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, August 16, 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 (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 – 42

Open Public Comment – Items 1 – 33 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 1 – 33

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

Approve Minutes
1. Approve Minutes for the August 2, 2021 Regular Council meeting.

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

Alcoholic Beverage License Applications Set for Hearing (September 7, 2021)
2. Breakroom Billiards & Darts LLC DBA Breakroom Billiards, 355 11th Street, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License TRANSFER from D & S Time Square Inc. DBA Breakroom Billiards
3. Dolgen Midwest, LLC DBA Dollar General Store #20846, 3402 Haines Avenue for a new Retail (on-off sale) Malt Beverage & SD Farm Wine license and a Retail (on-off sale) Wine and Cider license
4. Z’Mariks Noodle Café, LLC DBA Z’Mariks Noodle Café LLC, 2335 W Main Street for a new Retail (on-off sale) Malt Beverage & SD Farm Wine license
5. Zymurcracy for a SPECIAL EVENT on-sale malt beverage license for an event scheduled for September 18, 2021 at 1301 Sheridan Lake Road on behalf of Storybook Island
6. Western Dakota Tech Foundation for a SPECIAL EVENT on-sale malt beverage license and a on-sale wine license for an event scheduled for October 21, 2021 at 800 Mickelson Drive on behalf of Western Dakota Tech.
Field Enterprises LLC DBA Black Hills Party Pub & Pedaler, 629 Main Street for a new Retail (on-sale) Malt Beverage and SD Farm Wine License

The Bestro LLC, DBA The Bestro, 333 Omaha St, Suite 4 for a Retail (on-sale) liquor license TRANSFER from The Retired Enlisted Assoc Chapter 29 (TREA) DBA Chapter #29

Senior Citizens Inc. DBA Canyon Lake Activity Center for a SPECIAL EVENT on-sale malt beverage license and on-sale wine license on October 1, 2021 and October 16, 2021 at 2900 Canyon Lake Drive

Black Hawk Oil, Inc. DBA Mr. Liquor, 3609 Sturgis Road for a Package (off-sale) Liquor license (Inactive) TRANSFER from DTJ, LLC DBA DTJ, LLC

Working Session Committee Consent Items

11. WS081121-02: Allow Mayor, Finance Officer, and Fire Chief to sign a joint powers agreement between the Fire Department and the State of South Dakota.

12. WS081121-03: Authorize Staff to Apply for and Accept if Awarded, the LEPC (Local Emergency Planning Committee) Grant in the amount of $4,332.58.

13. WS081121-04: Authorize Staff to Apply for and Accept if Awarded The South Dakota Department of Health- Community Health Worker Grant Application (SD DOH-CHW) up to the amount of $50,000. This is a non-cost matching grant, with no cost to the department or the city.

14. WS081121-08: Authorize Mayor and Finance Officer to Sign Contract and Statement of Work for Internet Services Between SDN Communications (SDN) and the City of Rapid City (City)

15. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: RSVP - Orin Bader, William Bosch, Gary Goodrich, Joanne Goodrich, Karen Greetis, Janeen Larsen, Linda Lester, Charles (Mike) Madler, Larry Miller, Sam Perry, Donald Petersen, Robin Pladson, Gary Renner, Jon Veltman, Betty Weyrauch

16. WS081121-09 Approve Resolution 2021-076 – Resolution Levying Assessment for Abatement of Nuisances

17. WS081121-10: Approve Change Order #3 to Muth Electric, Inc. for Downtown Lighting Project Phase 2, Project 20-20-2613 / CIP 51228 for an increase of $7,878.00.

18. WS081121-11: Approve Change Order #1F to J & J Asphalt for Pavement Rehabilitation Project – Mary Drive, Project No. 19-2545 / CIP 50844 for a decrease of $14,467.73.

19. WS081121-12: Approve Resolution 2021-080 A Resolution Appointing the Public Works Director as City Representative to a Regional Nonprofit Corporation Established to Study and Pursue Additional Water Sources for West River Residents

20. WS081121-13: Authorize Mayor and Finance Officer to sign agreement between the City of Rapid City and RCS Construction, Inc. for 2020 Miscellaneous Improvements Projects - Water Reclamation Facility Digester Boiler Replacement, Project No. 21-2651 / CIP No. 51132.3. for an amount not to exceed $373,500

21. WS081121-14: Authorize Mayor and Finance Officer to sign Change Order No. 2 with Veolia ES / Technical Solutions, LLC (Contractor) for 2021 Collection and Disposal of Household Hazardous Waste (HHW) One-day event for Rapid City Solid Waste Customers, Project Number: 2572 / CIP No. 51206 in the amount of $70,452.28.

22. WS081121-15: Authorize the Mayor and Finance Director to Sign Resolution No. 2021-074 A Resolution Establishing a Maximum Connection Fee for Sewer Construction Projects in the Source Water Protection Area.

23. WS081121-16: Request Authorization to Seek Proposals for Engineering Services for Signal Drive and Kellogg Place Street and Utility Reconstruction, Project No. 21-2670 / CIP No. 51170.

24. WS081121-17: Request from KTM Design Solutions Inc., on behalf of WAUSAU SUPPLY CO. for a variance to waive the requirement to install sidewalk along 3356 Dyess Ave., Rapid City, per RCMC 12.08.060.

25. WS081121-18: Approve Request for Interfund Loan of $1,056,260 Between SAB28 Fund and The Monument Fund.
26. WS081121-19: Authorize Mayor and Finance Officer to sign Amendment No. 1 to the Agreement between the City of Rapid City and MA Mortenson Company for Scope of Work related to Civic Center Expansion, Project No. 2452

27. WS081121-20: Approve Resolution No. 2021-081, a Resolution Concerning Tax Sale Certificate No. 170359

28. WS081121-21: Confirm the reappointment of Michael Magda to the Rapid City Area Air Quality Board.

29. WS081121-24: Approve Resolution No. 2021-075 to Update Petty Cash Funds and Change Funds

**Community Development Consent Items**

30. 21TP018: Authorize the Mayor and Finance Director to sign the Professional Services Agreement with Felsburg Holt & Ullevig for the Cambell Street Structure Replacement Multi-modal Routing Study in an amount not to exceed $99,152.73

31. 21RS010: Approve a request by John Riker for a determination by the City Council that there are no feasible and prudent alternatives to the proposed project in a historic district located at 1116 9th Street, and that the proposal contains planning to minimize harm to the historic property pursuant to SDCL1-19A-11.1 and RCMC 17.54.080

**Bid Award Consent Items**

32. CC081621-04.1 - Approve award of total bid for Anamosa Street Water Main Extension, Project No. 20-2541 / CIP No. 51256 opened on August 10, 2021 to the lowest responsible bidder, Lind-Exco, Inc in the amount of $1,034,244.17

33. CC081621-04.2 - Approve award of total bid for Pavement Rehabilitation Project – W. St. Louis St., Project No. 20-2625 / CIP No. 50549 opened on 8/10/2021 to the lowest responsible bidder, Tru-Form Construction Inc. in the amount of $279,244.58"

**Non-Consent Items** – Items 34 – 42

*Open Public Comment* – Items 34 – 42 (3-minute time limit per speaker)

*Close Public Comment*

**Ordinances**

34. WS072821-22: Second Reading of Ordinance No. 6456, An Ordinance to Amend and Adopt Provisions of the Rapid City Municipal Code Relating to Animals in Title 6. (This item WS061621-21 was continued from the July 19, 2021 city council meeting. First reading was approved on August 2, 2021.)

**Recommendation: Approve**


**Recommendation: Approve**

36. WS081121-23: First Reading of Ordinance No. 6501 An Ordinance to Prohibit Public Smoking of Marijuana by Adopting Section 8.32.060 of the Rapid City Municipal Code

**Recommendation: Approve**

37. No. 21RZ018 - First Reading, Ordinance 6499, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Citcra LLC for a Rezoning request from General Agricultural District to Medium Density Residential District property generally described as being located southeast of the intersection of Country Road West and Brooke Street.

**Recommendation: Approve in conjunction with a Planned Development Designation**
Working Session Committee Items
38. WS081121-25: Appeal by Devin Wolter of 1018 Blaine Avenue of an Exception Request denial to allow a driveway approach with less than 50’ of clearance from College Avenue.
   Recommendation: Staff Recommendation is to Deny.
39. WS081121-01: Approve Resolution No. 2021-071, a Resolution Establishing Fees Pertaining to the City’s Designated Animal Control Authority
   Recommendation: Approve
40. WS081121-26: Approve Allocation of Surplus Undesignated Funds:
   A. Fire Station 1 Renovation $15,035,000
   B. Fire Training Tower $1,500,000
   C. Police SW Precinct $1,500,000
   D. Public Safety Radios $1,000,000
   E. Street Projects $565,000
   F. IT Equipment $200,000
   G. Bookmobile $200,000
   Total $20,000,000
   Recommendation: Approve

Community Development Items
41. No. 21PL069 - A request by Citcra LLC for a Preliminary Subdivision Plan for proposed Lots 1 and 2 of Block 6 of Kateland Subdivision, generally described as being located southeast of the intersection of Country Road West and Brook Street.
   Recommendation: Approve with Stipulations
42. No. 21PL070 - A request by KTM Design Solutions, Inc for Yasmeen Dream II, LLC for a Preliminary Subdivision Plan for proposed Tract 1 of Diamond Ridge Subdivision, generally described as being located at the intersection of Diamond Ridge Boulevard and Radiant Avenue.
   Recommendation: Approve with Stipulations

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 43 – 48
Open Public Hearing (comment) - Items 43 – 48 (3-minute time limit per speaker)
[Public Hearing Remains Open]
Close Public Hearing (comment) - Items 43 – 48

CONSENT PUBLIC HEARING ITEMS – Items 43 – 48

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

Community Development Items (NONE)

Alcohol Licenses
43. West Boulevard Neighborhood Association for a SPECIAL EVENT on-sale malt beverage license and an on-sale wine license for an event scheduled for September 11, 2021 located on West Boulevard between South Street and Fairview Street
44. Special Olympics South Dakota for a SPECIAL EVENT on-sale malt beverage license and an on-sale wine license for an event scheduled for October 30, 2021 located at Black Hills Harley Davidson, 2820 Harley Drive
45. DB Hospitality LLC DBA Days Inn by Wyndham West, PO Box 91, Appleton, MN, for a Retail (on-sale) Liquor License Transfer from Jackson Blvd Hospitality LLC DBA Days Inn & Lounge, 725 Jackson Blvd

Assessment Rolls (NONE)

Other Items Requiring Public Hearings
46. WS081121-05: Authorize Mayor and Finance Director to Sign Resolution No. 2021-077, a Resolution to Enter into a Lease Agreement with Rapid City Midget Football Association, Inc.
47. WS081121-06: Authorize Mayor and Finance Director to Sign Resolution No. 2021-078, a Resolution to Enter into a Lease Agreement with Rushmore Hockey and Skating Association.
48. WS081121-07: Authorize Mayor and Finance Director to Sign Resolution No. 2021-079, a Resolution to Enter into a Lease Agreement with Black Hills Figure Skating Club.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – (NONE)

BILLS
49. No. CC081621-01 – Bill List for August 16, 2021

ADJOURN