AGENDA FOR THE CITY COUNCIL
City of Rapid City, South Dakota
6:30 P.M., Monday, June 7, 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. Above and Beyond Award presented to Rapid Skillz

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 2 – 78

Open Public Comment – Items 2 – 57 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 2 – 57

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

Approve Minutes
2. Approve Minutes for the May 17, 2021 Regular Council meeting.
3. Approve Minutes for the May 20, 2021 Special Council meeting.

Intent to Enter into a Lease Set for Hearing (June 21, 2021)
4. The City of Rapid City intends to enter into a lease for property located at 1615 Sedivy Lane with Black Hills Lacrosse Association

Vacation of Section Line Highway Set for Hearing (July 6, 2021)
5. No. 21VR001 - A request by KTM Design Solutions, Inc for SSST, LLC for a Vacation of Section Line Highway for property generally described as being located south of southern terminus of Pahlmeyer Drive.

Alcoholic Beverage License Applications Set for Hearing (June 21, 2021)
6. Dakota Butcher – Rapid City Inc. DBA Dakota Butcher, 651 N. Creek Dr. Ste. 108, for a Package (off-sale) Liquor License TRANSFER from Nash-Finch Company DBA Family Fare #265 (Inactive)
7. Storming Crab Dakota LLC DBA Storming Crab Dakota, 1756 Eglin Street, for a new Retail (on-off sale) Wine and Cider License and a Retail (on-off sale) Malt Beverage & SD Farm Wine license

**Working Session Committee Consent Items**

8. WS060221-48: Approve Resolution No. 2021-057, A Resolution Establishing the City of Rapid City 2021 Archery Antlerless Deer Access Permit Program
9. WS060221-03: Approve Revision to Airport Rates and Charge for Airline Terminal Rent and Landing Fees
10. WS060221-37: Approve Resolution No. 2021-041 a Resolution of Intent to Enter into a Lease with Black Hills Lacrosse Association for Property Located at 1615 Sedivy Lane
11. WS060221-01: Approve Change Order for Purchase of Fire Apparatus through source Well (Former NJPA) in the amount of $98.00
12. WS060221-06: Approve change Order #2 for Purchase of Fire Apparatus through Source Well (Former NJPA) in the amount of $3,225.00 for Addition of a Portable Generator, Poly Storage Module and Poly Tool Boards
13. WS060221-49: Approve Step Increase and COLA Adjustment for Non-Union Employees
14. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Gia Amato (RSVP+), Richard Cleveland (RSVP+), Sue Cole (RSVP+), Susan Douglas (RSVP+), Laurie Driscoll (RSVP+), Daniela Fortier (RSVP+), James Haeder (RSVP+), Marla Loken (RSVP+), Mariana Meza (RSVP+), Edith Miles (RSVP+), Dyan Nagel (RSVP+), Terry Nagel (RSVP+), Mary Nygaard (RSVP+), Darrell Pulscher (RSVP+), Roger Sorenson (RSVP+), Dennis Walkins (RSVP+)
15. WS060221-04: Acknowledge April 2021 General Fund Cash Balance Report
16. WS060221-16: Acknowledge March 2021 Sales Tax Report
17. WS060221-17: Approve Resolution No. 2021-054 a Resolution Declaring Miscellaneous Personal Property Surplus to be Surplus as Trade
18. WS060221-18: Approve Resolution No. 2021-056 a Resolution Declaring Miscellaneous Personal Property Surplus to be Surplus as Trade
20. WS060221-02: Request from Fisk Surveying & Consulting Engineers, Inc. for a Variance to Waive the Requirement to Install Sidewalk, per City Ordinance 12.08.060.C, Along the Lot Frontage of 1605 Sunnyvale Drive
**Staff Recommendation: Approve**
21. WS060221-05: Request from Renner Associates, LLC for a Variance to Waive the Requirement to Install Sidewalk along Wilderness Canyon Road, 47th Ave., Reflection Ridge, and Wild Turkey Way, Rapid City, per City Ordinance 12.08.060
**Staff Recommendation: Approve**
22. WS060221-07: Authorize Staff to Advertise for Bids Downtown Lighting Project Phase 4 CIP #51228 Engineers Estimate $500,000.00
23. WS060221-08: Approve change Order 1F Apex Construction Services for South Middle School Storm Sewer Connection, Project #2592 for a Decrease of $1,830.00
24. WS060221-09: Approve Change Order 1F Mainline Contracting, Inc. for Abandon Omaha Trunk Sewer, Project #2610 for a Decrease of $7,301.76
25. WS060221-10: Approve change Order 1F Underground Construction, Inc. for Alta Vista Storm Sewer Improvement Project, Project #2595 for an Increase of $2,350.00
26. WS060221-11: Authorize Staff to Advertise for Bids 2021 Roof Replacement Project No. 21-2654 CIP No. 50098
27. WS060221-12: Authorize The Public Works Director or his designee To Apply For, And Accept And Administer If Awarded, The South Dakota Department Of Agriculture And Natural Resources (SDDANR) Volkswagen Settlement Grant For Reimbursement Of Up To 50% (Fifty Percent) For
The Purchase Of A New Roll-Off Truck For The Solid Waste Collection Department. Purchase Price Not To Exceed $150,000.00

28. WS060221-13: Authorize Mayor and Finance Director to Sign Amendment No. 3 to the Agreement between the City of Rapid City and FMG Engineering for Professional Engineering Services for Perrine and Unnamed Tributary Drainage Basin Design Plans (DBDPs) Amendment – Phase 2, Project No. 18-2430, CIP No. 51189.2 in the amount of $18,560.00

29. WS060221-14: Authorize Mayor and Finance Director to Sign Agreement between the City of Rapid City and FMG Engineering for Racetrack Draw Drainage Basin Design Plan (DBDP) Update, Project No. 20-2628 / CIP No. 51315 in the amount of $189,545.00

30. WS060221-15: Request Authorization to Seek Proposals for Professional Services for Data Collection for 2021 Pavement Condition Index, Project No. 21-2656 / CIP # 51327

31. WS060221-19: Authorize Public Works Director or Designee to Apply for, Accept and Administer If Awarded, a South Dakota Dept. of Agriculture and Natural Resources (SDDANR) Tire Disposal Event Grant for Cost Sharing for the Collection, Reuse, and/or Disposal Of Residential Waste Tires from the Landfill Service Area. Grant Request Total Estimated At $100,000 with City Share Estimated At 20%.

32. WS060221-20: Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and Advanced Engineering and Environmental Services, LLC, for 2021 Water Facilities Arc Flash Analysis Assessment Report, Project Number 21-2635/CIP Number 51318. In the Amount of $243,374.00

33. WS060221-21: Authorize Staff to Advertise for Bids for the RC Landfill Cell #18 Debris Fencing & Phase 2 Berm Project No. 21-2641/CIP 51202.1; Estimated Construction Cost $1,950,000.00

34. WS060221-22: Authorize Mayor and Finance Director to Sign an Agreement between the City of Rapid City and HDR Engineering, Inc., for the WRF Aeration Basin Clariflocculator and Siphon Piping Construction, Project Number 20-2629/CIP Number 51129. In the Amount of $596,964.00

35. WS060221-23: Authorize Mayor and Finance Director to Sign an Agreement between the City of Rapid City and FMG Engineering, Inc. for the Springbrook Acres Water Main and PRV Abandonment, Project Number 21-2643/CIP Number 51262. In the Amount of $190,417.00

36. WS060221 24: Authorize Staff to Advertise Bids for IGT Subdivision Improvements - Water and Sewer, Project No. 20-2632/CIP No. 51306. Estimated Cost $325,000.00

37. WS060221-25: Authorize Purchase of 1 New Garbage Truck Chassis from Autocar Using Sourcewell Contract Pricing. Total Amount of $163,450.00

38. WS060221-26: Authorize Purchase of 1 New Garbage Truck Body from McNeilus Using Sourcewell Contract Pricing. Total Amount is $155,083.00

39. WS060221-28: Authorize The Public Works Director or his Designee to Apply for, and Accept and Administer if Awarded, the South Dakota Department of Agriculture and Natural Resources (SDDANR) Volkswagen Settlement Grant for Reimbursement of up to 50% (Fifty Percent) for the Purchase of a New Snow Plow for the Street Department. Purchase Price not to Exceed $277,066.00

40. WS060221-29: Authorize the Mayor and Finance Director to Sign Sewer Service Agreement between the City of Rapid City and Northdale Sanitary District

41. WS060221-36: Authorize Removal of the Requirement that the Contractor Perform a Minimum of 50% of the Work for the Miscellaneous Improvements Projects, Facility Type Projects Digester Boiler Replacement, Project No. 21-2651 / CIP 51132.3

42. WS060221-42: Authorize the Mayor and Finance Director to Sign an Infill Agreement between the City of Rapid City and Lazy P6 Land Company for the Construction of Public Improvements and Acceptance of H-Lots

43. WS060221-43: Authorize Mayor and Finance Director to Sign Infill Agreement between the City of Rapid City and Shurald and Nancy Swedlund for the Construction of a Turnaround and Acceptance of H-lot

44. WS060221-45: Approve Updates to the Operating Manual and Bylaws for the Rapid City Trenching Board
CIP Committee Consent Items
45. No. CIP052121-00 – Acknowledge Capital Improvement Programs Committee Monthly Updates for May 2021.
46. No. CIP052121-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, Summary)
47. No. CIP052121-04 – Approve Capital Plan for Fire Vehicles
48. No. CIP052121-05 – Approve Capital Plan for Parks & Recreation
49. No. CIP052121-06 – Approve Capital Plan for Information Technology
50. No. CIP052121-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
51. No. CIP052121-02 – Approve Capital Plan for PW Infrastructure

Community Development Consent Items
52. WS060221-33: Approve the Final FY20 Consolidated Annual Performance & Evaluation Report (CAPER)
53. WS060221-34: Authorize the Mayor and Finance Director to Sign the FY21 Community Development Block Grant Contract – Pennington County
54. WS060221-40: Authorize Mayor and Finance Director to Sign Corrected FY20 CDBG Funding Approval/Agreement
55. WS060221-41: Authorize Mayor and Finance Director to Sign Agreement Between the City of Rapid City and the City of Box Elder for Waterpark Expansion Building Permits

Bid Award Consent Items
56. CC060721-04.1 - Approve award of total bid for 2021 Chip Seal Project, Project No. 20-2620 / CIP No. 50549 opened on June 1, 2021 to the lowest responsible bidder, Bituminous Paving, Inc. in the amount of $267,716.00
57. CC060721-04.2 - Approve award of total bid for Saint Patrick Street Reconstruction, Project No. 15-2296 / CIP No. 50456 opened on June 1, 2021 to the lowest responsible bidder, Underground Construction, LLC in the amount of $1,126,721.24, with an exception to Paragraph 7.40 of the Standard Specifications to allow a minimum of 35% of the work to be done by the contractor's own organization.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 58 - 78
Open Public Comment – Items 58 – 78 (3-minute time limit per speaker)
Close Public Comment

Ordinances
Second Readings
58. WS051221-26: Second Reading of Ordinance No. 6490 An Ordinance to Align the Municipal Election Date with the Designated Date for Primary Elections by Amending Section 1.16.020 of the Rapid City Municipal Code
First Reading: Approved
First Reading: Approved
60. WS051221-30: Second Reading of Ordinance No. 6491, An Ordinance to Enact Rapid City Municipal Code Section 10.52.090 to Prohibit the Use of Certain Motor Vehicles on Downtown Sidewalks and to Amend Sections 10.52.010 and 10.64.210 Regarding Skateboards and Bicycles on Downtown Sidewalks
First Reading: Approved
Ordinances
First Readings
61. WS060221-39: First Reading of Ordinance No. 6497 an Ordinance Clarifying the Status and Legality of Medical Cannabis Establishments in City Limits Prior to the State’s Issuance of Rules Governing such Establishments by Amending Titles 5 and 17 of the Rapid City Municipal Code
63. WS060221-32: First Reading of Ordinance No. 6488 an Ordinance to Adopt the 2020 Edition of the National Electrical Code and to Amend Local Provisions by Amending Chapter 15.16 of the Rapid City Municipal Code
64. WS060221-35: First Reading of Ordinance No. 6382 an Ordinance Amending Sections of the Rapid City Municipal Code Relating Pertaining to the International Property Maintenance Code
65. WS060221-44: First Reading Of Ordinance No. 6482 An Ordinance To Amend And Clarify Provisions Concerning Trenching Contractor’s Licenses By Amending Chapter 13.24 Of The Rapid City Municipal Code

First Readings from Planning Commission Meeting
66. No. 21RZ013 - First Reading, Ordinance 6492, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Michael Powell for a Rezoning request from General Commercial District to Medium Density Residential District for property generally described as being located at 306 E. Denver Street.
   Recommendation: Approve
67. No. 21RZ014 - First Reading, Ordinance 6493, 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 Light Industrial District to Medium Density Residential District for property generally described as being located east of North Valley Drive terminus.
   Recommendation: Approve
68. No. 21RZ015 - First Reading, Ordinance 6494, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Towey Design Group for Pink Cabin LLP for a Rezoning request from Office Commercial District to Medium Density Residential District for property generally described as being located west of Healing Way between Moon Meadows and Sammis Trail.
   Recommendation: Approve
69. No. 21RZ016 - First Reading, Ordinance 6495, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc for Coldwell Banker BlackHills Legacy for a Rezoning request from General Agricultural District to Medium Density Residential District for property generally described as being located north of Catron Boulevard between Wellington Drive and Tartan Court.
   Recommendation: Approve
70. No. 21RZ017 - First Reading, Ordinance 6496, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc for Coldwell Banker BlackHills Legacy for a Rezoning request from General Agricultural District to Low Density Residential District II for property generally described as located north of Catron Boulevard between Wellington Drive and Tartan Court.
   Recommendation: Approve

Working Session Committee Items
71. WS060221-38: Approve Concession Agreement with Canyon Lake Resort for Property Located at 2720 Chapel Lane
72. WS060221-30: Request by Stephanie Hurd for a determination by the City Council that there are no feasible and prudent alternatives to the alterations contributing secondary structure in a
historic district located at 916 Saint Charles Street, and that the proposal contains planning to minimize harm to historic property pursuant to SDCL1-19A-11.1 and RCMC 17.54.080

73. WS060221-46: Approve Financial and Rate Setting Policies for the Solid Waste Utility
74. WS060221-47: Approve Resolution No. 2021-058 A Resolution Amending Certain Fees to be Charged Specific to the Solid Waste Division of Public Works

CIP Committee Items (NONE)

Community Development Non-Consent Items

75. No. 21PL040 - A request by Longbranch Civil Engineering, Inc for Coldwell Banker Black Hills Legacy for a Preliminary Subdivision Plan for proposed Lots 1 thru 2 of Block 1, Lots 1 thru 17 of Block 2 and Lots 1 thru 22 of Block 3 of Catron Ridge Subdivision, generally described as being located north of Catron Boulevard between Wellington Drive and Tartan Court.
Recommendation: Approve with Stipulations
76. No. 21PL041 - A request by FMG Engineering for Rapid City Economic Development Foundation for a Preliminary Subdivision Plan for proposed Lot 10 of Block 1 of South Creek Industrial Park, generally described as being located south of St. Patrick Street, east of S.D. Highway 79.
Recommendation: Approve with Stipulations

Other Board, Commission & Committee Items (NONE)

Bid Awards (NONE)

2021-2022 Alcoholic Beverage License Renewals
77. License RB-26097, DNJ, LLC DBA Maple Street BBQ, 2200 N Maple Ave Unit 330.
78. License RB-24529, Roman Empire LLC, DBA Thirsty’s, 819 Main Street.

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 79 - 81

Open Public Hearing (comment) - Items 79 –81 (3-minute time limit per speaker)
[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 79 –81

CONSENT PUBLIC HEARING ITEMS – Item 79

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

Community Development Items (NONE)
Alcohol Licenses
79. Seed Studios LLP, DBA Aby’s, 406 5th Street, Suites 400 & 500, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License and Retail (on-off sale) Wine and Cider License

Assessment Rolls (NONE)

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 80 - 81
80. No. 21RZ012 – Second Reading, Ordinance 6485, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by John Roberts for Richard and Jennifer Kincaid for a Rezoning request from Low Density Residential District to Light Industrial District for property generally described as being located at 3775 Dyess Avenue.
Recommendation: Approve
81. No. 21CA001 - A request to approve Resolution 2021-052 by KTM Design Solutions, Inc. for 605 Storage LLC for a Comprehensive Plan Amendment to the Major Street Plan for property generally described as being located at 3276 and 3300 Cambell Street.
Recommendation: Continue to the June 21, 2021 City Council meeting per applicant’s request

EXECUTIVE SESSION
To consult with legal counsel about proposed or pending litigation and contractual matters pursuant to SDCL 1-25-2(3).

BILLS
82. No. CC060721-01 – Bill List for June 7, 2021

ADJOURN