

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 17, 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. Veteran Suicide Awareness Proclamation
2. Employee Awards and Recognitions

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 3 – 44

Open Public Comment – Items 3 – 32 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 3 – 32

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

Approve Minutes

3. Approve Minutes for the June 3, 2019 Regular Council meeting.

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

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

4. NAJA Shriners for a SPECIAL EVENT On-Sale Dealer License for an event scheduled for July 13, 2019 at Rapid City Shrine Center, 4091 Sturgis Rd
5. Dakota Point Brewing LLC for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine license for an event scheduled for August 3, 2019 at South Dakota School of Mines and Technology, O’Harra Stadium, Ramp C, Fenced Beer Garden, 501 E St. Joseph Street
6. Main Street Square for a SPECIAL EVENT On-sale Malt Beverage and On-Sale Wine license for an event scheduled for August 11, 2019 at Main Street Square between 6th Street and Main Street

Public Works Committee Consent Items

7. PW061119-10: Approve Change Order #1F to Foothills Contracting, Inc. for Cell 17 Final Cover, Project #16-2364 for an increase of \$56,204.87.

8. PW061119-11: Approve Change Order #2 to Foothills Contracting, Inc. for Cell 18 Liner and Leachate Collection Project, Project #16-2371 for a decrease of \$291.24.
9. PW061119-12: Approve Change Order #2F to Western Construction Inc. for Pavement Rehabilitation Project East Saint Joseph Street Overlay, Project #17-2363/CIP 51161 for a decrease of \$512.05.
10. PW061119-04: Authorize Staff to Advertise Bids for 2019 Roadway Paving Project, Project No. 18-2466 / CIP No. 50297. Estimated Cost \$120,000.00
11. PW061119-07: Authorize Mayor and Finance Officer to sign an agreement between the City of Rapid City and FMG Engineering, Inc. for Engineering Services for Rapid City Landfill Cell 16 Final Cover, Project Number: 18 – 2448 / CIP #51202 in the amount of \$269,977.00.
12. PW061119-05: Authorize lowering the percentage of work that the Contractor must perform, within their own organization, from 50% to 35% for the Pavement Rehabilitation Project – Fountain Plaza Drive and Rand Road. Project Number 18-2471/ CIP # 50549.
13. PW061119-06: Authorize Amendment No. 2 to FMG Engineering’s Professional Services agreement for Landfill Cell 18 Liner and Leachate Collection, Project No. 16-2371, in the amount of \$70,165.00 for additional consulting services.
14. PW061119-13: Authorize Mayor and Finance Officer to sign Amendment No.1 to Construction Administration Professional Service agreement with Ferber Engineering Company, Inc. 38th Street Reconstruction Clifton to Range Road Project, project #15-2232/CIP 50716.1 & .2 in the amount of \$30,000.00.
15. PW061119-02 Authorize the Mayor and Finance Officer to sign Addendum A to the Security Services Agreement Between the City of Rapid City and Mountain States Security Services for the Parks and Cemetery restrooms and facilities.
16. PW061119-03: Motion by Modrick, Second by Roberts to Approve Request from Yeshua, LLC for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 along Holiday Lane and install sidewalk in alternate location for the property located at 3808 Sheridan Lake Road. Motion Carried Unanimously. On consent calendar
17. PW061119-08: Approve. Request from Renner & Associates for an Exception to allow more than 40 dwelling units along Clarkson Road with only one access. Per Section 2.6 of the Infrastructure Design Criteria Manual (IDCM), a single access can only serve 40 dwelling units unless an exception is approved by City Council.
18. PW061119-01: Deny Request from BPRushmore, LLC to eliminate requirements to build subdivision improvements for IGT Subdivision previously approved by City Council in 2007.
19. PW061119-09: Acknowledge Discussion of trash collection alley pick up.

Legal & Finance Committee Consent Items

20. LF061219-01 – Authorize Staff to Purchase a 2019 Nissan NVP for \$46,704.00 to Replace a 2007 Ford Van for the Fire Department
21. LF061219-08 – Authorize Staff to Apply and Accept if Awarded the 2019 Farm Credit Services of America Grant for Rural Disaster Relief/Essential Services “Tower Rescue Equipment” (\$2,000.00)
22. LF061219-02 – Authorize the Mayor and Finance Officer to Sign and Accept if Awarded the State Victims of Crime Act (VOCA) Grant.
23. LF061219-03 – Authorize the Mayor and Finance Officer to Sign and Accept the State COPS Meth Grant Subaward
24. LF061219-04 – Authorize the Mayor and Finance Officer to Sign and Accept the Project Safe Neighborhoods (PSN) Agreement Subaward
25. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Charlotte Broege (RSVP+), Donna Olander (Library), Hunter Davis (Library), Molly Davis (Library), Ronda Wooley (Library), Karen Zandstra (Library), Rhonda Engel (Library), Michelle Brown (Library), Nikki Larson (Library), Amanda Baker (Library), Brandon Gabrielson (Library), Jessica Daughtery (Library), Brandy Renville (Library), Pete Brown Eyes (RSVP+), Melissa Elwell (Parks and Recreation)

26. LF061219-05 – Approve Resolution No. 2019-014A a Resolution Fixing Time and Place for Hearing on Assessment Roll for A Business Improvement District 2019
27. LF061219-06 – Approve Resolution No. 2019-045 a Resolution Amending Certain Fees to be Charged in 2019 for Various Licenses, Permits and Applications
28. LF061219-09 – Approve Resolution No. 2019-054 a Resolution Levying Assessment for Abatement of Nuisances
29. LF061219-10 – Authorize the Mayor and Finance Officer to Sign Agreement with RSM for Compensation Study

CIP Committee Consent Items (NONE)

Community Development Consent Items

30. LF052919-05 – Acknowledge Public Comments Received on Consolidated Annual Plan Performance Evaluation Report (CAPER) and Approve the FY2018 CAPER

Bid Award Consent Items

31. CC061719-02.1 - Approve award of total bid for Pavement Rehabilitation Project – E Monroe Street, Project No. 18-2470 / CIP No. 50844 opened on June 11, 2019 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of \$165,968.50
32. CC061719-02.2 - Approve award of total bid for Water Reclamation Digester MCC & UV/Admin. Transfer Switch Replacement Project, Project No. 19-2485 / CIP No. 51216 opened on June 11, 2019 to the lowest responsible bidder, MAC Construction Co., Inc. in the amount of \$470,900.00.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 33 – 44

Open Public Comment – Items 33 – 44 (3-minute time limit per speaker)

Close Public Comment

Ordinances

33. LF052919-01 –Second Reading, Ordinance No. 6336, An Ordinance Regarding Supplemental Appropriation #4 for 2019.
Recommendation: Approve
34. LF061219-07 – First Reading, Ordinance No. 6339, An Ordinance Regarding Supplemental Appropriation #5 for 2019.
Recommendation: Approve
35. No. 19PD013 - First Reading, Ordinance 6326, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for Citcra LLC for a Planned Unit Development Zoning District for property generally described as being located northeast of the intersection of Nicole Street and Brook Street.
Recommendation: Approve
36. No. 19RZ014 - First Reading, Ordinance 6332, 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 for a Rezoning from General Agricultural District to Medium Density Residential District for property generally described as being located east of East Anamosa Street.
Recommendation: Approve
37. No. 19RZ015 - First Reading, Ordinance 6333, 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 for a Rezoning from General Agricultural District to Low Density Residential District II for property generally described as being located east of East Anamosa Street.
Recommendation: Approve

- 38. No. 19RZ018 - First Reading, Ordinance 6337, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Brett Kaltvedt for MWM Rapid Holdings Inc. for a Rezoning request from General Agricultural District to Light Industrial District for property generally described as being located at 3414 Eglin Street.
Recommendation: Approve
- 39. No. 19RZ019 - First Reading, Ordinance 6338, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for Lyle Hendrickson for a Rezoning request from Low Density Residential District to Medium Density Residential District for property generally described as being located at 1804 E. Highway 44.
Recommendation: Approve

Public Works Committee Items

- 40. 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 June 3, 2019 meeting.)

Legal & Finance Committee Items (NONE)

CIP Committee Items (NONE)

Community Development Items

- 41. No. 19PL037 - A request by KTM Design Solutions, Inc. for BH Capital 4, LLC for a Preliminary Subdivision Plan for proposed Lots 1-90 of Block 1 and Lots 1 thru 26 of Block 2, Lots 1 thru 26 of Block 3, Lots 1 thru 18 of Block 4, Lots 1 thru 8 of Block 5, Lots 1 thru 16 of Block 6, Lots 1 thru 10 of Block 7, Lots 1 thru 15 of Block 8, Lots 1 thru 26 of Block 9, Lots 1 thru 18 of Block 10 Lots 1 thru 10 of Block 11 and Lots 1 and 2 of Block 12 of Shepherd Hills Subdivision, generally described as being located east of East Anamosa Street.
Recommendation: Approve with Stipulations
- 42. No. 19PL043 - A request by Centerline for Lazy P-6 Land Co. Inc. for a Preliminary Subdivision Plan for proposed Lots 4, 8, 10 and 11 of North 80 Subdivision, generally described as being located northeast of the intersection of Shelby Avenue and Stumer Road.
Recommendation: Approve with Stipulations
- 43. No. 19PL044 - A request by KTM Design Solutions, Inc. for DTH, LLC for a Preliminary Subdivision Plan for proposed Lots 16 thru 46 of Block 12, Lots 1 thru 3 of Block 30 of Big Sky Subdivision, generally described as being located west of the western terminus of Big Sky Drive.
Recommendation: Approve with Stipulations

Other Board, Commission & Committee Items (NONE)

Bid Awards (NONE)

Alcoholic Beverage License Applications

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

License #	Owner/Master Name	DBA	Address
RB-26361	Family Dollar Stores of SD LLC	Family Dollar Stores #7251	907 E North Street
RB-19198	City of Rapid City	Executive Golf Course	1136 Executive Drive
RB-26414	The Gyro Hub LLC	The Gyro Hub	1302 W Omaha St Suite 104

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 45 – 53 [to Bills]

Open Public Hearing (comment) - Items 45 – 53 (3-minute time limit per speaker)
[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 45 – 53

CONSENT PUBLIC HEARING ITEMS – Item 45 – 50

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

Community Development Items (NONE)

Alcohol Licenses

45. 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
46. 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
47. 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
48. 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
49. 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
50. 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

Assessment Rolls (NONE)

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 51 – 53

51. No. 19RZ013 - Second 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 Yasmeen 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

52. No. 19RZ016 - Second 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

53. No. 19RZ017 - Second 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

BILLS

54. No. CC061719-01 – Bill List for June 17, 2019

ADJOURN