

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, May 16, 2022**

ROLL CALL AND DETERMINATION OF QUORUM

INVOCATION (You are welcome to participate, but not required)

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

AWARDS, RECOGNITIONS and PRESENTATIONS

1. Public Works Week Proclamation
2. Soccer Week Proclamation
3. Western Dakota Technical College Foundation Presentation
4. Ritchie Nordstrom and Youth City Council present on trip to NLC Congressional City Conference in Washington D.C.
5. Solid Waste Presentation (for item PW051022-16 on the agenda)

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 6 – 47

Open Public Comment – Items 6 – 47 (3-minute time limit per speaker)
Close Public Comment

CONSENT ITEMS – Items 6 – 47

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

Approve Minutes

6. Approve Minutes for the May 2, 2022 Regular Council meeting.

Enter into City Lease Set for Hearing (June 6, 2022)

7. Intent to Enter into a Lease / Concessionaire Agreement with Canyon Lake Resort

Alcoholic Beverage License Applications Set for Hearing (June 6, 2022)

8. Seed Studios LLC DBA Seed Studios, 406 5th Street, Suite 500, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License TRANSFER from Charles Moore & Stephen Briggs, DBA Seed Studios, 412 5th Street
9. X Golf Rapid City, LLC DBA X Golf Rapid City, LLC, 2200 North Maple, for a Retail (on-sale) Liquor License TRANSFER from B&B Kelley, LLC DBA Poker Joe’s, 211 Cambell Street
10. Storybook Island Inc., 1301 Sheridan Lake Rd for a SPECIAL EVENT (on-sale) malt beverage license and a (on-sale) wine license for an event scheduled for June 25, 2022

Public Works Committee Consent Items

11. PW051022-01: Approve Resolution 2022-046 - A Resolution Authorizing An Amendment To Resolution 2022-029 The Application For Financial Assistance And Authorizing The Execution And Submittal Of Same.
12. PW051022-02: Authorize Lowering The Requirement That The Contractor Perform A Minimum Of 50% Of The Work To 35% Of The Work For The WRF Aeration Basin Clariflocculator, Project Number 20-2629/ CIP Number 51129.
13. PW051022-03: Approve Resolution Repealing Resolution No 2020-044 Which Imposed A Construction Fee For Alma St., Gladys St., And Lennon Ln. Area Low Pressure South Water Main Extension (Project No. 12-2039).
14. PW051022-04: Authorize Mayor and Finance Director to Sign an Agreement between the City of Rapid City and FMG Engineering for Wildwood Drive Reconstruction – Phase 2, Project No. 19-2506 / CIP No. 51003. In the amount of \$252,700.00.
15. PW051022-05: Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid and Bartlett & West, Inc for Professional Engineering Services for Shepherd Hills Water Booster Pump Station, Project No. 21-2682, CIP No. 51338 in the amount of \$955,645.00.
16. PW051022-06: Authorize Staff to Advertise Bids for 2022 Chip Seal, Project No. 22-2706 / CIP 50549.22B. Estimated Cost \$150,000.
17. PW051022-07: Authorize Staff to Advertise Bids for Robbinsdale Phase 6 Fairlane Drive Reconstruction Project No. 19-2518 / CIP No. 51232-C. Estimated Cost \$3,551,000.00
18. PW051022-08: Authorize Staff to Advertise for Bids for Springbrook Acres Water Main & PRV Abandonment Project No. 21-2643 / CIP 51262; Estimated Construction Cost \$2,210,000
19. PW051022-09: Authorize staff to advertise for bids of one (1) new current model year regenerative air sweeper. Estimated Cost is \$275,000.
20. PW051022-10: Authorize Staff to purchase one Komptech Terminator 6000S from Hennen Equipment, Inc. through Sourcewell Cooperative contract# 050119-KMP in the amount of \$873,768.00.
21. PW051022-11: Authorize staff to purchase a 4-desk cubicle system from Evergreen Office Products, matching pricing from Open Plan, GSA Contract Holder, Contract number GS-29F-0008S. Quoted price is \$6,324 to include delivery and installation.
22. PW051022-12: Authorize staff to enter into an agreement with Dakota Pump to update the PLC (Programmable Logistics Controller) at the MRF Facility.
23. PW051022-13: Approve Authorization to Seek Proposals for Farming at the Water Reclamation Remediation Site
24. PW051022-14: Approve request from Peter Hendricksen for a variance to waive the requirement to install sidewalk along Wildwood Drive Rapid City, per City Ordinance 12.08.060.
25. PW051022-16: Acknowledge Solid Waste Presentation: Master Plan Status Update and Path Forward

Legal and Finance Committee Consent Items

26. LF051122-12 – Authorize Mayor and Finance Director to Sign Contract and Statement of Work for Professional Services Between SDN Communications and the City of Rapid City for Network Services for Several City Locations
27. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Dale Donat (RSVP+), Janene Donat (RSVP+), Fong Hao (RSVP+), Lyle Heinrich (RSVP+), Sally Monroe (RSVP+), Fanquin Zeng (RSVP+)
28. LF051122-02 – Approve Resolution No. 2022-044 a Resolution Updating Petty Cash Funds and Change Funds
29. LF051122-05 – Acknowledge March 2022 General Fund Cash Balance Report
30. LF051122-09 – Acknowledge March 2022 Sales Tax Report
31. LF051122-10 – Approve Resolution No. 2022-037 a Resolution Levying Assessment for Abatement of Nuisances

32. LF051122-11 – Authorize the Mayor and Finance Director to Sign Loan Documentation with Black Hills Community Bank for Solid Waste to Purchase a Grinder in the Amount of \$895,000.00
33. LF051122-03 – Approve Resolution No. 2022-042 a Resolution of Intent to Enter into a Concessionaire Agreement with Canyon Lake Resort
34. LF051122-04 – Authorize Staff to Apply for and Accept if Awarded the South Dakota Department of Health West Nile Virus Grant in the Amount of \$500.00 to \$20,000.00
35. LF051122-01 – Approve Resolution No. 2022-038 a Resolution Establishing the City of Rapid City 2022 Archery Antlerless Deer Access Permit Program
36. LF051122-06 – Approve Resolution No. 2022-045 a Resolution Regarding Certain Leases
37. LF051122-14 – Authorize Mayor and Finance Director to Sign the FY21 Mid-Year CommonBond’s Contract and Covenants.

CIP Committee Consent Items (NONE)

Community Development Consent Items

38. No. 22TP012- Authorize the Mayor and Finance Director to Sign the Agreement between the City of Rapid City and the City of Box Elder, and the City of Rapid City and Pennington County for Accomplishing the Rapid City Area Transportation Planning Process

Bid Award Consent Items

39. CC051622-04.1 - Approve award of Base Bid plus Alternate 1 (with VE Options) and Allowances for Rapid City - City Hall HVAC Upgrade, Project No. 22-2674 / CIP No. 51225 opened on May 10, 2022 to the lowest responsible bidder, Climate Control Systems & Service in the total amount of \$979,134.00.
40. CC051622-04.2 - Reject all bids for E. Anamosa Street – Street and Storm Sewer Repairs, Project No. 21-2639 / CIP No. 51153 opened on May 10, 2022, and rebid at a later date.
41. CC051622-04.3 - Approve award of total bid for 2022 Street Patching, Project No. 22-2705 / CIP No. 50549.22A opened on May 10, 2022 to the lowest responsible bidder, Western Construction, Inc. in the amount of \$196,473.00.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 42 – 47

Open Public Comment – Items 42 – 47 (3-minute time limit per speaker)

Close Public Comment

Ordinances

42. No. 22RZ004 – First Reading, Ordinance 6537, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Historic Rapid City for a Rezoning request from Medium Density Residential District to General Commercial District for property generally described as being located at 727 South Street.
Recommendation: Approve
43. No. 22RZ005 – First Reading, Ordinance 6538, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Stoneridge LLC for a Rezoning request from Low Density Residential District I to General Commercial District for property generally described as being located southeast of the intersection of 5th Street and Enchanted Pines Drive.
Recommendation: Approve in conjunction with a Planned Development Designation
44. LF051122-08 – First Reading of Ordinance No. 6539, An Ordinance Amending Section 15.04.030 of the Rapid City Municipal Code Regarding the Authority of the Building Official.
Recommendation: Approve

Public Works Committee Items (NONE)
Legal and Finance Committee Items (NONE)
CIP Committee Items (NONE)

Community Development Items

45. No. 22PL037 - A request by Towey Design Group, Inc for Keating Resources for a Preliminary Subdivision Plan for proposed Lots 1 thru 15 of Black Hills Commerce Center Subdivision, generally described as being located southeast of the intersection of Dyess Avenue and E. Mall Drive.

Recommendation: Approve with stipulations

46. No. 22PL038 - A request by Ferber Engineering Company, Inc for Hay Land, LLC for a Preliminary Subdivision Plan for proposed Lot 1R of Silver Strike Subdivision, generally described as being located east of Tish Boulevard and north of E. Mall Drive.

Recommendation: Approve with stipulations

Other Board, Commission & Committee Items (NONE)

Bid Awards (NONE)

Alcoholic Beverage License Renewals for 2022-2023

47. CC051622-02.1 – Approve the attached list of 2022-2023 alcohol renewals per verification through Rapid City Police Department and Rapid City Fire Department.

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 – 54

Open Public Hearing (comment) - Items 48 – 54 (3-minute time limit per speaker)
[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 48 - 54

CONSENT PUBLIC HEARING ITEMS – Items 48 - 51

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

Community Development Items (NONE)

Alcohol Licenses

48. Fu Wong LLC DBA Golden Phoenix Restaurant, 2421 W Main Street, for a Retail (on-off sale) Malt Beverage & SD Wine License and a Retail (on-off sale) Wine and Cider License TRANSFER from S & Y Inc. DBA Golden Phoenix Restaurant, 2421 W Main Street

49. B & B Kelley, LLC DBA Poker Joe’s, 211 Cambell Street, for a Retail (on-sale) Liquor License TRANSFER from Poker Joes Inc. DBA Poker Joes, 211 Cambell Street

- 50. Independent Beverage LLC DBA Windsor Block Bar, 627 St Joseph, for a Retail (on-sale) Liquor License TRANSFER from Tiki Investments, LLC, DBA Tiki Bar, 615 E North Street
- 51. Vita Sana Olive Oil Company LLC DBA Vita Sana Olive Oil Co., 628 St Joseph Street, for a Retail (on-off sale) Wine and Cider License TRANSFER from Vita Sana Olive Oil Company LLC DBA Vita Sana Olive Oil Company, 627 St Joseph Street

Assessment Rolls (NONE)

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 52 - 54

52. No. 22VR003 - Approve Resolution 2022-032 – Resolution for Vacation of Right-of-Way of a portion of Lot H4 of the NE1/4 of the SW1/4 of the SE1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota property generally described as being located west of the intersection of Golden Eagle Drive and Villaggio Lane. *(This item was continued from April 26, 2022 Legal and Finance Meeting.)*

Recommendation: Approve

53. No. 22TI002 - Approve Resolution No. 2022-34 a Resolution Creating a Tax Increment District and Approve Resolution No. 2022-035 a Resolution to adopt Project Plan for the Black Hills Industrial Center – A request by Dream Design International, Inc for Black Hills Industrial Center, LLC for a Resolution to Create a Tax Increment Finance District and a Resolution to adopt a Project Plan for the Black Hills Industrial Center property generally described as being located along SD Highway 79 and Old Folsom Road.

Recommendation: Approve with stipulations

54. No. 22RZ003 – Approve Second Reading, Ordinance 6536, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Indigo Design, LLC for Dakota Heartland, Inc. for a Rezoning request from General Commercial District to Office Commercial District for property generally described as being located at 4112 Berniece Street.

Recommendation: Approve

EXECUTIVE SESSION - Pursuant to SDCL 1-25-2(1) to discuss information listed in subdivisions 1-27-1.5(8) and 1-27-1.5(17).

BILLS

55. No. CC051622-01 – Approve Bill List for May 16, 2022

ADJOURN