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, July 6, 2020

ROLL CALL AND DETERMINATION OF QUORUM

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

PLEDGE OF ALLEGIANCE

**OLD BUSINESS**

NON-PUBLIC HEARING ITEMS – Items 1 - 5

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

CONSENT ITEMS – Items 1-3

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

Approve Minutes
1. Approve Minutes for the June 9, 2020 Special Council meeting.
2. Approve Minutes for the June 15, 2020 Regular Council meeting.

Legal and Finance Committee Consent Items
3. LF070120-12 – Approve Rapid City Airport Rates and Charges for FY2020 Revision 1

NON-CONSENT ITEMS – Items 4 and 5

Open Public Comment - Items 4 and 5 (3-minute time limit per speaker)
Close Public Comment

Public Works Committee Items
4. PW063020-24: Appeal by Western Housing Enterprises, LLC of an Exception Request denial to waive the requirement to improve Valley Drive to collector street standards.
Recommendation: Deny 4-1 with Roberts voting to grant the exception

Staff Items
5. CC070620-03 - Presentation of Mayor’s Written Objection and Veto of the 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, which the Council approved June 15, 2020

PUBLIC HEARING ITEMS - Items 6-11

Open Public Hearing (comment) – Items 6-11 (3-minute time limit per speaker)
Close Public Hearing (comment)
CONSENT PUBLIC HEARING ITEMS - Items 6-8

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

Alcohol Licenses

6. 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
7. 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
8. 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

NON-CONSENT PUBLIC HEARING ITEMS – Items 9 - 11

9. 20OA002 – Second 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
10. No. 20RZ030 – Second 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
11. No. 20RZ032 – Second 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

END OF “OLD BUSINESS” PUBLIC HEARING CALENDAR

RECOGNIZE OUTGOING COUNCIL MEMEBERS
12. Recognize Chad Lewis and Becky Drury

RECESS TO SWEAR IN NEWLY ELECTED COUNCIL MEMBERS
13. Oaths of Office administered to Ward Council Members Patrick Jones, Ritchie Nordstrom, Jason Salamun, John Roberts and Laura Armstrong

RECONVENE

ADOPTION OF THE AGENDA

ELECTION OF OFFICERS
14. Election of Council President
15. Election of Council Vice-President

PRESENTATION

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 17 – 71

*Open Public Comment* – Items 17 – 64 (3-minute time limit per speaker)

*Close Public Comment*

**CONSENT ITEMS** – Items 17 – 64

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

**Alcoholic Beverage License Applications Set for Hearing (July 20, 2020)**

17. Naja Shriners for a SPECIAL EVENT On-Sale Dealer License for an event scheduled for July 25, 2020 at Naja Shrine Center, 4091 Sturgis Road

18. City of Rapid City DBA Rushmore Plaza Civic Center, 444 Mt. Rushmore Rd, for a Retail (on-off sale) Malt Beverage & SD Farm Wine license

19. Spiker Management DBA LaVida, 1001 E North Street for a Retail (on-off sale) Wine and Cider license TRANSFER from Fiesta Tequila Mexican Restaurant LLC DBA Fiesta Tequila Mexican Restaurant, 1001 E North Street

**Public Works Committee Consent Items**

20. PW063020-01: Approve change order 4F to R.C.S. Construction, Inc. for Willow Ave, Ivy Ave, Fairlane Dr. Street and Utility Reconstruction, Project #2254/CIP NO.50421.3-1 C for a decrease of $70,302.76.

21. PW063020-02: Approve change order 1 F to Lind-Exco, Inc. for Tower Court Storm Sewer Outfall Stabilization, Project #2455/CIP NO.51203 for a decrease of $106,283.65.

22. PW063020-03: Approve change order 1 F to Simon Contractors of SD, Inc. for 2019 Roadway Paving Project, Project #2466/CIP NO.50297 for a decrease of $3,762.81.

23. PW063020-04: Approve change order 1 F to Western Construction for Pavement Rehabilitation Project Fountain Plaza Drive and Rand Rd, Project #2471/CIP NO.50549 for a decrease of $20,843.61.

24. PW063020-05: Approve change order 1 F to Ainsworth Benning for West Main and Jackson Blvd Panel Repair Project, Project #2513/CIP NO.50445 for an increase of $10,184.54.

25. PW063020-06: Approve change order 1 F to BTD Enterprises, LLC. for Clifton Street Sidewalk Improvements, Project #2528/CIP NO.50716.3 for a decrease of $8.00.

26. PW063020-07: Approve change order 1 to Simon Contractors of SD, Inc. for Pavement Rehabilitation Project Grand Vista Ct to Kepp Ct, Project #2547/CIP NO.50549 to extend the contract completion date to July 31, 2021. This is no cost change order.

27. PW063020-08: Approve change order 1 to J.V. Bailey CO., Inc. for Sheridan Lake Rd Panel Repair Project, Project #2556/CIP NO.50445 for an increase of $18,583.54.

28. PW063020-09: Authorize Staff to Advertise Bids for Gill Ave Sewer Reconstruction Project, Project No. 20-2584/CIP No. 51294. Estimated Cost $300,000.00

29. PW063020-10: Authorize staff to Advertise for Bids Project No. 20-2597 / CIP No. 50098 PETT Bldg Roof Replacement

30. PW063020-11: Approve Correction to Award Recommendation for Sheridan Lake Rd. Panel Repair Project, Project No. 19-2556 \ CIP No. 50445, awarded at the May 18, 2020 Council Meeting, to the lowest responsible bidder J.V. Bailey Co. Inc., in the amount of $360,101.80. The funding source originally identified was incorrect.

31. PW063020-12: Authorize Mayor and Finance Office to Sign Amendment No. 2 to the Agreement between the City of Rapid City and Advanced Engineering and Environmental Services, Inc. (AE2S) for Professional Engineering Services for Analysis of Federal Emergency Management
32. PW063020-13: Authorize Mayor and Finance Office to sign an Agreement between the City of Rapid City and FMG Engineering for Professional Engineering Services for Tower Road Stabilization Project, Project No. 19-2537 / CIP No. 51254 in the amount of $85,785.00
33. PW063020-14: Authorize Mayor and Finance Officer to sign Professional Services Agreement between the City of Rapid City and Renner Associates, LLC for Alta Vista Drive Storm Sewer Improvement Project, Project No. 20-2595 / CIP No. 51300, for an amount not to exceed $26,501.00.
34. PW063020-15: Authorize Mayor and Finance Officer to sign Professional Services Agreement between the City of Rapid City and Longbranch Civil Engineering, Inc. for Meade Hawthorne Drainage Basin Improvements, Detention Ponds 224 and 225, Project No. 2596 / CIP No. 51296, for an amount not to exceed $29,620.00.
35. PW063020-26: Approve Request from William & Jill Blickensderfer (the property owners) for a Variance to Waive the Requirement to Install Sidewalk, per City Ordinance 12.08.060, along Harter Drive which is the east frontage of their property located at 2404 Canyon Lake Drive.
36. PW063020-16: Approve Request to Purchase one (1) Exprolink Madvac for the Solid Waste Division from Sourcewell Contract 122017-EXP for a cost of $18,010.00.
37. PW063020-17: Approve request to purchase one (1) Concover Hydroseeder for the Solid Waste Division to cover MSW and for use in erosion control from SourceWell contract 052417-FINN for a cost of $75,600.75.
38. PW063020-18: Authorize Staff to Advertise for Bids for Rapid City Solid Waste - Lake Herman Outfall Improvements, Project No. 20-2589 / CIP No. 51289. Estimated Cost $220,000.00.
39. PW063020-19: Request authorization for Mayor and Finance Officer to sign Amendment One to agreement with HDR Engineering for Water Reclamation Facility (WRF) Arc Flash Analysis, Project No. 17-2404 / CIP No. 51180. This is a no-cost amendment.
40. PW063020-20: Authorize Mayor and Finance Officer to sign Service Agreement with Midco Diving and Marine Services for reservoir cleaning for seven of seventeen reservoirs. Estimated Cost: $22,093.00.
41. PW063020-21: Authorize Mayor and Finance Officer to sign a Professional Services Agreement with HDR Engineering, Inc. for the Water Risk and Resilience Assessment; Project No. 20-2575; CIP No. 51269. Estimated Cost: $69,200.00.
42. PW063020-22: Approve Change Order No. 2F to Corr Construction for Parks and Recreation Bridge Improvements Project No. PR18-2406 for a decrease of $2,618.50.
43. PW063020-23: Authorize the Mayor and Finance Officer to sign a covenant agreement between the City of Rapid City and JD Muth Investments, LLC allowing connection to the City water system with a non-conforming service line.
44. PW063020-25: Authorize the Mayor and Finance Officer to sign a covenant agreement between the City of Rapid City and DOEK LLC for identification of ownership and maintenance of drainage lot.

Legal & Finance Committee Consent Items
45. No. 20AN002 – Approve Resolution 2020-039 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.
46. LF070120-07 – Approve Resolution No. 2020-058 a Resolution Declaring Surplus Property and Appointing Three Real Property Owners to Appraise the Property at 248 Curtis Street.
47. LF070120-03 – Confirm the Appointment of Kelly Arguello to the Planning Commission to Fill the Unexpired Term Vacated by Galen Hoogestraat and Confirm the Appointment of Haven Stuck to the Planning Commission to Fill the Unexpired Three-Mile Representative Term Vacated by Kelly Arguello.
48. LF070120-01 – Authorize Staff to Apply for and Accept if Awarded the Western States Fire Managers Wildfire Mitigation Grant.
49. LF070120-04 – Authorize the Mayor and Finance Officer to Sign MAP Agreement and the RC Approved Addendum Agreement Between Marco Technology and the Rapid City Fire Department for print/copy/scan/fax Machine Maintenance for Fire Stations 1, 2, 3, 4, 5, 6 , and 7

50. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Danielle HighBear (Parks and Recreation), Ashley Vincent (Parks and Recreation), Lynne Enochson (Parks and Recreation), Vince Barun (Parks and Recreation), Mary Benz (Parks and Recreation), Kris Norlin (Parks and Recreation), Jan Gustin (Parks and Recreation), Don gustin (Parks and Recreation), Tamara Pier (Parks and Recreation), Pat Roseland (Parks and Recreation), Ryan Burke (Parks and Recreation), Laura Armstrong (Parks and Recreation), Becky Drury (Parks and Recreation), Jeanette Hurlor (Parks and Recreation), Priscilla Bade (Parks and Recreation), Larry Beezley (Parks and Recreation), David Holland (Parks and Recreation), Rebecca Holland (Parks and Recreation), Tami Applegarth (RSVP+), Judy Adam (RSVP+), Mieko Bluhm (RSVP+), Thomas Bluhm (RSVP+), Patty Golz (RSVP+), Esther Lux (RSVP+), Donna McLoughlin (RSVP+), Mary Mead (RSVP+), Michelle Morin (RSVP+), Donna Page (RSVP+), Sian Young (RSVP+)

51. LF070120-02 – Acknowledge May 2020 General Fund Cash Balance Report

52. LF070120-05 – Authorize the Mayor and Finance Officer to Sign Life Safety Loan Agreement with Tom L. Odom, Jr., Vicki Odom and Joseph Graziano

53. LF070120-10 – Approve Resolution No. 2020-059 A Resolution Authorizing the Execution of Contractual Documents with the State of South Dakota for the Receipt of CARES Act Funds to Address the COVID-19 Public Health Crisis

CIP Committee Consent Items (NONE)

Community Development Consent Items

54. 20TP021: Acknowledge the 2021-2024 Transportation Improvement Program - Draft Report

55. 20TP022: Acknowledge the Sixth and Omaha Crossing Feasibility Study - Draft Report

56. 20TP023: Acknowledge the Metropolitan Transportation Plan and Bicycle and Pedestrian Master Plan Update - Draft Report

57. LF070120-11 – Authorize the Mayor and Finance Officer to Sign the FY20 Community Development Block Grant Contract for Rural America Initiatives, Inc., and the Indenture of Restrictive Covenants

58. LF070120-06 – Authorize the Mayor and Finance Office to Sign the FY19 Community Development Block Grant Amended Contract for Behavior Management Systems, Inc.

59. LF052720-02 – Authorize the Mayor and Finance Officer to Sign the FY20 Community Development Block Grant (CDBG) Contract for Behavior Management Systems, Inc. that was Continued from the May 27, 2020 Legal and Finance Meeting

60. LF070120-08 – Authorize the Mayor and Finance Office to Sign the FY20 Community Development Block Grant/Neighborhood Lift Contract for Black Hills Works, Inc., and Indenture of Restrictive Covenants, Quit Claim Deed, Mortgage, Promissory Note and Associated Documents

61. LF070120-09 – Approve the Preliminary FY19 Consolidated Annual Performance and Evaluation Report (CAPER)

Bid Award Consent Items

62. CC070620-02.1 – Approve award of total bid for Forest Hills Dr. & Clark St. Inlay Project, Project No. 19-2555 / CIP No. 50549 opened on June 30, 2020 to the lowest responsible bidder, J & J Asphalt in the amount of $195,863.10.

63. CC070620-02.2 – Approve award of total bid for 5th Street Panel Repair Project, Project No. 19-2533 / CIP No. 50445 opened on June 30, 2020 to the lowest responsible bidder, J.V. Bailey Co. Inc. in the amount of $226,350.50.

64. CC070620-02.3 – Approve award of total bid for Pavement Rehabilitation Project Tower Road, Project No. 20-2587 / CIP No. 50798 opened on June 30, 2020 to the lowest responsible bidder, Tru-Form Construction, Inc. in the amount of $358,997.25.
END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 65 – 71

Open Public Comment – Items 65 – 71 (3-minute time limit per speaker)

Close Public Comment

Ordinances

65. No. 20RZ031 - First Reading, Ordinance 6426, 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 request from General Agricultural District to Light Industrial District for property generally described as being located southeast of the intersection of N. Creek Drive and Eglin Street.

Recommendation: Approve

66. 20OA003 – First Reading of Ordinance No. 6423 an Ordinance Amendment to Recodify Establishment and Organization of the Historic Preservation Commission by Removing Section 17.54.010E and Adding Chapter 2.62 to the Rapid City Municipal Code

Recommendation: Approve

67. 20OA004 – First Reading of Ordinance No. 6434 an Ordinance Amendment to Revise the Requirement for a Planned Development Overlay by Amending Section 17.50.050 of the Rapid City Municipal Code

Recommendation: Approve

Legal & Finance Committee Items (NONE)

Community Development Items

68. No. 20PL017 - A request by Dream Design International, Inc. for Yasmeen Dream 111, LLC for a Preliminary Subdivision Plan for proposed Lots 24 thru 62 of Block 2, Lots 3 thru 7 of Block 5, and Lot 1 of Block 6 of Shepherd Hills Subdivision, generally described as being located east of the current terminus of Philadelphia Street.

Recommendation: Approve with Stipulations

69. No. 20PL033 - A request by KTM Design Solutions, Inc. for Yasmeen Dream LLC for a Preliminary Subdivision Plan for Lot K and Lot A1 of North Valley Park Subdivision, generally described as being located southeast of the intersection of N. Creek Drive and Eglin Street.

Recommendation: Approve with Stipulations

70. No. 20PL040 - A request by Ferber Engineering Co., Inc. for Wayne Hellman for a Preliminary Subdivision Plan for proposed Lots 1 and 2 of Cabot Subdivision, generally described as being located north of the Cabot Road terminus.

Recommendation: Approve with Stipulations

Other Board, Commission & Committee Items (NONE)

Bid Awards

71. CC070620-02.4 - Approve award of total bid for Rushmore Plaza Furniture and Furnishings Bid Package 1, 2, 3, 4, 5, and 6 for Rushmore Plaza Civic Center Expansion, Project No. 2452 June 9, 2020 to the lowest responsive bidder, Canfield Business Interiors in the amount of $374,910.71.

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 – (Presented under old business)
   Open Public Hearing (comment)
   Close Public Hearing (comment)

CONSENT PUBLIC HEARING ITEMS – (Presented under old business)

Community Development Items (NONE)

Alcohol (presented under old business)

Assessment Rolls (NONE)

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – (Presented under old business)

BILLS
   72.  No. CC070620-01 – Bill List for July 6, 2020

ADJOURN