

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, January 7, 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. Employee Recognition

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 – 49

Open Public Comment – Items 2 – 41 (3-minute time limit per speaker)
Close Public Comment

CONSENT ITEMS – Items 2 – 41

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

Approve Minutes

2. Approve Minutes for the December 17, 2018 Regular Council meeting.
3. Approve Minutes for the December 27, 2018 Special Council meeting.

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

Alcoholic Beverage License Applications Set for Hearing (Tuesday, January 22, 2019)

4. DNJ, Inc. DBA Dickey’s BBQ for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine license for an Event scheduled for February 7, 2019 at The Rushmore Mall, 2200 N Maple Ave, roped off common area in front of Victoria Secret
5. DNJ, Inc. DBA Dickey’s BBQ for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine License for an Event scheduled for February 23, 2019 at The Rushmore Mall, 2200 N Maple Ave, Suite 2003 (The old Sears location.)
6. American Heart Association for a SPECIAL EVENT On-Sale Dealer license and Off-Sale Package Wine Dealer license for an Event scheduled for February 23, 2019 at Rushmore Plaza Civic Center, 444 N. Mt. Rushmore Rd.
7. Pennington County Democratic Party for a SPECIAL EVENT On-Sale Wine License for an Event scheduled for February 8, 2019 at Prairie Edge, 606 Main Street
8. Knights of Columbus for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine License for an Event scheduled for February 8, 2019 at Blessed Sacrament Church, 4500 Jackson Blvd

9. BW Gas & Convenience Retail LLC DBA Yesway #1187, 4030 Cheyenne Blvd for a Retail (on-off sale) Wine and Cider license

Public Works Committee Consent Items

10. PW010219-01 – Approve Authorization for Staff to Seek Proposals for Engineering Services for Lime Creek Detailed Analysis of Federal Emergency Management Agency (FEMA) Special Flood Hazard Areas (SFHA), Project No.18-2479 / CIP No. 51192.
11. PW010219-02 - Authorize Mayor and Finance Officer to Sign a Resolution Authorizing Designees of Director of Public Works to Sign Documentation Required for Construction Project Coverage Under South Dakota Department of Natural Resources General Permit for Discharges Associated With Construction Activities
12. PW010219-03 - Authorize Mayor and Finance Officer to Sign an Amendment between the City of Rapid City and FMG Inc. for Professional Services for West Memorial Park Improvements, Project No. 2246 / CIP No. 51083, in the amount of \$32,789.50.
13. PW010219-04 - Authorize staff to advertise for bids for Main Street Valve Repair 5th to West Blvd. Project No. 18-2456, CIP No. 50705
14. PW010219-13 - Authorize Mayor and Finance Officer to Sign Amendment #2 to the Agreement Between the City of Rapid City and Ferber Engineering Company, Inc. for Design and Bidding Professional Services for W. Omaha Street Utilities – Sheffer Street to 12th Street, Project No. 16-2099 / CIP 50904
15. PW010219-14 – Approve Change Order 2 to Simon Contractors of SD, Inc. for East Boulevard/East North Street Utility Reconstruction, Project #14-2170/CIP 50866.1 for an increase of \$31,160.00.
16. PW010219-15 – Approve Change Order 1F to Simon Contractors of SD, Inc. for San Marco Boulevard Reconstruction, Project #17-2412/CIP 50429 for an increase of \$25,769.31.
17. PW010219-16 - Approve Change Order 2 to Highmark, Inc. for Omaha Trunk Sewer Reconstruction, Project #17-2423/CIP 50878.1 for an increase of \$49,369.16.
18. PW010219-05 - Authorize Mayor and Finance Officer to Sign State of SDDOT Section 5307 Urban Public Transportation Matching Funds Agreement for \$37,837.50
19. PW010219-12 – Approve Council Ratification of Agreement with Navistar Regarding the Engine Repower of 7 Transit Busses for \$190,000.00.
20. PW010219-06 - Authorize Staff to Purchase a 2019 Chevrolet Express 1 Ton, 12 Passenger Van from Liberty Superstores with matching State Bid Pricing in the Amount of \$28,723.00.
21. PW010219-07 - Authorize Staff to Purchase a 2019 Chevrolet Silverado 3/4 Truck, 4x4, Extended Cab Short Box from Lamb Chevrolet with State Bid Contract Pricing in the Amount of \$28,642.00
22. PW010219-08 - Authorize Staff to Purchase a 2019 RAM Tradesman 4x4, Crew Cab, Short Box Truck from Liberty Superstores with Matching State Bid Pricing in the Amount of \$27,747.
23. PW010219-09 - Authorize Staff to Purchase a 2019 RAM Tradesman 4x4, Crew Cab, Short Box Truck from Liberty Superstores with Matching State Bid Pricing in the Amount of \$27,052.
24. PW010219-10 - Authorize Staff to Purchase 2 (two) 2019 Groundsmaster 4000D T4 AWD with Light Adapter Kit and Road Light Kit from Midwest Turf & Irrigation with IPA Pricing for \$64,425.00 each with a Total Price of \$128,850.00

Legal & Finance Committee Consent Items

25. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Bailey Huepel (RSVP+),
26. LF010219-01 – Authorize Mayor and Finance Officer to Sign Engagement Letter with Ketel Thorstenson, LLP for the FY2018 Audit
27. LF010219-06 – Approve request for property tax abatement as follows: David Schlinkert; Applicant, having otherwise qualified for the Assessment Freeze for the Elderly and Disabled, but missed the deadline as prescribed in 10-6A-4
28. LF010219-07 – Acknowledge November 2018 General Fund Cash Balance Report

29. LF010219-08 – Approve Resolution No. 2019-001 a Resolution Levying Assessment for Abatement of Nuisances
30. LF010219-13 – Approve 2019 Insurance Renewals-Property, Liability & Workers Comp

CIP Committee Consent Items

31. No. CIP122118-00 - Acknowledge Capital Improvement Programs Committee Monthly Updates for December 2018
32. No. CIP122118-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, CSAC, Summary)
33. No. CIP122118-04 – Approve Capital Plan for Fire Vehicles
34. No. CIP122118-05 – Approve Capital Plan for Parks & Recreation
35. No. CIP122118-06 – Approve Capital Plan for Information Technology
36. No. CIP122118-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
37. No. CIP122118-02 – Approve Capital Plan for PW Infrastructure (Formerly called Capital Plan for Streets, Drainage, MIP Projects).

Community Department Consent Items

38. LF010219-09 – Approve FY 2018 Community Development Block Grant (CDBG) Reallocation/Allocation of Grant and Program Income Funds
39. LF010219-10 – Approve FY 2019 Community Investment Human Services Allocation Recommendations
40. LF010219-11 – Approve FY 2019 Community Development Block Grant (CDBG) Funds Annual Plan Allocations Recommendation
41. 18TP042 – Approve 2019 Unified Planning Work Program Amendment #19-01

Bid Award Consent Items (NONE)

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 42 – 49

Open Public Comment – Items 42 – 49 (3-minute time limit per speaker)

Close Public Comment

Ordinances

42. No. 18RZ027 - First Reading, Ordinance 6287, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KW Commercial for Samuelson Development, LLC for a Rezoning request from General Agricultural District to Office Commercial District for property generally described as being located northwest of the intersection of Mount Rushmore Road and Fox Road.
Recommendation: Deny (This item was continued from the December 17, 2018 City Council meeting to be heard in conjunction with the Appeal of Planned Development application 18PD029.)
43. No. 18RZ028 - First Reading, Ordinance 6288, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KW Commercial for Samuelson Development, LLC for a Rezoning request from General Commercial District to Office Commercial District for property generally described as being located northwest of the intersection of Mount Rushmore Road and Fox Road.
Recommendation: Deny (This item was continued from the December 17, 2018 City Council meeting to be heard in conjunction with the Appeal of Planned Development application 18PD029.)

- 44. LF010219-02 – First Reading, Ordinance No. 6264, an Ordinance to Amend Chapter 15.14 of the Rapid City Municipal Code to Adopt the 2018 International Property Maintenance Code.
Recommendation: Approve
- 45. LF010219-03 – First Reading, Ordinance No. 6266, an Ordinance to Amend Chapter 15.22 of the Rapid City Municipal Code to Adopt the 2018 International Fuel Gas Code.
Recommendation: Approve
- 46. LF010219-04 – First Reading, Ordinance No. 6270 an Ordinance to Amend Chapter 15.13 of the Rapid City Municipal Code to Adopt the 2018 International Residential Code.
Recommendation: Approve
- 47. LF010219-05 – First Reading, Ordinance No. 6285 an Ordinance to Amend Chapter 15.12 of the Rapid City Municipal Code to Adopt the 2018 International Building Code.
Recommendation: Approve

Public Works Committee Items

- 48. PW010219-11 - Appeal by KTM Design Solutions, Inc. on Behalf of BH Capital, LLC of an Exception Request Denial to Allow for 93 Dwelling Units with One Point of Access.
Recommendation: Approve

Legal & Finance Committee Items

- 49. LF010219-12 – Direct staff to draft an ordinance or resolution requiring written justification for any future fee adjustments.
Recommendation: Send to Council without Recommendation

CIP Committee Items (NONE)

Community Planning & Development Services Department 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 50 – 53

Open Public Hearing (comment) - Items 50 –53 (3-minute time limit per speaker)
[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 50 – 53

CONSENT PUBLIC HEARING ITEMS – Item 50

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

Community Planning & Development Services Department Items (NONE)

Alcohol Licenses

- 50. Cortez, LLC DBA Alex Johnson Hotel, 523 6th Street for a Package Delivery License

Assessment Rolls (NONE)

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 51 – 53

- 51. 18OA014 – Second Reading, Ordinance No. 6291, an Ordinance Amendment to Update the Requirements for Private Garages by Amending Sections 17.04.315, 17.08.030J, 17.10.030N and 17.38.030L of the Rapid City Municipal Code.

Recommendation: Approve

- 52. No. 18PD029 - Appeal of Planning Commission’s decision on a request by KW Commercial for Samuelson Development, LLC for an Initial Planned Development Overlay to allow an apartment development for property generally described as being located northwest of the intersection of Mount Rushmore Road and Fox Road. (This is an Appeal of Planning Commission’s Decision to Deny.)

Recommendation: Deny

- 53. No. 18PD033 - Appeal of Planning Commission’s decision on a request by Bob Brandt for a Final Planned Development Overlay to allow an oversized garage for property generally described as being located 1780 Skyline Ranch Road. (This is an Appeal of Planning Commission’s Decision to Approve with Stipulations.)

Recommendation: Deny

EXECUTIVE SESSION to consult with legal counsel about pending litigation pursuant to SDCL 1-25-2(4).

STAFF DIRECTION – Staff direction regarding potential resolution of Elliason v. Rapid City.

BILLS

- 54. No. CC010719-01 – Bill List for January 7, 2019.

ADJOURN