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, May 4, 2020

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. Travel Rally Day Proclamation

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 – 51

Open Public Comment – Items 2 – 34 (3-minute time limit per speaker)
Close Public Comment

CONSENT ITEMS – Items 2 – 34

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

Approve Minutes
2. Approve Minutes for the April 20, 2020 Regular Council meeting.
3. Approve Minutes for the April 27, 2020 Special Council meeting.

Resolution to Approve TID No. 70 Project Plan Amendment #2 Set for Hearing (May 18, 2020)
4. No. 20T1003 - A request by John Gomez for Alta Terra Development for a Resolution to approve TID No. 70 Project Plan Amendment #2 to reallocate project plan costs for property generally described as being located at Catron Boulevard from 5th Street to South U.S. Highway 16, then south along U.S. Highway 16 to Sammis Trail and east to the proposed Hyland Crossing Subdivision.

Alcoholic Beverage License Applications Set for Hearing (May 18, 2020)
5. Spiker Management LLC DBA La Vida Mexican Restaurant, 1001 E North Street for a Retail (on-off sale) Malt Beverage & SD Farm Wine license TRANSFER from Fiesta Tequila Mexican Restaurant LLC, DBA Fiesta Tequila Mexican Restaurant, 1001 E North Street

Public Works Committee Consent Items
6. PW042820-01: Authorize Mayor and Finance Officer to Sign Settlement Agreement Between the City of Rapid City and BPRushmore, LLC
7. PW042820-02: Approve Change Order 2F to Lind-Exco, Inc. for Gray Fox Ct and Fox Run Dr Storm Sewer Outfall Stabilization Project, Project #18-244/CIP NO.51167 for a decrease of $60,499.35.

8. PW042820-03: Approve Request From Property Owners John And Jody Van Beek For A Variance To Waive The Requirement To Install Sidewalk Along Happy Hollow Street And Horse Creek Road, Rapid City, Per City Ordinance 12.08.060.

9. PW042820-04: Authorize Mayor and Finance Officer to sign State of SDDOT Section 5307 Urban Public Transportation Matching Funds Agreement for $30,783.97.

10. PW042820-05: Authorize Mayor and Finance Officer to sign Amendment #2 to TripSpark System Supply and Support Agreement in order to migrate Licensee's use of TripSpark PASS MON Software to TripSpark NOVUS MON Software.

11. PW042820-06: Authorize Mayor and Finance Office to Sign Amendment #3 to TripSpark Software License and Maintenance Agreement to migrate license from TripSpark PASS software to TripSpark NOVUS DR software and to increase TripSpark DriverMate software to an additional two (2) paratransit vehicles.

12. PW042820-07: Authorize Staff To Purchase Additional And Replacement Office Furniture From Evergreen Office Solutions, Pricing From State Contract # 16773 3 IFB 222 In The Amount Of $46,730.08

Legal & Finance Committee Consent Items

13. LF042920-07 – Confirm the Appointments of Evan Thomas, Kathleen Burr, Patrick Jones, Carman Timmerman, Alan Dietrich, Chris Orr, Jared McEntaffer, Linda Lea Viken, Michael Hickey, Rick Kahler, Jason Green, Michael Nelson, Dave Kelley, Don Frankenfeld, Ed McLaughlin, Patrick Wyss, Rex Hagg, Tamara Pier, and Lynn Kendall to the Home Rule Charter Committee

14. LF042920-02 – Authorize Staff to Apply for and Accept if Awarded a Build Strong Grant

15. LF042920-03 – Authorize Staff to Apply for and Accept if Awarded a Public Assistance Grant

16. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Sharyl Jasper (RSVP+), George Vansco (RSVP+), Julie Vansco (RSVP+), Gloria Baken (RSVP+), Pamela Baum (RSVP+), Patty creek (RSVP+), Marlene Isburg (RSVP+), Glenda Nedved (RSVP+), Bob Oliver (RSVP+), Laura Oliver (RSVP+), Myrna Ragels (RSVP+), Jean Sagmoe (RSVP+), Hugo Schloe (RSVP+), Sherry Stodolski (RSVP+), Kimberly Tollison (RSVP+)

17. LF042920-01 – Authorize Mayor and Finance Officer to Sign Life Safety Loan Agreement Between Epig Journey Enterprises, LLC and the City of Rapid City


19. LF042920-08 – Acknowledge February 2020 Sales Tax Report

20. LF042920-09 – Approve Resolution No. 2020-031 a Resolution Declaring Miscellaneous Personal Property Surplus to be Sold at City Auction

21. LF042920-10 – Approve Resolution No. 2020-033, A RESOLUTION AUTHORIZING THE ISSUANCE OF SALES TAX REVENUE REFUNDING BONDS OF THE CITY; PLEDGING A PORTION OF THE SALES TAX RECEIPTS OF THE CITY TO THE PAYMENT OF SAID BONDS; AUTHORIZING OFFICERS OF THE CITY TO APPROVE, EXECUTE AND DELIVER CERTAIN AGREEMENTS AND DOCUMENTS RELATING TO THE BONDS

22. LF042920-06 – Authorize Mayor and Finance Officer to Sign Addendum to Agreement with Risk Administration Services, Inc. to Cover Take-Over Claim Fees

CIP Committee Consent Items

23. No. CIP041720-00 – Acknowledge Capital Improvement Programs Committee Monthly Updates for April 2020.

24. No. CIP041720-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, Summary)

25. No. CIP041720-04 – Approve Capital Plan for Fire Vehicles

26. No. CIP041720-05 – Approve Capital Plan for Parks & Recreation
27. No. CIP041720-06 – Approve Capital Plan for Information Technology
28. No. CIP041720-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
29. No. CIP041720-02 – Approve Capital Plan for PW Infrastructure

Community Development Consent Items
30. LF042920-05 – Authorize Mayor and Finance Officer to Sign the FY2020 Community Development Block Grant Contract for Pennington County Health & Human Services
31. 20TP012 – Authorize Mayor and Finance Officer to Sign Amendment #1 for the Transportation Alternatives Program Grant Agreement #715373

Bid Award Consent Items
32. No. CC050420-02.1 - Approve award of total bid for Pavement Rehabilitation Project - Valley West Drive Overlay, Project No. 19-2546 / CIP No. 50549 opened on April 29, 2020 to the lowest responsible bidder, J & J Asphalt in the amount of $125,326.50.
33. No. CC050420-02.2 - Approve award of total base bid plus alternate 2 for 2020 Lane Line Painting, Project No. 20-2578 / CIP No. 50594 opened on April 29, 2020 to the lowest responsible bidder, Dakota Barricade, LLC in the amount of $136,300.00.
34. No. CC050420-02.3 - Approve award of total bid using Schedule A + B for 2020 Street Patching Project, Project No. 19-2544 / CIP No. 50844 opened on April 29, 2020 to the lowest responsible bidder, Simon Contractor of SD, Inc. in the amount of $357,450.00.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 35-51

Open Public Comment – Items 35 – 51 (3-minute time limit per speaker) Close Public Comment

Ordinances
35. No. 20RZ001 - First Reading, Ordinance 6389, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located at 324 E. New York Street.
Recommendation: Approve

36. No. 20RZ002 - First Reading, Ordinance 6390, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located at Settlers Creek Place.
Recommendation: Approve

37. No. 20RZ003 - First Reading, Ordinance 6391, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located west of Sunny Springs Drive between Wesleyan Boulevard and Harmony Heights Lane.
Recommendation: Approve

38. No. 20RZ004 - First Reading, Ordinance 6392, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located east of Sunny Springs Drive and south of Wesleyan Boulevard.
Recommendation: Approve
39. No. 20RZ005 - First Reading, Ordinance 6393, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District II for property generally described as being located at the eastern terminus of Tablerock Road.
Recommendation: Approve

40. No. 20RZ006 - First Reading, Ordinance 6394, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to High Density Residential District for property generally described as being located at 311 Quincy Street.
Recommendation: Approve

41. No. 20RZ007 - First Reading, Ordinance 6395, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District II for property generally described as being located at 918 Meadowwood Drive.
Recommendation: Approve

42. No. 20RZ009 - First Reading, Ordinance 6397, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District for property generally described as being located at 4084 and 4282 Tower Road.
Recommendation: Approve

43. No. 20RZ012 - First Reading, Ordinance 6400, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from Office Commercial District to Low Density Residential District II for property generally described as being located at Horizon Point north of Tower Road.
Recommendation: Approve

44. No. 20RZ022 - First Reading, Ordinance 6408, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Renner Associates, LLC for Creek Drive Land, LLC for a Rezoning request from Medium Density Residential District to General Commercial District for property generally described as being located at 415 North Creek Drive.
Recommendation: Approve

45. No. 20RZ023 - First Reading, Ordinance 6408, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for BH Capital LLC for a Rezoning request from General Agricultural District to Low Density Residential District II for property generally described as being located north of Philadelphia Street, east of E. Anamosa Street.
Recommendation: Approve

46. No. 20RZ024 - First Reading, Ordinance 6408, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for Yasmeen Dream, LLC for a Rezoning request from General Agricultural District to Medium Density Residential District for property generally described as being located west of Elk Vale Road at the terminus of Orchard Lane.
Recommendation: Approve in conjunction with approval of a Planned Development Designation
47. No. 20RZ025 - First Reading, Ordinance 6408, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Stephanie Kroeze for a Rezoning request from Park Forest District to Low Density Residential District II for property generally described as being located at 828 3rd Street.

Recommendation: Approve

48. No. 19OA006 – First Reading of Ordinance No. 6294 an Ordinance Amendment Amending Chapter 17.40 to Revise Permitted and Conditional Uses in the Office Commercial District.

Recommendation: Approve

Public Works Committee Items
49. PW031020-11: Approve Partial Abatement Request for Stormwater Drainage Utility Fee for KTLD CO, LLC, for property located at 1221 Santana Ct., Tax ID 63320, in the amount of $27.47

Recommendation: This item was continued from April 20, 2020 City Council meeting per the applicant’s request.

50. PW042820-08: Request from Fisk Land Surveying & Consulting Engineers, Inc. for a variance to waive the requirement to install sidewalk along East Saint Patrick Street and Pecan Lane, Rapid City, per City Ordinance 12.08.060.

Recommendation: DENY Variance on St Patrick, APPROVE Variance on Pecan Ln, Motion carried 3-2 with Evans and Roberts voting no.

51. PW042820-09: Request from Davis Engineering, Inc. for a variance to waive the requirement to install sidewalk along Deadwood Avenue, Rapid City, per City Ordinance 12.08.060.

PW Staff Recommendation: DENY

PW Committee Recommendation: Approve 4-1 with Nordstrom voting to deny the variance.

Legal & Finance Committee Items (NONE)

CIP Committee Items (NONE)

Community Development Items (NONE)

Other Board, Commission & Committee 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 52 – 57

Open Public Hearing (comment) - Items 52 – 57 (3-minute time limit per speaker)  
[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 52 – 57

CONSENT PUBLIC HEARING ITEMS – Items 52 and 53

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

Community Development Items (NONE)

Alcohol Licenses

52. MG Oil Company DBA Chances Casino 4, 1565 Haines Ave, Suite B-1 for a Retail (on-off sale) Malt Beverage & SD Farm Wine license TRANSFER from MG Oil Company DBA Jackpot Casino West, 2144 Jackson Blvd #3

53. MG Oil Company DBA Chances Casino 5, 1565 Haines Ave, Suite B-2 for a Retail (on-off sale) Malt Beverage & SD Farm Wine license TRANSFER from MG Oil Company DBA Jackpot West II, 2144 Jackson Blvd #4

Assessment Rolls (NONE)

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 54 – 57

54. No. 20RZ018 - Second Reading, Ordinance 6408, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning request from No Use District to Heavy Industrial District for property generally described as being located at 5400 Old Folsom Road.  
Recommendation: Approve

55. No. 20RZ019 - Second Reading, Ordinance 6409, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Feber Engineering Co, Inc for Black Hills Corporation for a Rezoning request from General Agricultural District to Light Industrial District for property generally described as being located at 2550 Tatanka Road.  
Recommendation: Approve

56. No. 20RZ020 – Second Reading, Ordinance 6410, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc. for a Rezoning request from General Agricultural District to Low Density Residential District II for property generally described as being located north of the current terminus Diamond Ridge Boulevard.  
Recommendation: Approve

57. No. 20RZ021 - Second Reading, Ordinance 6411, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc. for a
Rezoning request from General Agricultural District to Medium Density Residential District for property generally described as being located at the eastern terminus of Garden Lane.

Recommendation: Approve

BILLS
58. No. CC050420-01 – Bill List for May 4, 2020

ADJOURN