

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, February 1, 2021**

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)

PRESENTATION

1. Black Hills Council of Local Government Update Presentation – Jennifer Sietsema
2. Ascent Innovation Campus Presentation – Mitch Nachtigall of Elevate Rapid City

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 – 54

Open Public Comment – Items 3 – 43 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 3 – 43

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

Approve Minutes

3. Approve Minutes for the January 19, 2021 Regular Council meeting.

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

Alcoholic Beverage License Applications Set for Hearing (February 16, 2021)

4. Bar K-9 for a SPECIAL EVENT on-sale Malt Beverage for an event scheduled for February 26 and 27, 2021, at the Rushmore Mall, Center Court, 2200 N Maple Dr. #508
5. Naja Shrine Temple for a SPECIAL EVENT On-Sale Wine license and On-Sale Malt Beverage License, an event scheduled for March 6, 2021 at the Rapid City Shrine Center, 4091 Sturgis Road
6. Main Street Square Inc. for a SPECIAL EVENT On-Sale Dealer license scheduled for June 19, 2021; for SPECIAL EVENT On-Sale Dealer license scheduled for August 7, 2021; for a SPECIAL EVENT On-Sale Dealer license scheduled for August 25, 2021; for a SPECIAL EVENT On-Sale Malt Beverage License and On-Sale Wine License scheduled for September, 25, 2021 at Main Street Square & 6th Street (between Main Street and Omaha Street)

Working Session Committee Consent Items

7. WS012721-12: Authorize Purchase of a 2021 John Deere 4052R Compact Utility Tractor from RDO Equipment Co. with Sourcewell Grounds Maintenance Pricing in the Amount of \$56,089.61 with a Trade-In of a John Deere 2155 Tractor for \$2,600.00 and a 2016 Kubota for \$11,450.00 for a Total Price of \$42,039.61
8. WS012721-15: Authorize Staff to Purchase a 2021 RAM 3500 Regular Cab, 4X4, 6.4L V8 Truck from Liberty Superstores with Matching State Bid Pricing in the Amount of \$29,991.90
9. WS012721-16: Authorize Staff to Purchase a 2021 RAM 5500 Regular Cab, 4X4, 6.4L V8 Truck from Liberty Superstores with Matching State Bid Pricing in the Amount of \$39,161.00
10. WS012721-23: Authorize Staff to Purchase a 2022 Ford F750 Diesel Regular Cab Base 212" WB 138" CA with Crysteel "Select" 16' Dump Body from National Auto Fleet with Sourcewell Pricing for a Total Price of \$104,693.00
11. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Shirley Brost (RSVP+), Johnnie Daum (RSVP+), Loretta Endres (RSVP+), Bonnie Fugate (RSVP+), Donna Juran (RSVP+), Sally Levengood (RSVP+), Bonnie Manning (RSVP+), Jane Mattson (RSVP+), Robert Ryther (RSVP+), Sue Sisson (RSVP+), Karen Turgeon (RSVP+), Les Turgeon (RSVP+), Lorie Umphrey (RSVP+), Joanne Vigoren (RSVP+), Bonnie Witt (RSVP+), Connie Zimbleman (RSVP+)
12. WS012721-09: Acknowledge December 2020 General Fund Cash Balance Report
13. WS012721-10: Acknowledge November 2020 Sales Tax Report
14. WS012721-11: Approve Resolution No. 2021-005 a Resolution Declaring Miscellaneous Personal Property Surplus to be traded and/or donated
15. WS012721-17: Approve Resolution No. 2021-007 a Resolution Declaring Miscellaneous Personal Property surplus to be discarded
16. WS012721-20: Approve Resolution no. 2021-008 a Resolution Authorizing and the Issuance of Gross Receipts Revenue Refunding Bonds, Series 2021, of the City; Pledging the Revenues of the Gross Receipts Tax 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 Bonds
17. WS012721-22: Authorize Mayor and Chief of Police to Sign the 2021 Federal Equitable Sharing Agreement
18. WS012721-26: Approve Request for Property Tax Abatements as Follows: City of Rapid City (Tax ID 70020), 2020, \$701.94; David Snyder (Tax ID 21873), 2020, \$1129.64; Rapid City Police Officers (Tax ID 44526), 2020, \$2,987.02; City of Rapid City (Tax ID 70021), 2020, \$14,070.96; City of Rapid City (Tax ID 28598), 2020, \$91.10; City of Rapid City (Tax ID 36523), 2020, \$4,586.88; City of Rapid City (Tax ID 39203), 2020, \$452.28; City of Rapid City (Tax ID 24964), 2020, \$584.24; Donald Back (Tax ID 46473), 2020, \$601.48; Prairie Acres (Tax ID 8002299), 2020, \$40.58; Prairie Acres (Tax ID 8010607), 2020, \$25.20; NW Engineering (Tax ID 8005859), 2020, \$47.84. [Total for City of Rapid City: \$24,614.22]
19. WS012721-27: Approve Resolution No. 2021-009 a Resolution Acknowledging Corrections to the January 4, 2021 Council Minutes
20. WS012721-01: Request Authorization to Seek Proposals for Professional Services for Dyess Avenue Reconstruction – Seger Drive to City Limits, Project No. 20-2630 / CIP No. 51282
21. WS012721-02: Authorize Mayor and Finance Officer to Sign an Agreement Between the City of Rapid City and FMG Engineering, Inc. for Wonderland Drive Area Street and Utilities Reconstruction Phase 1, Project No. 20-2609 – CIP 51070.1
22. WS012721-03: Authorize Staff to Purchase One (1) New Current Model Year Bucket Truck Through the Versalift Sourcewell Cooperative Contract #012418-TIM with ABM Equipment in the Amount of \$97,785.00
23. WS012721-04: Authorize Mayor and Finance Officer to Sign Agreement Between the City of Rapid City and Frank P. Boyle for Temporary Construction Easements and Permanent Sanitary Sewer Main Easements for Property Located at 3637 Edwards Street for the Elk Vale Lift Station Gravity Main and Force Main Project, Project No. 18-2480 / CIP No. 50729, in the Amount of \$40,400.00

24. WS012721-05: Approve Request from Stephen and Sharon Richards for a Variance to Waive the Requirement to Install Sidewalk Along Pine Hills Drive and Sturgis Road, Rapid City, per City Ordinance 12.08.060
25. WS012721-06: Authorize Mayor and Finance Director to Sign a Joint Funding Agreement Between U.S. Department of Interior, U.S. Geological Survey and City of Rapid City for 2021 Water Resource Investigations, CIP No. 51279. The City of Rapid City's Share of the Program is \$138,000.00
26. WS012721-07: Approve Request from R.C.S. Construction, Inc. for a Variance to Waive the Requirement to Install Sidewalk Along Commerce Road and Fountain Plaza Drive, Rapid City, per City Ordinance 12.08.060
27. WS012721-08: Request Authorization for Staff to Seek Proposals for Engineering Services for Race Track Draw Drainage Basin Design Plan (DBDP) Update, Project No. 20-2628, CIP No. 51315
28. WS012721-13: Authorize Staff to Advertise Bids for St. Cloud Street Reconstruction Project – 5th St. to Highland Crt, Project No. 19-2487 / CIP No. 51036. Estimated Cost \$2,640,000.
29. WS012721-14: Approve Request from KTM Design Solutions, Inc. on behalf of Western Housing Enterprises, LLC for a Variance to Waive the Requirement to Install Sidewalk along 1804 East Highway 44, Rapid City, per City Ordinance 12.08.060
30. WS012721-18: Authorize Staff to Advertise for Bids Downtown Lighting Project Phase 3 CIP #51228 Engineers Estimate \$400,000
31. WS012721-21: Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and Skyline Engineering, LLC for Construction Administration for the Downtown Lighting, Project No. 20-1613 / CIP No. 51228, in the amount of \$112,705.00
32. WS012721-28: Approve 2021 Insurance Renewal Amounts for Property, Liability, and Excess Worker's Compensation
33. WS012721-19: Confirm the Reappointments of Nick Patton and Rick Denherder to the Downtown BID Board
34. WS012721-25: Confirm the Appointment of Shawna Retka to the Community Investment Committee

CIP Committee Consent Items

35. No. CIP011521-00 – Acknowledge Capital Improvement Programs Committee Monthly Updates for January 2021.
36. No. CIP011521-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, Summary)
37. No. CIP011521-04 – Approve Capital Plan for Fire Vehicles
38. No. CIP011521-05 – Approve Capital Plan for Parks & Recreation
39. No. CIP011521-06 – Approve Capital Plan for Information Technology
40. No. CIP011521-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
41. No. CIP011521-02 – Approve Capital Plan for PW Infrastructure

Community Development Consent Items

42. WS012721-24: Approve Final Recommendation for the FY20 Community Development Block Grant CV3 Funds

Bid Award Consent Items

43. CC020121-04.1 - Approve award of total bid for 12th Street Reconstruction, West Main St. to Fulton St., Project No. 19-2499 / CIP No. 50927 opened on January 26, 2021 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of \$6,488,393.40.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 44 - 54**Open Public Comment** – Items 44 – 54 (3-minute time limit per speaker)**Close Public Comment*****Ordinances***

44. No. 20RZ039 - First Reading, Ordinance 6457, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Dakota Heartland, Inc. for a Rezoning from General Commercial District to Office Commercial District for property generally described as being located at 411 and 425 Neel Street.
Recommendation: Approve
45. No. 20RZ041 - First Reading, Ordinance 6459, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Yasmeen Dream, LLC for a Rezoning from General Commercial District to Medium Density Residential District for property generally described as being located at 2016 and 2030 Provider Boulevard.
Recommendation: Approve
46. No. 20RZ043 - First Reading, Ordinance 6460, 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, LLC for a Rezoning from General Agricultural District to Low Density Residential District II for property generally described as being located south and east of the intersection of North Valley Drive and East Philadelphia Drive.
Recommendation: Approve
47. No. 20RZ044 - First Reading, Ordinance 6461, 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 from General Agricultural District to Light Industrial District for property generally described as being located on North Valley Drive.
Recommendation: Approve
48. No. 20RZ045 - First Reading, Ordinance 6462, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for ZCO, Inc. for a Rezoning from General Agricultural District to Light Industrial District for property generally described being located southeast of the intersection of Marlin Drive and Creek Drive.
Recommendation: Approve

Working Session Committee Items

49. WS012721-29: Provide Direction to Staff on Ordinances 13.08.390.A and 13.08.430.02.
Recommendation: No action OR Amend the ordinances

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

50. No. 20PL097 - A request by Renner Associates, LLC for a Preliminary Subdivision Plan for proposed Lots 1 thru 8 of Block 6 of Kateland Subdivision, generally described as being located northwest of the intersection of Brooke Street and Country Road.
Recommendation: Approve with Stipulations
51. No. 20PL103 - A request by Renner Associates, LLC for Bill Freytag for a Preliminary Subdivision Plan for proposed Tract 1 and 2 of Rockinon Ranch Estates, generally described as being located at 1221 Santana Court.
Recommendation: Approve with Stipulations

52. No. 20PL104 - A request by KTM Design Solutions, Inc. for ZCO, Inc. for a Preliminary Subdivision Plan for proposed Lot 17A of Marlin Industrial Park, generally described as being located southeast of the intersection of Marlin Drive and Creek Drive.

Recommendation: Approve with Stipulations

Other Board, Commission & Committee Items (NONE)

Bid Awards

53. CC011921-04.2 – Approve bid award for (1) One New Current Model Year Tandem Axle Dump Truck with Anti-Icing System & Valved for Future Plow to Floyd’s Truck Center with Northern Truck in the amount of \$166,700.00 after trade.

Recommendation: Approve

54. CC011921-04.3 – Approve bid award for (1) One New Current Model Year Single Axle 4X4 Sander Truck with Pre-wet system and V-plow from Floyd’s Truck Center with Northern Truck in the amount of \$178,311.00 after trade.

Recommendation: Approve

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 55 – 57

Open Public Hearing (comment) - Items 55 – 57 (3-minute time limit per speaker)
[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 55 – 57

CONSENT PUBLIC HEARING ITEMS – Items 55 – 57

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

Community Development Items (NONE)

Alcohol Licenses

55. Naja Shrine Temple for a SPECIAL EVENT On-Sale Dealer License for an event scheduled for March 20, 2021 at the Rapid City Shrine Center, 4091 Sturgis Road

- 56. Last Mile Brewery LLC DBA Last Mile Brewery, 635 Creek Drive, Unit C, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License
- 57. Nancy Nguyen DBA The Nail Bar, 705 Mountain View Suite F, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License

Assessment Rolls (NONE)

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – (NONE)

EXECUTIVE SESSION

Executive Session to discuss the qualifications, competence, performance, character, or fitness of a public officer pursuant to SDCL 1-25-2(1).

STAFF DIRECTION

Further action, or direction, regarding a Code of Conduct complaint against Alderwoman Laura Armstrong.

BILLS

- 58. No. CC020121-01 – Bill List for February 1, 2021

ADJOURN