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 15, 2020

ROLL CALL AND DETERMINATION OF QUORUM

INVOCATION (You are welcome to participate, but not required)

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

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 – 46

Open Public Comment – Items 1 – 38 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 1 – 38

Remove Items from the "Consent Items" and Vote on Remaining Consent Items

Approve Minutes
1. Approve Minutes for the June 1, 2020 Regular Council meeting.

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

Alcoholic Beverage License Applications Set for Hearing (July 6, 2020)
2. MG Oil Company DBA The Park, 707 Mountain View Rd for a Retail (on-sale) Liquor license TRANSFER from MG Oil Company DBA Clock Tower Lounge, 2525 W Main St
3. MG Oil Company DBA The Park 3, 707 Mountain View Rd, Suite C for a Retail (on-sale) Liquor license TRANSFER from MG Oil Company DBA Uncle Sam's South, 2110 Jackson Blvd
4. MG Oil Company DBA The Park 2, 707 Mountain View Rd Suite B for a Retail (on-sale) Liquor license TRANSFER from MG Oil Company DBA Jokers Casino South III, 1320 Mount Rushmore Road Suite B

Public Works Committee Consent Items
5. PW060920-02: Approve change order 6 to Simon Contractors of SD, Inc. for E Blvd E North Utility Reconstruction, Project #2170/CIP NO.50866.1 for an increase of $20,471.66.
6. PW060920-03: Approve change order 1 to Underground Construction, LLC. for Woodlawn Dr and Downing St Sanitary Sewer Replacement, Project #2285/CIP NO.50623 for an increase of $199,798.20.
7. PW060920-04: Approve change order 1F to Mac Construction CO., Inc. for RC Water Reclamation Facility Digester MCC and UV/Admin. Transfer Switch Replacement, Project #2485/CIP NO.51216 for an increase of $8,363.36.
8. PW060920-05: Approve change order 1F to Simon Contractors of SD, Inc. for E. St. Francis Paving Project, Project #2514/CIP NO.51237 for a decrease of $9,030.05.
9. PW060920-06: Approve change order 1 F to Complete Concrete, Inc. for Star of the West Bathroom Project, Project #2527/CIP NO.51249 for a decrease of $3,141.57.
10. PW060920-07: Authorize Mayor and Finance Officer to Sign Resolution No. 2020-042 Construction Fee Resolution for Alma St., Gladys St. and Lennon Ln. Area Low Pressure North Water Main Extension Oversize - Per Acre Fee, Project No. 12-2039.
11. PW060920-08: Authorize Mayor and Finance Officer to Sign Resolution No. 2020-043 Construction Fee Resolution for Alma St., Gladys St. and Lennon Ln. Area High Pressure North Water Main Extension Oversize - Per Acre Fee, Project No. 12-2039.
12. PW060920-09: Authorize Mayor and Finance Officer to Sign Resolution No. 2020-044 Construction Fee Resolution for Alma St., Gladys St. and Lennon Ln. Area Low Pressure South Water Main Extension Oversize - Per Acre Fee, Project No. 12-2039.
13. PW060920-10: Authorize Mayor and Finance Officer to Sign Resolution No. 2020-045 Construction Fee Resolution for Alma St., Gladys St. and Lennon Ln. Area High Pressure South Water Main Extension Oversize - Per Acre Fee, Project No. 12-2039.
14. PW060920-11: Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid and Ferber Engineering Inc. for Design and Bidding for E Watertown Water Main Replacement, Project No. 19-2501 / CIP No. 51076, in the amount of $42,160.00
15. PW060920-12: Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and HDR Engineering, Inc. for E Main Street N Bridge Repair, Project No. 19-2525/CIP No. 51247 in the amount of $124,468.00.
17. PW060920-14: Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and Highway Improvement, Inc. for 2020 Crack Seal Project, Project No. 20-2591/CIP 50844, in the amount of $75,000.00.
18. PW060920-15: Authorize the Solid Waste Division to contract for equipment repair and installation of a reconditioned engine for Unit S933 of the Solid Waste, Sanitation Division from Cummins Sales for a total cost of $38,703.18. Funding will be from the Solid Waste Division.
19. PW060920-16: Authorize the Solid Waste Division to contract for equipment repair and installation of a reconditioned engine for Unit S930 of the Solid Waste, Sanitation Division from Cummins Sales for a total cost of $35,860.83. Funding will be from the Solid Waste Division.
20. PW060920-18: Approve Change Order No. 4 to Simon Contractors of SD for Parks and Recreation 2019 Asphalt Paving project No. PR19-6166 for an increase of $11,016.
21. PW060920-19: Approve Resolution No. 2020-040 entitled A Resolution Establishing the City of Rapid City Archery Antlerless Deer Access Permit Program
22. PW060920-01: 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 $25,959.16
23. PW060920-17: Authorize Mayor and Finance Officer to sign a Professional Service Agreement with Burns & McDonnell Engineering Company, Inc. for a Solid Waste Master Plan, Project No. 19-2561, in the amount of $698,680.00
24. PW060920-20: Approve with stipulations, a request from Western Housing Enterprises, LLC for an Exception to allow more than 40 dwelling units with one point of 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.
Legal & Finance Committee Consent Items
25. LF061020-02 – Authorize Staff to Purchase Dodge Ram Truck for $32,359.00 at State Bid Price to Replace Aging Vehicle in the Police Department Fleet.
26. LF061020-10 – Authorize Staff to Purchase Two Jeep Grand Cherokees for a Total of $52,672.00 at State Bid Price to Replace Aging Vehicles in the Police Department Fleet.
27. LF061020-06 – Authorize Staff to Apply for and Accept if Awarded the SAFER Grant-Staffing for Adequate Fire & Emergency Response
28. LF061020-07 – Authorize Staff to Apply for and Accept if Awarded the Fire Prevention and Safety Grant
29. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Kathy Weimer (RSVP+)
30. LF061020-01 – Approve Resolution No. 2020-052A a Resolution Fixing Time and Place for Hearing on Assessment Roll for A Business Improvement District 2020
31. LF061020-03 – Approve Resolution No. 2020-053 a Resolution Levying Assessment for Abatement of Nuisances
32. LF061020-04 – Approve Resolution No. 2020-054 a Resolution Declaring Miscellaneous Personal Property Surplus to be Traded
33. LF061020-05 – Acknowledge April 2020 Sales Tax Report
34. LF061020-09 – Approve Resolution No. 2020-055 a Resolution Declaring Miscellaneous Property Surplus to be Traded
35. LF061020-08 – Authorize the Mayor and Finance Officer to Sign the Vision Funds Agreement with Black Hills Works

Community Development Consent Items
36. No. 20AN002 – Continue Resolution 2020-039 to the July 6, 2020 Council meeting to meet publication requirements. A request by Cross Country Real Estate LLC for a Petition of De-Annexation for property generally described as being located northeast of the intersection of Jolly Lane and E. Highway 44.

Bid Award Consent Items
37. CC061520-02.1 - Approve award of total bid for 2020 Chip Seal Project, Project No. 19-2543 / CIP No. 50844 opened on June 9, 2020 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of $181,779.00.
38. CC061520-02.2 - Approve award of total bid for Pavement Rehabilitation Project Grand Vista Ct to Kepp Ct, Project No. 19-2547 / CIP No. 50549 opened on June 9, 2020 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of $316,022.50.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 39 – 46

Open Public Comment – Items 39 – 46 (3-minute time limit per speaker)
Close Public Comment

Ordinances
39. LF052720-03 – Approve Second Reading and Recommendation of Ordinance 6429 Regarding Supplemental Appropriation #3 for 2020.
Recommendation: Approve
40. 20OA002 – Approve First Reading of Ordinance No. 6428 an Ordinance to Clarify the Retail Sales Component for Microbreweries as Conditional Uses in the Light Industrial District by amending Section 17.22.030N of the Rapid City Municipal Code.
Recommendation: Approve
41. No. 20RZ030 - First Reading, Ordinance 6422, 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, generally described as being located north of the intersection of East Stumer Road and Shelby Avenue.

Recommendation: Approve

42. No. 20RZ032 - First Reading, Ordinance 6427, 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, generally described as being located at 726 South Street.

Recommendation: Approve

Public Works Committee Items (NONE)

Legal & Finance Committee Items

43. LF061020-11 – Approve Resolution No. 2020-056 an Emergency Resolution Extending Resolution No. 2020-034.

Recommendation: Send to Council without Recommendation. (The resolution from the Legal and Finance meeting on June 10, 2020 is attached. The City Attorney has also attached an alternate resolution for council to consider.)

Community Development Items

44. No. 20PL034 - A request by KTM Design Solutions, Inc for Yasmeen Dream 11, LLC for a Preliminary Subdivision Plan for proposed Lots 2 thru 28 of Block 3, Lots 2 thru 11 of Block 4, Lots 1 thru 16 of Block 7 of Diamond Ridge Subdivision, generally described as being located north of Diamond Ridge Subdivision.

Recommendation: Approve with Stipulations

Other Board, Commission & Committee Items (NONE)

Bid Awards


Recommendation: Send to Council without recommendation

Alcoholic Beverage License Renewals (There are 12 licenses)

46. Approve 2020 Retail (on-off Sale) Malt Beverage & SD Farm Wine Renewals

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<td>RB-2052</td>
<td>RAPID CITY ARTS COUNCIL INC</td>
<td>DAHL ARTS CENTER 713 7TH STREET</td>
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<td>MOYLE PETROLEUM CO</td>
<td>COMMON CENTS FOOD STORE #104 1129 W OMAHA ST</td>
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<td>M G OIL COMPANY</td>
<td>LACROSSE STREET CASINO #2</td>
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**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 47 – 51

*Open Public Hearing (comment)* - Items 47 – 51 (3-minute time limit per speaker)

*[Public Hearing Remains Open]*

*Close Public Hearing (comment)* - Items 47 – 51

**CONSENT PUBLIC HEARING ITEMS** – Items 47 – 49

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

**Community Development Items (NONE)**

**Alcohol Licenses**

47. Rapid City Summer Nights for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine Retailer license for events on the following 2020 dates: July 2, 9, 16, 23; and August 6, 13, 20, 27, and September 3 at 500 Block of 7th and 700 Block of St. Joseph

48. Khan Hotel SD LLC DBA Clarion Inn, 1902 N LaCrosse Street for a Retail (on-sale) liquor license TRANSFER from First National Bank Rapid City DBA Ramada Hotel & Suites F&B, 1902 N LaCrosse Street

**2020 Retail (on-off sale) Malt Beverage & SD Farm Wine License Renewals (June 15, 2020)**

49. Moyle Petroleum Co. DBA Common Cents Food Stores #108, 2660 Mt. Rushmore Road, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License renewal

5
Assessment Rolls (NONE)

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 50 – 51

50. No. 20RZ029 – Second Reading, Ordinance 6421, 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 706 South Street.
   Recommendation: Approve

51. No. 20PD017 – Appeal of Planning Commission Decision to Deny on a request by Catherine B. Harris for a Final Planned Development Overlay to allow a mission in the General Commercial District for property generally described as being located at 112 East North Street.
   Planning Commission Recommendation: Deny

BILLS

52. No. CC061520-01 – Bill List for June 15, 2020

ADJOURN