

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, March 18, 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. Mayor's Committee Above and Beyond Recognition – Bethel Assembly

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 – 48

Open Public Comment – Items 2 – 23 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 2 – 23

Remove Items from the "Consent Items" and Vote on Remaining Consent Items

Approve Minutes

2. Approve Minutes for the March 4, 2019 Regular Council meeting.

Vacations of Right-Of-Way Set for Hearing (April 15, 2019)

3. No. 19VR001 - A request by Scott O'Meara for OM Properties for a Vacation of Right-of-Way for property generally described as being located 316 and 324 East Boulevard.

Alcoholic Beverage License Applications Set for Hearing (April 1, 2019)

4. Chrisbro 4 LLC DBA Hampton Inn & Suites, 825 Eglin Street for a Retail (on-off sale) Malt Beverage & SD Farm Wine license
5. Chrisbro 4 LLC DBA TRU by Hilton, 825 Eglin Street for a Retail (on-off sale) Malt Beverage & SD Farm Wine license
6. Mexico Tipico LLC DBA Mexico Tipico, 1900 N. Maple for a Retail (on-off sale) Malt Beverage & SD Farm Wine license and a Retail (on-off sale) Wine and Cider license
7. Rapid City Chamber of Commerce for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine Retailer license for an event scheduled for April 18, 2019 at Premier Home Mortgage, 3024 Tower Road
8. Rapid City Chamber of Commerce for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine Retailer license for an event scheduled for May 16, 2019 at Ketel Thorstenson, LLP, 810 Quincy Street

- 8A. Cortez, Inc. dba Alex Johnson Hotel for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine Retailer license for an event scheduled for April 12, 2019 at Mt. Rushmore Society, 830 Main Street

Public Works Committee Consent Items

9. PW031219-02 - Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid and Sperlich Consulting, Inc. for Professional Engineering Services for Lime Creek Detailed Analysis of Federal Emergency Management Agency (FEMA) Special Flood Hazard Area (SFHA), Project No. 18-2479, CIP No. 51192, amount not to exceed \$115,525.00.
10. PW031219-03 - Approve request from Jeff Schreter & Sharleen Schreter for a Variance to Waive the Requirement to Install Sidewalk along 12th Street, Rapid City, per City Ordinance 12.08.060.
11. PW031219-04 - Approve Change Order 1 to Complete Concrete, Inc. for West Chicago Utilities Project, Project 12-2022/CIP 50448 for an increase of \$9,324.40.
12. PW031219-05 - Authorize lowering the percentage of work that the Contractor must perform, within their own organization, from 50% to 35% for the Disk Drive and Haines Avenue Intersection. Project Number 16-2347/ CIP # 51121.
13. PW031219-11 - Authorize Mayor and Finance Officer to sign a Professional Services Agreement with Respec Company, LLC for Engineering Services for Old Lime Creek Detention Cell 256, Project No. 19-2486 / CIP NO. 51176 amount not to exceed \$25,625.00.
14. PW031219-12 - Authorize Staff to advertise for Bids for 2019 Lane Line Painting, Project No. 19-2496 / CIP No. 50594. Estimated Cost: \$110,000.
15. PW031219-06 - Approve Purchase one (1) Current Model Year Dodge Ram 1500 Pickup. Liberty Dodge Superstore will honor the State Contract #17259 for \$27,052.00.
16. PW031219-07 – Approve Advertising Authority for Water Reclamation Cationic Sludge Polymer \$85,000 estimated annual contract.
17. PW031219-09 – Approve Request Authorization to Advertise for Bids for, “Rapid City Water Reclamation Facility Digester Motor Control Center (MCC) and UV/Administration Transfer Switch Replacement”, Project No. 19-2485 / CIP No. 51216. Estimated Construction Cost \$250,000
18. PW031219-13 - Approve Purchase of one (1) current Model Year Ford F350 Extended Cab Pickup from McKie Ford, honoring State Contract #17257 price of \$42,070.00
19. PW031219-10 - Approve Resolution 2019-020 authorizing the Director of Public Works or his designee to apply for, and if awarded to accept, South Dakota Department of Environment and Natural Resources (SDDENR) Grant funding for purchase of equipment for the Solid Waste Division.
20. PW031219-08 - Approve Change Order No. 3F to RCS Construction, Inc. for Cemetery Storage Building Project No. PR18-6165. This is a no cost change order needed to correct the funding allocations for the project.

Legal & Finance Committee Consent Items (NONE)

CIP Committee Consent Items (NONE)

Community Development Consent Items (NONE)

Bid Award Consent Items

21. No. CC031819-02.1 – Approve award of Total Base Bid plus Alternate Number One for Parks and Recreation 2019 Asphalt Paving Project, Project No. PR19-6166 opened on March 12, 2019 to the lowest responsible bidder, Simon Contractors of South Dakota, Inc. in the amount of \$576,669.74.
22. No. CC031819-02.2 – Approve award of total bid for Knollwood Drive Inlay Project, Project No. 18-2473 / CIP No. 50798 opened on March 12, 2019 to the lowest responsible bidder, Complete Concrete, Inc. in the amount of \$112,822.00.

23. No. CC031819-02.3 – Approve award of contract for Sodium Chloride for the Street Division to Nebraska Salt & Grain Company in the amount of \$79.79 per ton.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 24 – 48

Open Public Comment – Items 24 – 48 (3-minute time limit per speaker)

Close Public Comment

Ordinances

24. LF022719-01 – Second Reading, Ordinance 6308, An Ordinance to Amend Chapter 13.32 of the Rapid City Municipal Code Relating to City Cemeteries.
****There was no Legal & Finance meeting.**First reading was approved at 3/4/19 Council****
25. LF022719-02 – Second Reading, Ordinance 6312, Regarding Supplemental Appropriation #1 for 2019.
****There was no Legal & Finance meeting.**First reading was approved at 3/4/19 Council****
26. No. 19RZ005 - First Reading, Ordinance 6313, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for Maguire Services, LLC for a Rezoning Request from Park Forest to Low Density Residential for property generally described as being located southeast of the intersection of Oak Avenue and Indiana Street.
Recommendation: Planning Commission recommended to Deny

Ordinances – Items 27 – 32 will not have a recommendation since there was no Legal and Finance meeting on Wednesday, March 13, 2019

27. LF031319-01 – First Reading, Ordinance 6224, An Ordinance Repealing Chapter 1.08 of the Rapid City Municipal Code Relating to Wards and Precincts and Adopting a New Revised Chapter 1.08 of the Rapid City Municipal Code
28. LF031319-05 – First Reading, Ordinance 6316 Regarding Supplemental Appropriation #2 for 2019
29. LF031319-06 – First Reading, Ordinance 6314, An Ordinance to Update the Organization of the Department of Community Development by Amending Title 2 of the Rapid City Municipal Code
30. 19OA001 – First Reading, Ordinance No. 6282, An Ordinance to Update References to the Department of Community Development in the Zoning Code by Amending Title 17 of the Rapid City Municipal Code
31. 19OA003 – First Reading, Ordinance No. 6309, An Ordinance Amendment to Update References to the Department of Community Development in the Subdivision Regulations by Amending Section 16.04.080 and Section 16.20.010
32. 19OA004 – First Reading, Ordinance No. 6311, An Ordinance to Revise the Definition for Building Setback Line Where Right-of-Way has Been Expanded for Fire Hydrants by Amending Section 17.04.125 of the Rapid City Municipal Code

Public Works Committee Items

33. 19TP003 - Rapid City Area Metropolitan Planning Organization 2018 Traffic Volume Counts Report (Information Only.)
Recommendation: Send to Council Without Recommendation
34. PW031219-01 - A Request from BML Properties, LLC for a Variance to Waive the Requirement to Install Sidewalk along Seger Drive and Taggart Road, Rapid City, per City Ordinance 12.08.060.
Recommendation: Deny 3-1 with Modrick opposed.

34A. No. CC031819-02.4 – Authorize Staff to advertise for Bids for Cationic Polymer – Coagulant for the Mountain View Water Treatment Plant. Estimated Cost: \$29,000.

Legal & Finance Committee Items

35. LF031319-10 – Confirm the Appointment of Nicholas Pier and reappointment of Doris Ann Werlinger to the RSVP+ Community Advisory Council
36. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Dhruv Goyal (Library), Sherry Goyal (Library), Matthew VanVugt (Library), Megan O’Neil (Library), Victoria MacDonald (RSVP+), Heidi Pestor (RSVP+), Beverly Wendling (RSVP+)
37. LF031319-02 – Authorize Mayor and Finance Officer to sign Electric Cooperative Agreement with West River Electric Association and Black Hills Electric Cooperative for FY2020
38. LF031319-07 – Approve Resolution No. 2019-018 a Resolution Re-Establishing Petty Cash Funds and Change Funds
39. LF031319-11 – Approve Resolution No. 2019-021 a Resolution Levying Assessment for Abatement of Nuisances
40. LF031319-12 – Acknowledge January 2019 Sales Tax Report
41. LF031319-09 – Approve Resolution No. 2019-022 a Resolution Adopting Cemetery Regulations
42. LF031319-13 – Approve Resolution No. 2019-023 a Resolution Amending Certain Fees to be Charged in 2019 for Various Licenses, Permits and Applications
43. LF031319-04 – Authorize submission of the Historic Preservation Commission Certified Local Government Grant Application for 2019-2020 and Receipt of Funds Associated with the Grant
44. LF031319-03 – Consideration for Property Tax Abatement as Follows: Martin Digler, 2016-2017-2018, Approximately \$4,398 tax difference for all three years. (*Pennington County Recommends to Deny.*)

CIP Committee Items (NONE)

Community Development Items

45. No. 19CA001 - A request by KTM Design Solutions, Inc. for Maguire Services, LLC for a Comprehensive Plan Amendment to the Future Land Use from Forest Conservation to Low Density Neighborhood for property generally described as being located southeast of the intersecting of Oak Avenue and Indiana Street
Recommendation: Deny

Bid Awards (NONE)

Alcoholic Beverage License Applications (NONE)

*Reissuance
Special Event*

Mayor’s Items (NONE)

Council Items & Liaison Reports

46. LF031319-08 – Request Authorization for Funding the Remaining Vision Request for Fitzgerald Field and OneHeart Campus Using Undesignated CIP Funds – Steve Laurenti
47. LF031319-14 – Discussion of Funding for the Design and Build of Fire Station 1 – Jason Salamun

Staff Items (NONE)

Appeals

(Planning Commission Appeals; License Appeals; Sign Code Appeals; Other Appeals Heard by the Council)

48. CC031819-04.1 – Jeremy Heath Lane Security License Appeal

PUBLIC HEARING ITEMS – Items 49 - 53

Open Public Hearing (comment) - Items 49 – 53 (3-minute time limit per speaker)
[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 49 – 53

CONSENT PUBLIC HEARING ITEMS – Item 49

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

Community Development Items (NONE)

Alcohol Licenses

- 49. Main Street Square for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine Retailer license for events scheduled for May 4, 2019 and October 5, 2019 at Main Street Square, 512 Main Street

Assessment Rolls (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 50 – 53

- 50. No. 19RZ001 - Second Reading, Ordinance 6304, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by ARC International, Inc. for Yeshua, LLC for a Rezoning from Medium Density Residential District to Office Commercial District for property generally described as being located at 3808 Sheridan Lake Road.
Recommendation: Approve
- 51. No. 19RZ002 - Second Reading, Ordinance 6305, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for Sharaf 5 Properties, LLC for a Rezoning from High Density Residential District to Urban Commercial District for property generally described as being located at 12 E. Kansas City Street.
Recommendation: Approve
- 52. No. 19RZ003 - Second Reading, Ordinance 6306, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for Sharaf 5 Properties, LLC for a Rezoning from General Commercial District to Urban Commercial District for property generally described as being located at 12 E. Kansas City Street.
Recommendation: Approve
- 53. No. 19RZ004 - Second Reading, Ordinance 6307, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Yasmeen Dream, LLC for a Rezoning from General Commercial District to Medium Density Residential District for property generally described as being located east of Provider Boulevard.
Recommendation: Approve in conjunction with Planned Development 19PD005 which was approved with stipulations at the February 21, 2019 Planning Commission meeting.

BILLS

- 54. No. CC031819-01 – Bill List for March 18, 2019

ADJOURN