIC HEARING ITEMS – Item 48 – 49

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

Community Development Department Items (NONE)

Alcohol Licenses

- 48. Naja Shrine for a SPECIAL EVENT On-Sale Dealer License for an Event scheduled for October 6, 2018 at Rapid City Shrine Center, 4091 Sturgis Road
- 49. Jorge Mata LLC DBA El Sombrero, 1012 E North Street Suite A for a Retail (on-off sale) Wine and Cider TRANSFER and Retail (on-off sale) Malt Beverage & SD Farm Wine TRANSFER from Joaquin Martinez DBA El Sombrero, 1012 E North Street Suite A

Assessment Rolls (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 50 – 51

- 50. No. 18RZ023 - Second 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: Approve
- 51. 18VR003 – Resolution No. 2018-060 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 1122 Franklin Street.
Recommendation: Approve

BILLS

- 52. No. CC091718-01 – Bill List for September 17, 2018

ADJOURN