

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., Tuesday, February 16, 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 – 47

Open Public Comment – Items 1 – 36 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 1 – 36

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

Approve Minutes

1. Approve Minutes for the February 1, 2021 Regular Council meeting.

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

Alcoholic Beverage License Applications Set for Hearing (March 1, 2021)

2. Skyway Enterprises Inc. DBA American Lodge & Suites, 1632 Rapp, for a Retail (on-off sale) Malt Beverage & SD Farm Wine license and Retail (on-off sale) Wine and Cider license
3. Wisdom, Inc. DBA Country Inn & Suites by Carlson-RC, 2321 N Lacrosse St for a Retail (on-off sale) Wine and Cider license
4. Powerfield Party Stores Inc. DBA Caesar’s Spirits, 685 N Lacrosse Street for a Package (off-sale) Liquor License TRANSFER from Wisdom Inc. DBA Country Inn & Suites by Carlson-RC, 2321 N Lacrosse St
5. Impressive Nails BL Inc. DBA Impressive Nails, 1301 W Omaha St Suite 105 for a Retail (on-off sale) Wine and Cider License TRANSFER from Impressive Nails Incorporated, DBA Impressive Nails, 1301 W Omaha St, Suite 105

Working Session Consent Items

6. WS021021-05: Authorize Staff To Apply And Accept If Awarded The Assistance To Firefighters Grant Is For The Amount Of \$528,415.14 Funding The Upgraded Radios To Work On The New P-25 State Radio System

7. WS021021-06: Authorize Staff To Apply And Accept If Awarded The Assistance To Firefighters Grant Is For The Amount Of \$70,000 Funding 1-Ton 4x4 Crew Cab Vehicle
8. WS021021-07: Authorize Staff To Apply And Accept If Awarded The HLS (Homeland Security) Grant In The Amount Of \$48,979.80 Funding A Raman Analyzer And Training For Hazardous Materials Response.
9. WS021021-08: Authorize Staff To Apply And Accept If Awarded The (Hazardous Materials Emergency Preparedness) Grant In The Amount Of \$47,000 Funding Four Separate Training Workshops/Classes Focused On Hazardous Materials Transportation.
10. WS021021-09: Authorize staff to purchase a 2021 Dodge Durango AWD from Liberty Superstores with matching state bid pricing in the amount of \$26,111.
11. WS021021-10: Authorize Mayor and Finance Director to Sign Resolution 2021-013, A Resolution Declaring Personal Property Surplus and Authorizing the Trade-in of Such Surplus Property
12. WS021021-11: Authorize Staff to Request Proposals for Custodial Services for Various Restroom Facilities within the Park System.
13. Acknowledge the Following Volunteers for Worker's Compensation Purposes: James Lawton Field, RCPD Auxiliary
14. WS021021-12: Resolution 2021-010: Resolution Declaring Miscellaneous Personal Property Surplus to be discarded.
15. WS021021-13: Resolution 2021-012: Resolution Declaring Miscellaneous Personal Property Surplus to be traded.
16. WS021021-14: Approve change order 8 to Simon Contractors of SD, Inc. for E. Blvd. E. North Street Utility Reconstruction Project, Project #2170 for an increase of \$10,977.65.
17. WS021021-15: Authorize Mayor and Finance Director to Sign an Agreement between the City of Rapid and HDR Engineering, Inc. for Construction Administration for the LaCrosse Street Interchange Utility Improvements Project No. 16-2318/ CIP No. 51108, in the amount of \$106,091.00
18. WS021021-16: Authorize Mayor and Finance Director to sign Agreement Between the City of Rapid City and Discovery Circle, LLC for Temporary Construction Easements and Permanent Sanitary Sewer Main Easements for the Elk Vale Lift Station Gravity Main and Force Main Project, Project No. 18-2480 / CIP No. 50729, in the amount of \$34,650.00.
19. WS021021-17: Approve change order 5F to Mac Construction Co., Inc. for City Hall Renovation Project, Project #2491 for an increase of \$6,299.30.
20. WS021021-18: Authorize staff to advertise for bids E. Watertown St Water Main Replacement. Project #20-2501 CIP #51076. Estimated Cost \$550,000.00.
21. WS021021-19: Approve change order 1F to Mainline Contracting, Inc. for Lake Herman Outfall Improvements, Project #2589 for an decrease of \$34,764.88.
22. WS021021-20: Authorize Mayor and Finance Director to enter into an agreement with Kent and Karin Hagg for Reimbursement of Expenses Related to Regency Ct. Storm Sewer and Slope Repair.
23. WS021021-21: Authorize Staff to Advertise Bids for Regency Court Storm Sewer Improvement, Project No. 20-2599/CIP No. 51301. Estimated Cost \$350,000; **Contingent upon approval of item WS021021-20.**
24. WS021021-22: Authorize Staff to Advertise Bids for Knollwood Drainage Basin Detention Element 303, Project No. 20-2601 / CIP No. 51303. Estimated Cost \$250,000.
25. WS021021-23: Authorize Staff to Advertise Bids for 2020 ADA Project, Project No. 20-2602 / CIP No. 50761 Estimated Cost \$150,000.
26. WS021021-24: Approve change order 1 to Muth Electric, Inc. for Downtown Lighting Project Phase 2, Project #2613 for an increase of \$43,739.00.
27. WS021021-25: Authorize Staff to Advertise Bids for Pavement Rehabilitation Project – Forest Ct., Project No. 20-2624 / CIP No. 50844. Estimated Cost \$225,000.00.
28. WS021021-26: Authorize Staff to Seek Proposals for Engineering Services for the 2021 Water Facilities Arc Flash Analysis Assessment Report, Project Number 21-2635 /CIP Number 51318

29. WS021021-27: Authorize lowering the requirement that the Contractor perform a minimum of 50% of the work to 35% of the work for the 2020 Miscellaneous Improvements Projects, General Civil Projects, Project No. 20-2605 / CIP 51132.1.
30. WS021021-28: Authorize staff to purchase two (2) new 2021 Toyota Tacoma 4x4 pickup trucks through the Sourcwell Cooperative contract #120716-NAF with National Auto Fleet Group. In the amount of \$28,841.48 each for total of \$57,682.96.
31. WS021021-29: Approve request to purchase one (1) New 2021 Ram 1500 regular cab, 4X4, 5.7L, long box pickup truck from Liberty Superstores with matching State Bid Contract #17345 pricing in the amount of \$25,832.00.
32. WS021021-30: Authorize Mayor and Finance Director to sign Updated 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 which the DOT owns and to reimburse Rapid City for monthly electricity costs.
33. WS021021-31: Approve Extension of Water Reclamation Odor control chemical contract with Hawkins, Inc at the same contract price of \$2.83/gallon for calendar year 2021. Estimated usage is 7,500 gallons for an extended price of \$21,225.00.

CIP Committee Consent Items (NONE)

Community Development Consent Items

34. WS021021-01: Authorize the Mayor and Finance Director to sign the FY20 CDBG-CV Community Development Block Grant Low/Moderate-Income Contract for the United Way of the Black Hills
35. WS021021-02: Authorize the Mayor and Finance Director to sign the FY20 CDBG-CV Community Development Block Grant Urgent Need Contract for the United Way of the Black Hills

Bid Award Consent Items

36. CC021621-04.1 – Approve award of total bid for Pavement Rehabilitation Project – Rand Road, Project No. 20-2618 / CIP No. 50798 opened on February 9, 2021 to the lowest responsible bidder, J & J Asphalt Co. in the amount of \$282,347.50

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 37 – 47

Open Public Comment – Items 37 – 47 (3-minute time limit per speaker)

Close Public Comment

Ordinances

37. WS021021-03: First Reading Of Ordinance 6471 - An Ordinance Repealing Chapter 1.08 Of The Rapid City Municipal Code Relating To Wards And Precincts And Adopting A New Revised Chapter 1.08 Of The Rapid City Municipal Code
Recommendation: Approve
38. WS021021-04: First Reading Of Ordinance 6477 - An Ordinance To Remove Requirement That Property Owners Open City Utility Accounts By Amending Provisions In Chapter 13.08 Of The Rapid City Municipal Code
Recommendation: Approve
39. No. 21RZ001 - First Reading, Ordinance 6465, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Keith Johnson for David and Cara Wise for a

Rezoning from General Agricultural District to Light Industrial District for property generally described as being located west of Creek Drive at the terminus of Rocker Drive.

Recommendation: Approve

40. No. 21RZ002 - First Reading, Ordinance 6466, 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 Agricultural District to Medium Density Residential District for property generally described as being located south of North Valley Park.
Recommendation: Approve

41. No. 21RZ003 - First Reading, Ordinance 6467, 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 Light Industrial District to Medium Density Residential District for property generally described as being located south of North Valley Drive.
Recommendation: Approve

42. No. 21RZ004 - First Reading, Ordinance 6468, 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 Low Density Residential District II for property generally described as being located south of North Valley Drive.
Recommendation: Approve

43. No. 21RZ005 - First Reading, Ordinance 6469, 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 Medium Density Residential District for property generally described as being located south of North Valley Drive.
Recommendation: Approve

44. No. 21RZ006 - First Reading, Ordinance 6470, 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 Low Density Residential District II to Medium Density Residential District for property generally described as being located near the intersection of North Valley Drive and E. Philadelphia Street.
Recommendation: Approve

Working Session Committee Items (NONE)

CIP Committee Items (NONE)

Community Development Items

45. No. 08TI009 – Sections 28 and 29, T2N, R8E – Approve Resolution 2021-006 - Resolution To Dissolve Tax Increment District No. 69 For Property Generally Described As Being Located North Of U.S. Interstate 90, East Of Lacrosse Street And West Of Dyess Avenue
Recommendation: Approve

46. No. 21PL003 - A request by KTM Design Solutions, Inc for BH Capital 4, LLC for a Preliminary Subdivision Plan for proposed Lot 63 thru 82 of Block 2, Lots 3 thru 7 of Block 5 of Shepherd Hills Subdivision, generally described as being located at the intersection of E. Philadelphia Street and North Valley Drive.
Recommendation: Approve with Stipulations

- 47. No. 21PL004 - A request by KTM Design Solutions, Inc for Shruald and Nancy Swedlund for a Preliminary Subdivision Plan for proposed Lot 1A, Lot 2A and Lot 3A of Spring Brook Acres, generally described as being located at 5550 Villaggio Lane.
Recommendation: Approve with Stipulations

Other Board, Commission & Committee Items (NONE)

Bid Awards (NONE)

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 48 – 56

Open Public Hearing (comment) - Items 48 – 56 (3-minute time limit per speaker)
[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 48 – 56

CONSENT PUBLIC HEARING ITEMS – Item 48 – 50

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

Community Development Items (NONE)

Alcohol Licenses

- 48. 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
- 49. 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
- 50. 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)

Assessment Rolls (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 51 – 56

51. No. 20RZ039 - Second 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
52. No. 20RZ041 - Second 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 in conjunction with Planned Development 20PD035
53. No. 20RZ043 - Second 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 in conjunction with Planned Development Designation
54. No. 20RZ044 - Second 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
55. No. 20RZ045 - Second 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
56. No. 20PD035 - Appeal of Planning Commission's decision on a request by KTM Design Solutions, Inc. for Yasmeen Dream, LLC for an Initial Planned Development Overlay to allow an apartment complex for property generally described as being located at 2016 and 2030 Provider Boulevard.
Recommendation: Appeal of Planning Commission's Decision to Approve

BILLS

57. No. CC021621-01 – Bill List for February 16, 2021

ADJOURN