

**SUMMARY**  
**AGENDA FOR THE CITY COUNCIL**  
**City of Rapid City, South Dakota**  
**6:30 P.M., Monday, October 5, 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. National Cybersecurity Awareness Month Proclamation - I.T. Director Jim Gilbert

**PRESENTATION:**

2. Indian Boarding School History Presentation – Heather Dawn Thompson and Dr. Eric Zimmer

**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 – 35

**Open Public Comment** – Items 3 – 31 (3-minute time limit per speaker)

**Close Public Comment**

**CONSENT ITEMS** – Items 3 – 31 **Approve Items 3-31 with the exception of items 13, 21, 22, 28 and 31**

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

***Approve Minutes***

3. Approve Minutes for the September 21, 2020 Regular Council meeting.

***Tax Increment District Set for Hearing (October 19, 2020)***

4. No. 20TI005 - A request by City of Rapid City for City of Rapid City/Homestead Street Project, LLC for a Resolution to create TID and approve a Project Plan for the Homestead Street Extension for property generally described as being located at Homestead Street east of Elk Vale Road between Timmons Boulevard and Missoula Street.

***Alcoholic Beverage License Applications Set for Hearing (October 19, 2020)***

5. Naja Shriners for a SPECIAL EVENT On-Sale Malt Beverage License for an event scheduled for November 7, 2020 at Black Hills Harley Davidson, 2820 Harley Drive
6. Bar K-9 LLC for a SPECIAL EVENT On-Sale Malt Beverage License for an event scheduled for October 23-24, 2020 at Rushmore Mall (Fenced off area), 2200 N Maple Ave
7. J.M. Kingsbury Family Brewing Co DBA Cohort Craft Brewery, 4905 5<sup>th</sup> Street, Suite 103 for a Retail (on-off sale) Malt Beverage & SD Farm Wine license
8. Press Start, LLC, DBA Press Start, LLC, 504 Mt. Rushmore Road for a Retail (on-sale) Liquor License TRANSFER from KOL, LLC, DBA KOL, 504 Mt. Rushmore Road

***Public Works Committee Consent Items***

9. PW092920-14: Confirm the reappointment of Carol Evan Saunders and Jenn Johnson and the new appointment of Emily Calhoun to the Historic Preservation Commission.
10. PW092920-01: Approve change order 1F to Simon Contractors of SD, Inc. for 2020 Chip Seal Project, Project #2543/CIP NO.50844 for an increase of \$31.48.
11. PW092920-02: Approve change order 1F to J & J Asphalt for Pavement Rehabilitation Project – Valley West Drive Overlay, Project #2546/CIP NO.50549 for an increase of \$75,436.75.
12. PW092920-03: Authorize Mayor and Finance Director to sign Amendment Number 1 to Agreement Number 614924 for the Joint Powers Maintenance and Encroachment Agreement between Department of Transportation and City of Rapid City for the LaCrosse Street Interchange Utility Improvements, Project No. 16-2318 / CIP No. 51108, in the amount of \$138,680.57.
13. **Approve** PW092920-06: Authorize Reduction Of The Requirement That The Contractor Perform A Minimum Of 50% Of The Work For The Tower Road Stabilization, Project Number 19-2537 / CIP 51254.
14. PW092920-07: Authorize Removal Of The Requirement That The Contractor Perform A Minimum Of 50% Of The Work For The Enchantment Pressure Reducing Facilities (PRV) Short Term Piping Upgrades, Project Number 20-2590 / CIP 51261.
15. PW092920-08: Authorize Staff to Advertise for Bids for the Enchantment Pressure Reducing Facilities (PRV) Short Term Piping Upgrades, Project Number 20-2590 / CIP 51261. Cost: \$220,000.
16. PW092920-09: Authorize Staff To Advertise For Bids For Homestead St. Inlay Project, Project No. 19-2557 / CIP 50844 for \$200,000.
17. PW092920-10: Approve Vacation of Right-of-Way (ROW) on 4<sup>th</sup> Street between New York Street and Philadelphia Street
18. PW092920-11: Authorize Mayor and Finance Director to sign Joint Powers Maintenance Agreement with the Department of Transportation and Pennington County for two streetlights on Long View Road north of SD Highway 44 east of Rapid City, thereby formalizing Pennington County's responsibility to maintain and repair the lights and to reimburse Rapid City for monthly electricity costs.
19. PW092920-12: Approve Request For The Purchase Of One (1) New 5,000 Lb. LP Pneumatic Tire Lift Truck From Sourcewell Purchase Contract #101816-MCF With RAKA In The Amount Of \$32,069.00.
20. PW092920-13: Authorize Staff To Advertise For Bids For Life Safety/Fall Arrest System For The New Arena Expansion At The Rushmore Plaza Civic Center, Project #2452. Estimated Cost: \$450,000.
21. **Approve** PW092920-04: Authorize Mayor and Finance Director to Sign an Agreement between the City of Rapid City and FMG Engineering, Inc. Una Del Drive Reconstruction, Project No. 19-2505 / CIP No. 50914. In the amount of \$101,676.00.
22. **Approve** PW092920-05: Request Authorization to Seek Proposals for Professional Services for Wonderland Drive Area Street & Utilities Reconstruction – Phase 1, Project No. 20-2609 / CIP No.51070.1

**Legal & Finance Committee Consent Items**

23. LF093020-05 – Confirm the Appointment of Shawna Retka and Domico Rodriguez to the Public Parking Advisory Board
24. LF093020-02 – Authorize Staff to Apply for and Accept if Awarded a Hazardous Materials Emergency Preparedness (HMEP) Grant in the Amount of \$38,786.00
25. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Nancy Harder (RSVP+), Shery Perry (RSVP+), Molly Salcone (RSVP+)
26. LF093020-01 – Acknowledge July 2020 General Fund Cash Balance Report
27. LF093020-03 – Approve Resolution No. 2020-076 a Resolution Declaring Miscellaneous Personal Property Surplus to be Donated

- 28. **Table (the vote was 9-0)** LF093020-06 – Approve the Request from Justin Herreman on Behalf of Rapid Creek Watershed Area to Approve the Attached Resolution Supporting the Creation of a Recreation Area in the Upper Rapid Creek Watershed.

**CIP Committee Consent Items (NONE)**

**Community Development Consent Items**

- 29. **20CA002 - Approve Resolution 2020-073 - An Amendment to the Comprehensive Plan by Adopting RapidTRIP 2045 Metropolitan Transportation Plan and 2020 Bicycle and Pedestrian Plan.**
- 30. 08TI004 – Approve Resolution No. 2020-075 a Resolution to Dissolve Tax Increment District No. 68 for Property generally described as being located at the eastern terminus of Homestead Street.

**Bid Award Consent Items**

- 31. **Approve** CC100520-4.1 - Approve award of total bid for Robbinsdale Phase 6 Parkview Reconstruction, Project No. 19-2517 / CIP No. 51232-B opened on September 29, 2020 to the lowest responsible bidder, Lind-Exco, Inc. in the amount of \$3,310,763.57.

END OF CONSENT ITEMS

**NON-CONSENT ITEMS** – Items 32 - 35

**Open Public Comment** – Items 32 – 35 (3-minute time limit per speaker)

**Close Public Comment**

**Ordinances**

- ~~32. 20OA007 – Second Reading of Ordinance No. 6439 an Ordinance Amendment to Amend Fence Height Provisions by Amending Section 17.50.340 of the Rapid City Municipal Code. Recommendation: Approve- \*\*This item is a duplicate of item #39\*\*~~
- 33. **Continue to the November 16, 2020 City Council Meeting – Motion passed 6-3 with Lehman, Roberts and Strommen voting no.** LF093020-04 – Approve the First Reading of Ordinance No. 6445 an Ordinance Authorizing the Keeping of Hens on Certain Residential Properties in the City by Amending Section 6.08.020 of the Rapid City Municipal Code.  
**Recommendation: Motion carried 3-2 with Jones and Lehmann voting no**

**Public Works Committee Items (NONE)**

**Legal & Finance Committee Items (NONE)**

**CIP Committee Items (NONE)**

**Community Development Items**

- 34. **Approve** No. 20PL067 - A request by KTM Design Solutions, Inc for Eastern Slope Land Corp. for a Preliminary Subdivision for proposed Lots 1 thru 4 of Block 1; Lots 1A, 1B and 2 of Block 2; Lot 2 of Block 5 of North Twenty Subdivision, generally described being located north of Brooke Street and west of Country Road.  
**Recommendation: Approve with Stipulations**

**Bid Awards (NONE)**

**Mayor’s Items (NONE)**

**Council Items & Liaison Report**

- 35. **Acknowledge** (LEPC) Local Emergency Planning Committee Liaison Report – Ritchie Nordstrom

**Staff Items (NONE)**

**Appeals (NONE)**

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

**PUBLIC HEARING ITEMS** – Items 36 – 38

**Open Public Hearing (comment)** - Items 36 – 38 (3-minute time limit per speaker)  
**[Public Hearing Remains Open]**

**Close Public Hearing (comment)** - Items 36 – 38

**CONSENT PUBLIC HEARING ITEMS** – Items 36 – 38

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

**Community Development Items (NONE)**

**Approve 36, 37, 38 Alcohol Licenses**

- 36. MG Oil Company DBA The Park, 707 Mountain View Rd for a Retail (on-off sale) Malt Beverage & SD Farm Wine License TRANSFER from MG Oil Company, DBA Jackpot Casino North, 685 N LaCrosse Street, Suite 2-B
- 37. MG Oil Company DBA The Park 2, 707 Mountain View Rd for a Retail (on-off sale) Malt Beverage & SD Farm Wine License TRANSFER from MG Oil Company, DBA Jackpot Casino II, 685 N. Lacrosse Street, Suite 2-C.
- 38. MG Oil Company DBA Jackpot Casino Too 3-C, 1415 N Lacrosse Street for a Retail (on-off sale) Malt Beverage & SD Farm Wine License TRANSFER from MG Oil Company, Jackpot Casino III, 685 N LaCrosse Street, Suite 2-D

**Assessment Rolls (NONE)**

END OF CONSENT PUBLIC HEARING CALENDAR

**NON-CONSENT PUBLIC HEARING ITEMS** – Item 39

- 39. **Approve** 200A007 – Approve the Second Reading and Recommendation of Ordinance No. 6439 an Ordinance Amendment to Amend Fence Height Provisions by Amending Section 17.50.340 of the Rapid City Municipal Code.

**BILLS**

- 40. **Approve** No. CC100520-01 – Bill List for October 5, 2020

**ADJOURN**

Meeting adjourned at 9:10 p.m.