

PUBLIC WORKS COMMITTEE MINUTES
Rapid City, South Dakota

May 14, 2019

A Public Works Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Tuesday, May 14, 2019 at 12:30p.m.

A quorum was determined with the following members answering the roll call: Scott, Nordstrom, Modrick, Roberts
Absent: Drew, Modrick arrived after roll call.

City Staff present:

Joel Landeen, City Attorney
Dale Tech, Public Works Director
Vicki Fisher, Current Planning Division Manager
Ted Johnson, City Engineer
Jeff Biegler, Parks and Recreation Director
Craig Baltzer, Civic Center Director
Nicole Lecy, Engineering Project Manager
Shannon Truax, Public Works Administrative Coordinator

(NOTE: For sake of continuity, the following minutes are not necessarily in chronological order. Also, all referenced documents are on file with the Master Agenda.)

Adoption of the Agenda

Motion by Roberts, second by Scott. Motion carried to adopt the agenda.

General Public Comment

Public Comment opened
Public Comment closed

NO DISCUSSION

CONSENT ITEMS – Item 1-9

Public Comment opened

Item 4: Kyle Treloar for Dream Design International commented that they found a leak in Johnson Ranch water main. Utility Maintenance shut off the water main pending repair to be turned back on later, which Treloar believes is potentially contributing to the fluctuation.

Public Comment closed

Motion by Scott, second by Roberts to approve Items 1-9 as they appear on the Consent Items with the exception of Item Nos. 7, 9. Motion carried.

- 1) Approve minutes of April 30, 2019.

ITEMS FROM THE PUBLIC WORKS DEPARTMENT

ENGINEERING

- 2) PW051419-01: Approve Change Order #7F to Lind-Exco, Inc. for West Omaha Utility Reconstruction Project, Project# 16-2316/CIP 50904.1 for a decrease of \$777.56.
- 3) PW051419-02: Approve Change Order #SF to Western Construction, Inc. for Catron Boulevard Widening Project, Project# 16-2343/CIP 51115 for an increase of \$11,200.00.
- 4) PW051419-03: Approve and Authorize Mayor and Finance Officer to sign Professional Services Agreement with FMG Engineering, Inc for Elk Vale Reservoir Water Level Investigation, Project No. 19-2511/CIP No. 51238, in the amount of \$41,254.00.
- 5) PW051419-04: Authorize staff to advertise for Pavement Rehabilitation Project – E Monroe Street, Project No. 18-2470 / CIP 50844 for \$180,000.
- 6) PW051419-05: Authorize Mayor and Finance Officer to sign professional services agreement amendment with Banner Associates, for construction administration services for East Rapid City Water Expansion, Project 13-2107/CIP 50964 in the amount of \$52,734.00.

STREETS

- 7) PW051419-07: Modrick requested that Tech explain the system. Tech advised this system is installed on sanders and applies a fluid to make the de-icing chemical more effective, which saves on cost of material and reduces environmental impact. Authorize staff to Purchase Nine (9) Pre-wet Systems for Streets Division from Dakota Fluid Power, they will honor the Bid Letting from 8/14/18 Total price is \$25,700.00.
Motion by Scott to approve, Second by Modrick. Motion Carried.
- 8) PW051419-11: Approve Correction to Funding Source identified for Bid Award in the amount of \$233,766.00 to Eddie's Truck Center/Northern Truck Equipment., opened on April 30, 2019 for Two (2) Current Model Year Single Axle Dump Trucks.

COMMUNITY DEVELOPMENT

- 9) PW051419-10: Fisher explained that there are no preset requirements for parking minimums for the Civic Center District. Council sets those requirements. Based on the existing uses and addition of a New Arena, with an increase in capacity. The expected operation of the Civic Center going forward is 80% capacity. Fisher spoke to the redesign of the parking lot, use of shared parking at Central High School, agreements being negotiated for shared parking in areas like the mall and Sioux Park. Fisher advised that staff is negotiating to secure shuttle service from hotels, and there is increased community utilization of ride sharing services like Lyft, in addition to increased pedestrian access from Downtown. Staff stated that the identified parking plan will provide more parking than the amount that is provided in similar communities in our region. Staff recommends determining that 3,645 parking spaces are appropriate. Modrick commended staff for not utilizing parking in the core, as part of for the Civic Center. Nordstrom commented on the use of .33 parking spaces per seat to determine requirements. Fisher advised this standard has been applied and approved on previous calculations. Nordstrom questioned dissemination of updated parking information. Fisher advised this would be a collaborative effort to provide visibility for attendees in conjunction with hotels and event planners, on the Civic Center website and other online resources. Approve a request from the Community Development Department to determine the parking requirement for the Civic Center expansion project within the Civic Center District.
Motion by Modrick to approve, Second by Roberts Motion Carried.

NON-CONSENT ITEMS – Item 10-13

Public Comment opened

Item 10: Kyle Treloar, for Dream Design International, advised that they are requesting to recover 50% of the cost for the installation of sanitary sewer installed for the North Valley Park subdivision. He commented on a previously requested an alternate alignment, crossing their own property as opposed to installing the service in the right-of-way, which was denied. Treloar stated they want the City to pay for their installation costs, then the City institute a connection fee to attempt to recoup the funds paid. Treloar stated that they have consulted an attorney on this matter.

Item 12: Janelle Fink, for Fisk Land Surveying, on behalf of the landowner. Fink stated that she understands the position staff has taken, but feels the requirements are not warranted in this development, as the lots will have sewer access through another main, as there is currently no sewer installed in Haines Ave. A majority of Haines Ave is not currently within City limits. Fink commented that the property to the North is currently being used for shale mining, calling for significant speculation on potential future land use and topography. Fink noted that the Council had previously waived the sewer requirements, so approving the exception would be consistent with previous treatment.

Item 12: Dean Henderson, landowner of property requesting the waiving of sewer exceptions. Henderson reiterated the information presented by Fink. He stated that his decision to purchase the property was based on the understanding that he would not need to install sewer in this section of Haines. He also stated that the adjacent property has no interest in developing his property or connecting to a sewer line at this time. He stated that an exception was granted to the previous landowner, he would like the same consideration.

Public Comment closed

SPECIAL ITEMS FROM THE PUBLIC

- 10) PW011519-14.2: Modrick questioned Treloar on why construction was undertaken prior to entering into an agreement. Treloar stated that they wanted to keep moving forward so they proceeded since they were still discussing the issue. Treloar confirmed that the multiple continuations were at their request to continue negotiations. Treloar acknowledged that they did suggest the implementation of a construction fee payable to the developer to help them recoup their costs. Modrick questioned if a construction fee would meet the requirements to identify a funding source. Treloar showed a timeline on the overhead projector. Tech commented that there were items on the timeline indicating a significant deviation in timeline, when compared to the documents that have been presented and attached to the agenda. Treloar stated that they are asking the City to upfront the reimbursement and attempt to recoup the funds on behalf of the City. Roberts stated that staff is responsible for identifying a funding source to compensate the developer. Scott suggested that this move forward to Council, to allow additional time to identify a funding source and receive additional information from the City Attorney. Robert stated he would support if staff was directed to identify a funding source before the City Council meeting. Landeen advised that identifying a funding source would require a reallocation of funds, since potential reimbursement would not be a funding source. Landeen stated that there is no expectation of when the funds might be recovered. Treloar stated that the developer is not willing to upfront the costs and wait for reimbursement through a construction fee. Tech advised that other oversize agreements were funded through oversizing funds that had been set aside previously for previously negotiated agreements, but all funds for this year have been allocated. Treloar stated that he will provide the committee with the information he presented visually today. Landeen advised that the City Attorney is working on a memo with the information previously requested, which should be ready before the Council meeting. Request by KTM Design Solutions on behalf of Yasmeen Dream, LLC for reimbursement for repayment of one-half of construction cost for sanitary sewer improvements for the North Valley Park in the amount of \$110,445.05.

Motion by Scott to send item to Council without recommendation. Second by Modrick. Friendly amendment by Roberts to also direct staff to identify a funding source. Motion Carried.

ITEMS FROM THE PUBLIC WORKS DEPARTMENT

ENGINEERING

- 11) PW051419-06: Modrick stated that she believes this a sidewalk to nowhere, and does not support requiring a sidewalk. Tech advised that there is sufficient space along the property line to install a sidewalk. Tech also advised that sidewalk currently exists on the east side of the street. Johnson acknowledged that this would be the first piece of sidewalk on that side of the street, and sidewalk would be required when the adjacent corner lot develops. Scott stated that she would support waiving the requirement with the understanding that sidewalks be ordered in, in the future. Tech advised that there are no current plans that would require the installation of sidewalks in the vicinity. Request from Cassiopeia Investments LLC for a Variance to Waive the Requirement to Install Sidewalk along South that Drive, Rapid City, per City Ordinance 12.08.060.

Motion by Modrick to Approve. Second by Roberts. Motion Carried Unanimously.

- 12) PW051419-08: Roberts commented that he does not support the installation of a dry sewer main, especially since this is an area where an exception was previously granted. Scott and Nordstrom both reiterated that they are in agreement that this sewer line is not currently needed. Appeal by Fisk Land Surveying & Consulting Engineers, Inc. of an Exception Request denial to waive installation of a sewer main in Haines Avenue an arterial street.

Motion by Modrick to Approve. Second by Roberts. Motion Carried Unanimously.

- 13) PW051419-09: Nicole Lecy presented an update on the current project being conducted. Lecy advised that letters were sent out in March reminding citizens that it is a violation of ordinance to discharge a sump pump into the sanitary sewer system. Manhole covers have been updated to prevent storm water from entering through open pick holes, and a flow diverter has been installed at one location to redirect some flows into alternate basins. Lecy stated that questionnaires were sent to residents, with a 54% response rate, they have also conducted man-hole inspections, camera inspections of lines, and smoke testing, conducted dry weather flow monitors to capture base line, currently conducting wet weather monitoring. Study to be completed by Fall 2019. Modrick asked what next step would be. Lecy stated they would review engineering report before determining a course of action. Lecy stated that it is difficult to determine the scope of impact that sump pump connections could be having on the system. Landeen stated that he does not believe that a connection could be grandfathered in. Tech stated that this is an industry standard, which has been in effect in Rapid City for decades. Tech stated that an exception permit can be obtain if there are no storm sewers, to prevent icing in the winter. Modrick questioned the impact of discharging the water across the surface. Tech advised surface water would then be handled through curb and gutter or storm sewer and is not part of the current study. Scott questioned how many permits were issued in this area. Lecy stated that annually there are 5-10 permits issued city wide, so that is not likely to be a factor. Scott asked if the City has a legal right to enter a home to inspect. Landeen confirmed that the City has very limited recourse to inspect inside a home for improperly connected sump pumps. Acknowledge Staff Presentation on the Maple Avenue and Nebraska Street Sanitary Sewer Study, Project No. 18-2337.1 / CIP 50975.1.

Motion by Modrick to acknowledge. Second by Scott. Motion Carried Unanimously. Roberts left prior to vote.

ADJOURN

Motion by Scott to adjourn. Second by Modrick. Motion Carried Unanimously.