

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 22, 2022**

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 – 27

Open Public Comment – Items 1 – 26 (3-minute time limit per speaker)
Close Public Comment

CONSENT ITEMS – Items 1 – 26

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

Approve Minutes

1. Approve Minutes for the February 7, 2022 Regular Council meeting.

Intent to Lease Set for Hearing (March 7, 2022)

2. The City of Rapid City intends to enter into a lease for property located at 610 E. Fairmont Blvd with Harney League Sports.
3. The City of Rapid City intends to enter into a lease for a property located at 5430 Sheridan Lake Road with Security First Bank.

Tax Increment District Set for Hearing (March 7, 2022)

4. No. 22TI001 - A request by C.R. Lloyd Associates, Inc for Block 5, LLC for a Resolution to create a Tax Increment District and approve a Project Plan for the Block 5 Project for property generally described as being located at 525 St. Joseph Street.

Alcoholic Beverage License Applications Set for Hearing (March 7, 2022)

5. Main Street Square Inc., 512 Main Street Ste 980 for one SPECIAL EVENT on-sale dealer license for an event scheduled for June 18, 2022; one SPECIAL EVENT on-sale wine license and on-sale malt beverage license for an event scheduled for July 23, 2022; one SPECIAL EVENT on-sale dealer license for an event scheduled for August 20, 2022; one SPECIAL EVENT on-sale

dealer license for an event scheduled for August 24, 2022; and one SPECIAL EVENT on-sale wine and on-sale malt beverage license for an event scheduled for September 24, 2022; all being held at Main Street Square and 6th Street between Main Street and Omaha Street.

6. MG Oil Company DBA Market Square Casino 3, 1624 E. St. Patrick St. Suite 105 for a Retail (on-off sale) Malt Beverage & SD Farm Wine license with video lottery TRANSFER from MG Oil Company DBA The Park 3, 707 Mt. View Rd. Suite C
7. MG Oil Company DBA Market Square Casino 4, 1624 E. St. Patrick St. Suite 106 for a Retail (on-off sale) Malt Beverage & SD Farm Wine license with video lottery TRANSFER from MG Oil Company DBA Happy Jacks Omaha 2 (Inactive), 1109 W Omaha St, Suite B.

Public Works Committee Consent Items

8. PW021522-01: 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 45% (Forty-Five Percent) for the Purchase of a New Snow Plow for the Street Department.
9. PW021522-02: Approve Change Order #1F to RCS Construction Inc. for 2020 Miscellaneous Improvement Projects, Water Reclamation Facility Boiler Replacement, Project 21-2651 / CIP 51132.3, for an increase of \$23,231.18.
10. PW021522-03: Approve Change Order #1F to Underground Construction LLC for Saint Patrick Street Reconstruction, Project 15-2296 / CIP 50456, for an increase of \$1,470.60
11. PW021522-04: Authorize Mayor and Finance Office to Sign Agreement between the City of Rapid City and DOECK, LLC for Oversize Water Main Cost Reimbursement, not to exceed \$164,979.52.
12. PW021522-05: Approve Request from KTM Design Solutions, Inc. on behalf of owners Bruce and Sandra Rampleberg for a variance to waive the requirement to install sidewalk along Neck Yoke Road and Marie Lane, per City Ordinance 12.08.060.
13. PW021522-06: Approve Request from KTM Design Solutions, Inc. for Shawn & Kathy Walz for a variance to waive the requirement to install sidewalk along Hidden Springs Road and 229th Street, per City Ordinance 12.08.060.
14. PW021522-07: Authorize Staff to Purchase a 2022 Groundsmaster 4000D T4 with a Road Light Kit for \$79,889.00 with a Trade-In of a 2009 Groundsmaster 4000D for \$4,800.00 from Midwest Turf & Irrigation, with Sourcewell Pricing for a Total Amount of \$75,089.00.

Legal and Finance Committee Consent Items

15. LF021622-13 – Confirm the Appointment of Patricia Acevedo Fuentes to the Monument Board of Directors.
16. LF021622-01 – Authorize Staff to Apply for and Accept if Awarded the Homeland Security Grant in the Amount of \$63,694.50.
17. LF021622-02 – Authorize Staff to Apply for and Accept if Awarded the Homeland Security Grant in the Amount of \$11,850.00
18. LF021622-08 – Authorize Staff to Apply for and Accept if Awarded the Homeland Security Grant in the Amount of \$27,475.00
19. LF021622-03 – Approve Resolution No. 2022-019 a Resolution Levying Assessment for Abatement of Nuisances.
20. LF021622-09 – Approve Request for Property Tax Abatements as follows: Jeff Buck (Tax ID 65172) 2021, \$946.78 [Total for City of Rapid City: \$946.78]
21. LF021622-06 – Approve Resolution No. 2022-020 a Resolution of Intent to Enter into a Lease with Harney League Sports for Property Located at 610 E. Fairmont Blvd.
22. LF021622-10 – Authorize Mayor and Finance Director to Enter into Amended Agreement Between the City of Rapid City and Fox L.L.C. for Oversize Water Main Cost Reimbursement to Add Provision Allowing the Developer to Assign the Agreement to Another Developer Under Certain Circumstances

- 23. LF021622-12 – Authorize the Mayor and Finance Director to Sign the Contract for Construction of Public Improvements by Private Developer for Tax Increment District Number Eighty-One between Park Hill Development, Inc. and City of Rapid City.

CIP Committee Consent Items (NONE)

Community Development Consent Items

- 24. LF021622-07 – Authorize Staff to Purchase Two New 2022 Ford 3.3 V6 Flex Fuel 4Door Explorers from McKie Ford with Matching State Bid Contract #17619 in the Amount of \$57,894.00

Bid Award Consent Items

- 25. CC022222-04.1 - Approve award of Base Bid plus Schedule 2 for Trenchless Sanitary Sewer Rehabilitation Jackson Boulevard, Project No. 12-2075 / CIP No. 50818 opened on February 15, 2022 to the lowest responsible bidder, Mainline Contracting Inc. in the amount of \$711,262.30.
- 26. CC022222-04.2 - Approve award of total bid for Deadwood Avenue Reconstruction Phase 1, Project No. 17-2375 / CIP No. 50437.1 opened on February 15, 2022 to the lowest responsible bidder, Heavy Constructors, Inc. in the amount of \$2,864,025.82.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Item 27

Open Public Comment – Item 27 (3-minute time limit per speaker)

Close Public Comment

Ordinances (NONE)

Public Works Committee Items

- 27. PW020122-25: Uphold Denial of Exception Request from Kale McNaboe (21EX209) to waive the requirement to construct Golden Eagle Drive right-of-way in conjunction with the proposed subdivision Villas at Villaggio. *(This item was continued from the February 7, 2022, city council meeting.)*

Recommendation: Acknowledge applicant’s request to withdraw this appeal

Legal and Finance Committee Items (NONE)

CIP Committee Items (NONE)

Community Development Items (NONE)

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 28 - 43

Open Public Hearing (comment) - Items 28 –43 (3-minute time limit per speaker)
[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 28 – 43

CONSENT PUBLIC HEARING ITEMS – Items 28 – 35

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

Community Development Items (NONE)

Alcohol Licenses

28. Girl Scouts Dakota Horizons DBA Girl Scouts Dakota Horizons for one SPECIAL EVENT off-sale package wine dealer and one off-sale package malt beverage license for an event scheduled for June 7, 2022, at 505 North Street, Rushmore Plaza Holiday Inn
29. Elevate Rapid City DBA Elevate Rapid City for one SPECIAL EVENT on-sale malt beverage license and one on-sale wine license for an event scheduled for April 12, 2022, at 406 St. Joseph Street, Property Meld
30. Elevate Rapid City DBA Elevate Rapid City for one SPECIAL EVENT on-sale malt beverage license and one on-sale wine license for an event scheduled for March 8, 2022 at 2700 N. Plaza Drive, Black Hills Federal Credit Union
31. Jeff Salter DBA BIN 605, 2001 Hope Court, Suite 1, for a Retail on-off sale Wine and Cider license and Retail on-off sale Malt Beverage and SD Farm Wine license for 2001 Hope Ct, Ste 1
32. Naja Shrine DBA Naja Shrine for one SPECIAL EVENT on-sale malt beverage license and one on-sale wine license for an event scheduled for March 12, 2022 at 4091 Sturgis Rd, Naja Temple
33. Western Dakota Tech DBA Western Dakota Tech for one SPECIAL EVENT on-sale dealer license for an event scheduled for February 23, 2022 at 800 Mickelson Drive

Assessment Rolls (NONE)

Other Items Requiring Public Hearings

34. LF021622-04 – Authorize Mayor and Finance Director to Sign Resolution No. 2022-015, a Resolution to Enter into a Use Agreement with Black Hills Junior Little League.
35. LF021622-05 – Authorize Mayor and Finance Director to Sign Resolution No. 2022-017, a Resolution to Enter into a Use Agreement with Rapid City Church Softball, Inc..

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 36 – 43

36. No. 21RZ026 – Second Reading of Ordinance 6516, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for David Lamb and Andrea Andersen Revocable Trust for a Rezoning request from No Use District to Light Industrial District for property generally described as being located southeast of the intersection of Highway 79 and Old Folsom Road.

Recommendation: Approve Contingent on Associated Annexation

37. No. 21RZ027 – Second Reading, Ordinance 6517, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for David Lamb and Andrea Andersen Revocable Trust for a Rezoning request from No Use District to Heavy Industrial District for property generally described as being located southeast of the intersection of Highway 79 and Old Folsom Road.
Recommendation: Approve Contingent on Associated Annexation
38. No. 21RZ028 - Second Reading, Ordinance 6518, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for David Lamb and Andrea Andersen Revocable Trust for a Rezoning request from No Use District to General Commercial District for property generally described as being located southeast of the intersection of Highway 79 and Old Folsom Road.
Recommendation: APPROVE CONTINGENT ON ASSOCIATED ANNEXATION
39. No. 21RZ029 - Second Reading, Ordinance 6519, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dream Design International, Inc for David Lamb and Andrea Andersen Revocable Trust for a Rezoning request from No Use District to Heavy Industrial District for property generally described as being located southeast of the intersection of Highway 79 and Old Folsom Road.
Recommendation: APPROVE CONTINGENT ON ASSOCIATED ANNEXATION
40. No. 21RZ037 - Second Reading, Ordinance 6529, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Frank Boyle for a Rezoning request from General Commercial District to Light Industrial District for property generally described as being located at 3637 Edwards Street.
Recommendation: APPROVE IN CONJUNCTION W/ A PLANNED DEVELOPMENT DESIGNATION
41. No. 21RZ038 - Second Reading, Ordinance 6530, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Marvin and Kay Paschke for a Rezoning request from No Use to Heavy Industrial District for property generally described as being located east of Highway 79, south of Old Folsom Road.
Recommendation: APPROVE CONTINGENT ON ASSOCIATED ANNEXATION
42. No. 21RZ039 - Second Reading, Ordinance 6531, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for E.M. Hoff Family Ranch Limited Partnership for a Rezoning request from No Use District to Heavy Industrial District for property generally described as being located west of Old Folsom Road, east of Highway 79.
Recommendation: APPROVE CONTINGENT ON ASSOCIATED ANNEXATION
43. No. 21RZ040 - Second Reading, Ordinance 6532, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Evan Hayes for a Rezoning request from Park Forest District to Low Density Residential District for property generally described as being located at 1539 Forest Hills Drive.
Recommendation: APPROVE

BILLS

44. No. CC022222-01 – Bill List for February 22, 2022

ADJOURN