

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 18, 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 (NONE)

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 1 – 34

Open Public Comment – Items 1 – 25 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 1 – 25

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

Approve Minutes

1. Approve Minutes for the May 4, 2020 Regular Council meeting.

Tax Increment District and Approve Project Plan Set for Hearing (June 1, 2020)

2. No. 20TI004 - A request by Dream Design International, Inc. for Yasmeeen Dream, LLC for a Resolution to create Orchard Meadows Lift Station TID and approve Project Plan for property generally described as being located east and west of Elk Vale Road between E. Highway 44 and the current terminus of East Fairmont Street.

Alcoholic Beverage License Applications Set for Hearing (June 1, 2020)

3. Rapid City Elks Golf & Event Center Inc. DBA Rapid City Elks Golf & Event Center Inc., 3333 Jolly Lane for a Retail (on-off sale) Malt Beverage and SD Farm Wine license with video lottery TRANSFER from Rapid City Elks Club DBA Elks Lodge #1187, 3333 E. 39th Street
4. MG Oil Company DBA Uncle Sam’s South 3, 2110 Jackson Blvd for a Retail (on-off sale) Malt Beverage and SD Farm Wine license with video lottery TRANSFER from MG Oil Company DBA East North Casino, 230 E North Street

Public Works Committee Consent Items

5. PW051220-01: Approve change order 4F to Tru-Form Construction, Inc. for Disk and Haines Avenue Intersection, Project #16-2347/CIP NO.51121 for an increase of \$3,016.99.
6. PW051220-02: Approve change order 1F to Tru-Form Construction, Inc. for Main Street Valve Repair 5th to West Blvd, Project #2456/CIP NO.50705 for an decrease of \$7,055.72.
7. PW051220-03: Approve change order 1F to Tru-Form Construction, Inc. for Concrete Panel Repair Project 5th and Healing Way, Project #2542/CIP NO.50445 for an increase of \$33.41.
8. PW051220-04: Authorize staff to advertise for 2020 Chip Seal, Project No. 19-2543 / CIP 50844 for \$205,000.
9. PW051220-05: Authorize staff to advertise for Pavement Rehabilitation Project Grand Vista Ct to Kepp Ct, Project No. 19-2547 / CIP 50549 for \$310,000.
10. PW051220-07: Authorize Mayor and Finance Officer to sign Agreement between the City of Rapid City and Yasmeeen Dream 111, LLC for Sanitary Sewer Main Cost Reimbursement for Shepherd Hills Subdivision for an amount not to exceed \$92,688.00
11. PW051220-08: Authorize the Mayor and Finance Officer to sign a covenant agreement between the City of Rapid City and DEVCOR, LLC allowing connection to City water system.
12. PW051220-09: Approve Request from Dean Kelly Construction for a variance to waive the requirement to install sidewalk along Krebs Drive, Rapid City, per City Ordinance 12.08.060.

Legal & Finance Committee Consent Items

13. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Shirley Aman (RSVP+), Marilyn Halse (RSVP+), Marcia Smith (RSVP+), Amanda Wessels (Police Department)
14. LF051320-01 – Approve Resolution No. 2020-035 a Resolution Declaring Miscellaneous Personal Property Surplus to be Donated and/or Sold
15. LF051320-02 – Acknowledge March 2020 Sales Tax Report
16. LF051320-06 – Approve Resolution No. 2020-036 a Resolution Levying Assessment for Abatement of Nuisances

CIP Committee Consent Items (NONE)**Community Development Consent Items**

17. LF051320-03 – Authorize the Mayor and Finance Officer to Sign the Community Block Grant for Working Against Violence, Inc. for FY20
18. LF051320-04 – Authorize the Mayor and Finance Officer to Sign Amended SF-424 for Community Block Grant for FY20
19. LF051320-05 – Authorize the Mayor and Finance Officer to Sign the FY20 Community Block Grant-CV (CDBG-CV) SF-424, SF-424D and Certifications
20. LF051320-07 – Approve Amendment to Resident Participation Plan (CDBG)
21. No. 20TI003 – Approve Resolution No. 2020-021 a Resolution to Approve TID No. 70 Project Plan Amendment #1 to Reallocate Project Plan Costs for Property Generally Described as Being Located Catron Boulevard from 5th Street to South US Highway 16, then South Along US Highway 16 to Sammis Trail and East to the Proposed Hyland Crossing Subdivision
22. No. 03TI001 – Approve Resolution No. 2020-30 a Resolution to Dissolve Tax Increment District #38 for Property Generally Described as Being Located at the Intersection of Eglin Street and Elk Vale Road

Bid Award Consent Items

23. CC051820-02.1 - Approve award of total bid for Flormann Street Water Main Replacement Project, Mt. Rushmore Road to Apollo Circle, Project No. 19-2512 / CIP No. 51235 opened on May 13, 2020 to the lowest responsible bidder, Lind Exco, Inc. in the amount of \$899,526.42.
24. CC051820-02.2 - Waive technical irregularities and approve award of total bid for Sheridan Lake Rd. Panel Repair Project, Project No. 19-2556 / CIP No. 50445 opened on May 13, 2020 to the lowest responsible bidder, J. V. Bailey Co Inc. in the amount of \$360,101.80.

- 25. CC051820-02.3 - Approve award of total bid for Northridge Booster Pump Station and Stoney Creek Booster Pump Station Improvements, Project No. 14-2178 / CIP No. 50812.CD opened on May 13, 2020 to the lowest responsible bidder, Mainline Contracting, Inc. in the amount of \$480,050.00.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 26 – 34

Open Public Comment – Items 26 – 34 (3-minute time limit per speaker)

Close Public Comment

Ordinances

- 26. No. 20RZ026 - First Reading, Ordinance 6418, 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 4039 and 4052 Windslow Place.
Recommendation: Approve
- 27. No. 20RZ027 - First Reading, Ordinance 6419, 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 4122, 4134, 4146, 4158 and 4170 Wisconsin Avenue.
Recommendation: Approve
- 28. No. 20RZ028 - First Reading, Ordinance 6420, 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 3622, 3626, 3632, 3636 and 3700 City View Drive.
Recommendation: Approve
- 29. LF051320-08 – First Reading of Ordinance No. 6424 an Emergency Ordinance Extending the Date by which the City can Implement Measures Necessary to Slow the Community Spread of Coronavirus (COVID-19)
Recommendation: Send to Council without Recommendation

Public Works Committee Items (NONE)

Legal & Finance Committee Items

- 30. LF051320-09 – Resolution No. 2020-037 an Emergency Resolution Extending Resolution No. 2020-034
Recommendation: Send to Council without Recommendation

CIP Committee Items (NONE)

Community Development Items (NONE)

Other Board, Commission & Committee Items (NONE)

Bid Awards (NONE)

Alcoholic Beverage License Applications (56 applications)

31. Approve 2020 Retail (on-off sale) Malt Beverage & SD Farm Wine License Renewals

RB-2010	UNIQUE INK PROMOS INC	UNIQUE INK PROMOS INC	3300 DEADWOOD AVE N
RB-2082	ESSENCE OF COFFEE LLC	ESSENCE OF COFFEE	908 MAIN ST
RB-2190	LATE HARVEST INC	TALLY'S SILVER SPOON	530 6TH ST
RB-2275	M G OIL COMPANY	UNCLE SAM'S WEST	2730 WEST MAIN ST
RB-2289	TRIFECTA GROUP LLC	DELMONICO GRILL	609 MAIN ST
RB-2342	M G OIL COMPANY	RUSHMORE CASINO III	1808 MOUNT RUSHMORE RD STE C
RB-2343	M G OIL COMPANY	JACKPOT CASINO TOO #2	1415 N LACROSSE ST STE 3-B
RB-25623	M G OIL COMPANY	CORNER PANTRY #14	501 DEADWOOD AVE
RB-25624	M G OIL COMPANY	CORNER PANTRY #13	310 E FAIRMONT BLVD
RB-25625	M G OIL COMPANY	CORNER PANTRY #10	1818 MT RUSHMORE RD
RB-25626	M G OIL COMPANY	CORNER PANTRY #9	1220 E ST PATRICK ST
RB-25627	M G OIL COMPANY	CORNER PANTRY #5	601 MOUNTAIN VIEW
RB-25628	M G OIL COMPANY	CORNER PANTRY - LACROSSE	2130 LACROSSE ST
RB-25629	M G OIL COMPANY	CORNER PANTRY #8	302 E NORTH ST
RB-25630	M G OIL COMPANY	CORNER PANTRY #4	901 EAST NORTH ST
RB-25649	BIG D OIL CO	BIG D OIL CO #17	3540 STURGIS RD
RB-25650	BIG D OIL CO	BIG D OIL CO #22	49 E OMAHA
RB-25651	BIG D OIL CO	BIG D OIL CO #4	1507 E ST PATRICK
RB-25652	BIG D OIL CO	BIG D OIL CO STORE #42	850 E NORTH ST
RB-25653	BIG D OIL CO	BIG D OIL CO STORE #41	1160 LA CROSSE ST
RB-25654	BIG D OIL CO	BIG D OIL CO #24	3010 W MAIN
RB-25655	BIG D OIL CO	BIG D OIL # 45	251 STUMER RD
RB-25656	BIG D OIL CO	BIG D OIL CO #8	2303 JACKSON BLVD
RB-2604	M G OIL COMPANY	MARKET SQUARE II	1624 EAST ST PATRICK STE 103
RB-2797	M G OIL COMPANY	LACROSSE STREET CASINO #1	720 LACROSSE ST BUILDING B SUITE 1

RB-2808	M G OIL COMPANY	JOKERS SOUTH CASINO	1320 MOUNT RUSHMORE RD STE C-1
RB-2946	M G OIL COMPANY	#2-EAST CASINO NORTH	230 E NORTH ST
RB-2952	M G OIL COMPANY	RUSHMORE CASINO	1808 MOUNT RUSHMORE RD STE A
RB-2955	CCKT INC	KING OF HEARTS CASINO	2820 W MAIN ST STE B
RB-2964	M G OIL COMPANY	JACKPOT CASINO NORTH	685 N LACROSSE ST STE 2-B
RB-2966	M G OIL COMPANY	BP CASINO II	609 MOUNTAIN VIEW RD STE C-2
RB-2967	M G OIL COMPANY	CHANCES CASINO	1565 HAINES AVE STE D
RB-2969	M G OIL COMPANY	JACKPOT CASINO III	685 N LACROSSE ST STE 2-D
RB-2985	CCKT INC	KING OF HEARTS TWO	2820 WEST MAIN SUITE A
RB-2986	M G OIL COMPANY	JACKPOT CASINO II	685 N LACROSSE ST STE 2-C
RB-2987	M G OIL COMPANY	UNCLE SAMS SOUTH TOO	2110 JACKSON BLVD
RB-2995	M G OIL COMPANY	JACKPOT CASINO TOO	1415 N LACROSSE ST STE 3
RB-2996	M G OIL COMPANY	HAPPY JACKS I-90	4036 CHEYENNE BLVD
RB-2998	CCKT INC	QUEEN OF HEARTS CASINO II	316 EAST BLVD STE 110
RB-3004	M G OIL COMPANY	UNCLE SAM'S SOUTH	2110 JACKSON BLVD
RB-3005	M.G. OIL COMPANY	JACKPOT WEST II	2144 JACKSON BLVD STE 4
RB-3006	M G OIL COMPANY	HAPPY JACK'S EAST	909 E ST PATRICK ST #20
RB-3012	M G OIL COMPANY	BP CASINO	609 MT VIEW SUITE C-1
RB-3019	CCKT INC	QUEEN OF HEART'S CASINO	316 EAST BLVD STE 100
RB-3027	M G OIL COMPANY	MARKET SQUARE CASINO	1624 E ST PATRICK ST
RB-3037	MG OIL COMPANY	CHANCES CASINO 3	1565 HAINES AVE STE C-2
RB-3039	MG OIL COMPANY	SAM'S # 2	2730 W MAIN ST STE B
RB-3044	MG OIL COMPANY	TOBY'S CASINO NORTH	720 E NORTH ST STE 110
RB-3114	MG OIL COMPANY	LACROSSE STREET CASINO #3	720 LACROSSE STREET BLG B SUITE 3
RB-3208	M.G. OIL COMPANY	JACKPOT CASINO WEST	2144 JACKSON BLVD STE 3
RB-3219	MG OIL COMPANY	TOBY'S CASINO NORTH	720 E NORTH ST STE 100
RB-3538	MG OIL COMPANY	TOBY'S CASINO SOUTH TOO	714 CLEVELAND ST
RB-3590	M G OIL COMPANY	CHANCES CASINO TOO	1565 HAINES AVE STE C
RB-3593	MG OIL COMPANY	TOBY'S CASINO SOUTH	710 CLEVELAND ST
RB-3657	M G OIL COMPANY	HAPPY JACKS TOO	909 ST PATRICK ST #21
RB-3810	M G OIL COMPANY	HAPPY JACKS OMAHA	1109 WEST OMAHA ST #

Mayor's Items

- 32. CC051820-01 – Presentation from Mayor Allender – Recommended 2020 Budget Revisions Resulting from COVID-19

Council Items & Liaison Reports (NONE)

Staff Items

- 33. CC051820-03 – Rapid City Coronavirus Emergency Response – Karl Jegeris
- 34. CC051820-04 - Authorize Mayor and Finance Officer to sign Settlement Agreement with Darren Haar.

Appeals (NONE)

- Planning Commission Appeals*
- License Appeals*
- Sign Code Appeals*
- Other Appeals Heard by the Council*

PUBLIC HEARING ITEMS – Items 35 – 50

Open Public Hearing (comment) - Items 35 - 50 (3-minute time limit per speaker)
[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 35 – 50

CONSENT PUBLIC HEARING ITEMS – Item 35

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

Community Development Items (NONE)

Alcohol Licenses

- 35. 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

Assessment Rolls (NONE)

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 36 – 50

- 36. No. 20TI003 - 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.

Recommendation: Approve

- 37. No. 20RZ001 - Second 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

38. No. 20RZ002 - Second 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

39. No. 20RZ003 - Second 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

40. No. 20RZ004 - Second 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

41. No. 20RZ005 - Second 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

42. No. 20RZ006 - Second 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

43. No. 20RZ007 - Second 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

44. No. 20RZ009 - Second 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

45. No. 20RZ012 - Second 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

46. No. 20RZ022 - Second Reading, Ordinance 6414, 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
47. No. 20RZ023 - Second Reading, Ordinance 6415, 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
48. No. 20RZ024 - Second Reading, Ordinance 6416, 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
49. No. 20RZ025 - Second Reading, Ordinance 6417, 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
50. No. 19OA006 – Second 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

BILLS

51. No. CC051820-01 – Bill List for May 18, 2020

ADJOURN