

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, June 3, 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 Awards

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 – 38 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 2 – 38

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

Approve Minutes

2. Approve Minutes for the May 20, 2019 Regular Council meeting.

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

Alcoholic Beverage License Applications Set for Hearing (June 17, 2019)

3. Melissa Boehrns-Bonham DBA Axe It Out LLC, 811 Disk Drive, Suite 6, for a Retail (on-off sale) Wine and Cider license and a Retail (on-off sale) Malt Beverage & SD Farm Wine license
4. Rapid City Chamber of Commerce for a SPECIAL EVENT On-Sale Special Event Malt Beverage and On-Sale Wine license for an event scheduled for October 8, 2019 at Phase Technologies, 231 East Main Street North
5. Piesano’s Pacchia Inc. DBA Piesano’s Pacchia, Stacey Livermont – owner, 3618 Canyon Lake Drive #121 for a Retail (on-off sale) Malt Beverage & SD Farm Wine TRANSFER from Piesano’s Pacchia, Peggy Livermont, 3618 Canyon Lake Drive #121
6. Rapid City Chamber of Commerce for a SPECIAL EVENT On-Sale Special Event Malt Beverage and On-Sale Wine license for an event scheduled for July 9, 2019 at McKie Ford Lincoln, 2010 E Mall Drive
7. Rapid City Chamber of Commerce for a SPECIAL EVENT On-Sale Special Event Malt Beverage and On-Sale Wine license for an event scheduled for July 18, 2019 at Black Hills Federal Credit Union, 200 Main Street

8. Rapid City Chamber of Commerce for a SPECIAL EVENT On-Sale Special Event Malt Beverage and On-Sale Wine license for an event scheduled for September 10, 2019 at Black Hills Federal Credit Union, 2700 N. Plaza Drive

Public Works Committee Consent Items

9. PW052819-01: Approve Change Order #1 F to Flat Rock, LLC for Lacroix Links Drain Pan Replacement Project, Project# 18-2461/CIP 51206 for a decrease of \$882.00.
10. PW052819-02: Request Authorization for Staff to Seek Proposals for Engineering Services for Flormann Street Water Main Replacement Project, Mt Rushmore Road to Apollo Circle, Project No. 19-2512/CIP 51235.
11. PW052819-03: Request Authorization to Seek Proposals for Professional Services for Robbinsdale Phase 6 Design, Project No. 19-2515 / CIP No. 51232.
12. PW052819-04: Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid and Skyline Engineering, LLC for Design and Bidding for Downtown Lighting, Project No. 19-2500/CIP No. 51228, in the amount of \$157,862.00
13. PW052819-05: Authorize Mayor and Finance Officer to sign State of South Dakota Joint Powers Financial and Maintenance Agreement among Department of Transportation, City of Rapid City, Pennington County and Meade County.
14. PW052819-06: Authorize staff to advertise for W Main and Jackson Blvd Panel Repair Project, Project No. 19-2513 / CIP 50445 for \$215,000.
15. PW052819-09: Approve Request from Brandon George for a Variance to Waive the Requirement to Install Sidewalk along Emerson Lane, Rapid City, per City Ordinance 12.08.060.
16. PW052819-07: Authorize staff to Advertise for Bids to Purchase new Residential 65 and 95 gallon Garbage and Recycle containers for curbside collection. Estimated cost of \$150,000.00
17. PW052819-08: Authorize Amendment to allow removal of the requirement that the Contractor perform a minimum of 50% of the work for the Rapid City Water Reclamation Facility Digester Motor Control Center (MCC) and UV/Administration Transfer Switch Replacement, Project No. 19-2485 / CIP No. 51216.

Legal & Finance Committee Consent Items

18. LF052919-06 – Authorize Staff to Purchase Dodge Caravan for \$23,361.00 at State Bid Price to Replace Aging Vehicle in the Police Department Fleet
19. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Grayson Tech (Parks and Recreation), Mark Rafferty (Parks and Recreation), Ron Yahne (Parks and Recreation), Victoria Hagg (Parks and Recreation), Hawky Cummings (Parks and Recreation), Mike Madsen (Parks and Recreation), Karise Madsen (Parks and Recreation), Code Hart (Parks and Recreation), Brandon Inman (Parks and Recreation), Nicholas Hernandez (Parks and Recreation), Jacob Padoll (Parks and Recreation), Jon Machacek (Parks and Recreation), Caden Mollman (Parks and Recreation), Mitchell Vance (Parks and Recreation), Beth Vance (Parks and Recreation)
20. LF052919-02 – Acknowledge April 2019 General Fund Cash Balance Report
21. LF052919-03 – Approve Resolution No. 2019-040 a Resolution Removing the Rapid City Special Assessment on Lot B, Block 75, North Rapid Addition #2
22. LF052919-04 – Approve Resolution No. 2019-042 A Resolution Correcting an Error in Resolution No. 2019-034 a Resolution Levying Assessments for Abatement of Nuisances
23. LF052919-07 – Approve Resolution No. 2019-043 a Resolution Declaring Miscellaneous Personal Property Surplus to be traded
24. LF052919-09 – Authorize the Mayor and Finance Officer to Sign Agreement Between the City of Rapid City and Senior Citizens Incorporated d/b/a Canyon Lake Activities Center for the Use of City Vision Funds to Construct Pickleball Courts at its Facility on Canyon Lake Drive
25. 19RD002 – Approve Resolution No. 2019-041 a Resolution Requesting a Road Name Change from Coal Bank Court to Coal Bank Drive

26. 19TI001 – Approve Resolution No. 2019-038 a Request by Sperlich Consulting, Inc. for Doeck, LLC to Consider an Application for a Resolution to Approve TID #67 Project Plan Amendment #1 to Reallocate Project Plan Costs for Property Generally Described as Being Located East and West of Haines Avenue and North and South of Country Road
27. LF052919-08 – Approve Resolution No. 2019-044 a Resolution Authorizing the City to Purchase Certain Real Property and Upon Completion of the Property Acquisition Execute a Lease with OneHeart to Operate a Transformation Campus with Transitional Housing and Other Support Services on the Property.

CIP Committee Consent Items

28. No. CIP051719-00 – Acknowledge Capital Improvement Programs Committee Monthly Updates for May 2019.
29. No. CIP051719-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, CSAC, Summary)
30. No. CIP051719-04 – Approve Capital Plan for Fire Vehicles
31. No. CIP051719-05 – Approve Capital Plan for Parks & Recreation
32. No. CIP051719-06 – Approve Capital Plan for Information Technology
33. No. CIP051719-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
34. No. CIP051719-02 – Approve Capital Plan for PW Infrastructure
35. No. CIP041219-08 – Approve 5-year Government Facilities Plan 2020-2024 (This item was continued from the April 12, 2019 CIP meeting.)

Community Development Consent Items (NONE)

Bid Award Consent Items

36. No. CC060319-02.1 – Approve award of total bid for 2019 Chip Seal Project, Project No. 18-2468 / CIP No. 50844 opened on May 28, 2019 to the lowest responsible bidder, Bituminous Paving, Inc. in the amount of \$353,691.00
37. No. CC060319-02.2 – Approve award of total bid for Joint Sealing/Panel Replacement Cambell St, Project No. 18-2472 / CIP No. 50445 opened on May 28, 2019 to the lowest responsible bidder, J.V. Bailey Co. Inc. in the amount of \$387,710.80.
38. No. CC060319-02.3 - Award Current Model Year Vacuum Street Sweeper to Titan Machinery in the amount of \$257,800.00. (This item was continued from the May 20, 2019 meeting.)

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 39 – 48

Open Public Comment – Items 39 – 48 (3-minute time limit per speaker)

Close Public Comment

Ordinances

39. LF052919-01 –First Reading, Ordinance No. 6336, An Ordinance Regarding Supplemental Appropriation #4 for 2019.
Recommendation: Approve
40. No. 19RZ013 - First Reading, Ordinance 6331, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Yasmeeen Dream, LLC for a Rezoning from General Agricultural District to Medium Density Residential District for property generally described as being located on Johnson Ranch Road east of Providers Boulevard.
Recommendation: Approve
41. No. 19RZ016 - First Reading, Ordinance 6334, 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 4,

LLC and BH Capital 6, LLC for a Rezoning from Light Industrial District to Medium Density Residential District for property generally described as being located east and north of the current terminus of E. Philadelphia Street.

Recommendation: Approve

- 42. No. 19RZ017 - First Reading, Ordinance 6335, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions BH Capital 6, LLC for a Rezoning from General Commercial District to Mobile Home Residential District for property generally described as being located east and south of the current terminus of E. Philadelphia Street.

Recommendation: Approve

Public Works Committee Items

- 43. PW011519-14.2: 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.

Recommendation: Send to Council without Recommendation and have staff identify a potential funding source. (This item was continued from the May 20, 2019 meeting.)

Legal & Finance Committee Items (NONE)

CIP Committee Items (NONE)

Community Development Items

- 44. No. 19PL035 - A request by KTM Design Solutions Inc. for Yasmeen Dream, LLC for a Preliminary Subdivision Plan for proposed Lots 1A thru 20B of Block 1 and Lot 1A thru 20B of Block 2 of Orchard Meadows, generally described as being located west of Elderberry Boulevard.

Recommendation: Approve with Stipulations

- 45. No. 19PL036 - A request by KTM Design Solutions, Inc. for Yasmeen Dream, LLC for a Preliminary Subdivision Plan for proposed Lot 19 thru 26 and 29 thru 37 of Block 2 of Johnson Ranch Subdivision, generally described as being located on Johnson Ranch Road east of Providers Boulevard.

Recommendation: Approve with Stipulations

- 46. No. 19PL038 - A request by KTM Design Solutions, Inc. for BH Capital 4, LLC and BH Capital 6, LLC for a Preliminary Subdivision Plan for proposed Lot 1 of Block 1, Lot 2 of Block 2 of Shepherd Hills West Subdivision, generally described as being located east of the current terminus of E. Philadelphia Street.

Recommendation: Approve with Stipulations

Other Board, Commission & Committee Items (NONE)

Bid Awards (NONE)

Alcoholic Beverage License Applications

- 47. 2019 Retail (on-off sale) Malt Beverage & SD Farm Wine License Renewals

License #	Owner/Master Name	DBA	Address
RB-26080	Fiesta Tequila Mexican Restaurant, LLC	Fiesta Tequila Mexican Restaurant, LLC	1001 E North St
RB-2082	Essence of Coffee, LLC	Essence of Coffee	908 Main St
RB-25632	Ana Line Enterprises LLC	Sabor A Mexico	208 E North St
RB-25670	Black Hills Badlands & Lakes Assoc	Black Hills Visitor Information CTR	1851 Discovery Cir

RB-25663	Dolgen Midwest, LLC	Dollar General #18267	1137 E Saint Patrick St
RB-3234	Josefina S Leui	Ichiban	1109 A W Omaha St
RB-3791	BW Gas & Convenience Retail LLC	Yesway #1190	3887 E Highway 44
RB-25633	Maverik Inc	Maverik Inc #552	1624 Haines Ave
RB-21038	Jorge Mata LLC	El Sombrero	1012 E North St Set A
RB-23255	PT Operations LLC	Philly Teds Cheezsteaks at Main St Square	502 Main St, Suite 200
RB-26413	Mexico Tipico LLC	Mexico Tipico	1900 N Maple
RB-26363	Family Dollar Stores of SD LLC	Family Dollar Stores of SD #7118	1025 E St Patrick Street

48. 2019 Retail (on-off sale) Malt Beverage & SD Farm Wine License Renewals WITH VIDEO LOTTERY

License #	Owner/Master Name	DBA	Address
RB-3912	Deanos Casino Inc	Deanos Casino II	903 E North St Suite A
RB-3588	Deanos Casino Inc	Deanos Casino	903 E North St
RB-2997	Dave M & Linda K Handley	Hot Spot Casino	420 E St Patrick St #107

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 49 – 50

Open Public Hearing (comment) - Items 49 –50 (3-minute time limit per speaker)

[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 49 – 50

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. Eni Tulistiya DBA Hana Restaurant, 3550 Sturgis Road for a Retail (on-off sale) Malt Beverage & SD Farm Wine license renewal

Assessment Rolls (NONE)

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Item 50

50. 19VR002: Ulland Outlot Revised – Approval of Resolution 2019-031 - A request by FMG Engineering for Rapid City Economic Development Foundation to consider an application for a Vacation of Right-of-Way for property generally described as being located northeast of the intersection of East Boulevard and East Main Street.

Recommendation: Approve

EXECUTIVE SESSION - An executive session to discuss the qualifications, competence, performance, character or fitness of any prospective officer or employee pursuant to SDCL 1-25-2(1).

STAFF DIRECTION - Authorize the Public Works;’ Director to make offers of employment for the following positions at the following grade and step: Engineering Project Manager, Grade NU23, Step 21, \$88,530.87 and Industrial Electronic Tech, Grade AF16, Step 15, \$23.95/hr.

BILLS

51. No. CC060319-01 – Bill List for June 3, 2019

ADJOURN