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, September 6, 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 – 66
Open Public Comment – Items 1 – 59 (3-minute time limit per speaker)
Close Public Comment

CONSENT ITEMS – Items 1 – 59

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

Approve Minutes
1. Approve Minutes for the August 15, 2022 REGULAR Council meeting.
2. Approve Minutes for the August 15, 2022 Special Council meeting.
3. Approve Minutes for the August 17, 2022 Special Council meeting.
4. Approve Minutes for the August 29, 2022 Special Council meeting.

Alcoholic Beverage License Applications Set for Hearing (September 19, 2022)
5. Naja Shrine Temple, for four SPECIAL EVENT (On-Sale Dealer) Licenses for events scheduled for September 24, 2022, November 5, 2022, December 17, 2022 and December 31, 2022, at the Rapid City Shrine Center, 4091 Sturgis Road
6. Western Dakota Tech Foundation for a SPECIAL EVENT (On-Sale Malt Beverage) License, (On-Sale Wine) License, and a (Off-Sale Package Wine) License for an event scheduled for October 20, 2022 at Western Dakota Tech, 800 Mickelson Drive
7. Canyon Lake Activity Center, for a SPECIAL EVENT (On-Sale Malt Beverage) License and an (On-Sale Wine) License for an event scheduled for October 7, 2022 at Canyon Lake Activity Center, 2900 Canyon Lake Drive
8. Storybook Island for a SPECIAL EVENT (On-Sale Malt Beverage) License and an (On-Sale Wine) License for an event scheduled for September 23, 2022 at Storybook Island, 1301 Sheridan Lake Road
9. Rapid City Cannabis, Inc. DBA Rapid City Cannabis for a new Retail (on-off sale) Malt Beverage and SD Farm Wine License and a Retail (on-off sale) Wine and Cider License at 3075 N. Plaza Drive, Suite B

10. Main Street Square for a SPECIAL EVENT (On-Sale Dealer) License for an event scheduled for September 30, 2022 at Main Street Square, Sixth Street and Main Street

**Public Works Committee Consent Items**

11. PW083022-01: Approve Change Order #3F to Heavy Constructors, Inc. for West Omaha Street Utilities, Project #16-2099, CIP #50904, for a decrease of $7,352.25.

12. PW083022-02: Approve Change Order #1 to Heavy Constructors, Inc. for Deadwood Ave Reconstruction Phase 1, Project #17-2375, CIP #50437.1, for an increase of $166,632.00.

13. PW083022-03: Approve Change Order #2 to R.C.S. Construction, Inc. for St Cloud Street Reconstruction Project 5th Street to Highland Court, Project #17-2487, CIP #51036, for an increase of $87.31.

14. PW083022-04: Approve Change Order #1F to Tru-Form Construction, Inc. for Pavement Rehabilitation Project W. St. Louis St., Project #20-2625, CIP #50549, for an increase of $10,246.11.

15. PW083022-05: Approve Change Order #1 to Layne Christensen Company for Well 11 Pump and Motor Replacement, Project #22-2717, CIP #51363, for an increase not to exceed $10,000.00.

16. PW083022-06: Authorize Staff to Advertise Bids for St. Patrick St. Reconstruction – Mt. Rushmore Rd. to 5th St., Project No. 20-2582 / CIP 51126. Estimated Cost $5,700,000.

17. PW083022-07: Approve with Stipulations to Request Advertising Authority for Block 75 Parking Ramp Maintenance Project #2689. Contingent upon funding approval.

18. PW083022-08: Authorize Mayor and Finance Director to sign Amendment Number 1 to SDDOT Agreement 717419 (Bridge Replacement Funding Agreement for structure number 52-375-296). San Marco Boulevard Bridge Replacement, Project No. 20-2581/CIP 51194.

19. PW083022-09: Authorize Mayor and Finance Director to Sign Amendment No. 1 to the Agreement between the City of Rapid City and FMG Engineering for Professional Engineering Services for Racetrack Draw Drainage Basin Design Plan (DBDP) Update, Project No. 20-2628, CIP No. 51315

20. PW083022-10: Approve Request from KTM Design Solutions, Inc. for an exception to allow more than 40 dwelling units along Cloud Peak Drive with only one point of access. Per Section 2.6 of the Infrastructure Design Criteria Manual (IDCM), a single access can only serve 40 dwelling units unless an exception is approved by City Council.

21. PW083022-11: Approve Request from D.C. Scott Surveyor’s Inc on behalf of property owners, David and Joyce Whittington for a variance to waive the requirement to install sidewalk along Moon Meadows Drive, Rapid City, per City Ordinance 12.08.060.

22. PW083022-12: Authorize purchase of 2012 Caterpillar D7E RIPR Dozer from North Central Rental & Leasing LLC in the amount of $175,310.00 using Caterpillar Sourcewell Contract #032119-CAT.


24. PW083022-14: Authorize Mayor and Finance Director to Sign Professional Services Agreement (Construction Administration Services) for Project PR20-6180 Dinosaur Park Accessibility Improvements.

25. PW083022-15: Confirm the reappointments of Scott Kenner and Garth Wadsworth and the one-year extension of the appointment of Clinton Beck to the Rapid City Area Air Quality Board.

**Legal and Finance Committee Consent Items**

27. LF083122-13 – Authorize Staff to Purchase One (1) 2022 Demers Type I MXP 150 4X4 Chevy 3500 Ambulance for $203,578.10 Using SAVIKK Purchasing Contract

28. LF083122-17 – Authorize Mayor and Finance Director to Sign Exclusive Listing and Agency Agreement and Real Estate Relationships Disclosure with Re/Max Advantage for the Sale of Lot 4 of Owen Hibbard Subdivision (TBD Promise Road)

29. LF083122-18 – Authorize Mayor and Finance Director to Sign Exclusive Listing and Agency Agreement and Real Estate Relationships Disclosure with Re/Max Advantage for the Sale of Lot 5 of Owen Hibbard Subdivision (also known as 6163 Mount Rushmore Road)

30. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Karen Collings (Library), JoAnne Schleif (Library)

31. LF083122-01 – Acknowledge June 2022 Sales Tax Report

32. LF083122-02 – Acknowledge July 2022 General Fund Cash Balance Report

33. LF083122-12 – Approve Resolution No. 2022-075 A Resolution Declaring Miscellaneous Personal Property Surplus

34. LF083122-19 – Approve Request for Interfund Loan of $4,000,000.00 between General Fund and Parking Lot & Area Fund

35. LF083122-20 – Set a Special Council Meeting for Tuesday, December 27, 2022 at 12:00 PM to Handle Final End of Year Business

36. LF083122-22 – Approve Resolution No. 2022-076 A Resolution Declaring Miscellaneous Personal Property Surplus

37. LF083122-15 – Youth City Council Requests Authorization for Expenditure of $200.00 of Approved Budget for Promotional Materials in support of a 988-Crisis Line Campaign

**CIP Committee Consent Items**

38. No. CIP081922-00 - Approve Minutes for June 17, 2022

39. No. CIP081922-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, Summary)

40. No. CIP081922-04 – Approve Capital Plan for Fire Vehicles

41. No. CIP081922-05 – Approve Capital Plan for Parks & Recreation

42. No. CIP081922-06 – Approve Capital Plan for Information Technology

43. No. CIP081922-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)

44. No. CIP081922-02 – Approve Capital Plan for PW Infrastructure

45. No. CIP081922-07 – Approve a change within the Parks and Rec Government Facilities Budget – Melissa Petersen / Jeff Biegler

**Community Development Consent Items**

46. LF083122-03 – Authorize the Mayor and Finance Director to sign the CDBG-CV Reallocation Youth and Family Services’ Contract

47. LF083122-04 – Authorize the Mayor and Finance Director to sign the CDBG-CV3 Wellspring Contract Amendment

48. LF083122-05 – Authorize the Mayor and Finance Director to sign the CDBG-CV Reallocation Wellspring Contract

49. LF083122-06 – Authorize the Mayor and Finance Director to sign the FY21 Mid-Year CB Rapid City Housing Limited Partnership Assignee Contract and Covenants

50. LF083122-07 – Authorize the Mayor and Finance Director to sign the Adult Day Center of the Black Hills Assignee Contract and Covenants

51. LF083122-08 – Authorize the Mayor and Finance Director to sign the CDBG-CV Reallocation Volunteers of America Northern Rockies Contract

52. LF083122-09 – Authorize the Community Development Director to Sign Documents Related to the Sale of 627 Saint Cloud Street

53. LF083122-10 – Authorize the Mayor and Finance Director to sign the FY22 CDBG Working Against Violence, Inc. (WAVI) Contract
54. LF083122-11 – Authorize Mayor to Sign Funding Approval/Agreement for FY 2022 Community Development Block Grant Funding
55. No. 04TI013 – Approve a request by City of Rapid City for Resolution 2022-065 to Dissolve Tax Increment District #50 for property generally described as being located in the northwest quadrant of Omaha Street and I-190. (This item was continued from the August 15, 2022 City Council Meeting.)
56. No. 13TI002D – Approve Resolution No. 2022-066 - A Resolution to Dissolve Tax Increment District No. 74 for property generally described as being located south and west of Elks Country Estate north and south of Elk Vale Road and east of S.D. Highway 79.

Bid Award Consent Items
57. CC090622-04.1 – Approve award of total bid for 2022 MIP, Project No. 22-2701 / CIP No. 50298 opened on August 30, 2022 to the lowest responsible bidder, Tru-Form Construction, Inc in the amount of $171,698.40.
58. CC090622-04.2 – Approve award of total bid for Sunburst Drive Reconstruction, Project No. 19-2532 / CIP No. 51253 opened on August 30, 2022 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of $3,773,724.92.
59. CC090622-04.3 – City Staff requests a continuance for Fire Station #1 Improvements, Project No. 20-2612 / CIP No. 51310 to the September 19, 2022 Council Meeting.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 60 – 66

Open Public Comment – Items 60 – 66 (3-minute time)
Close Public Comment

Ordinances
60. LF083122-21 – Introduction and First Reading of Ordinance No. 6551 Regarding Supplemental Appropriation #3 for 2022
Recommendation: Approve
61. CC081722-03 – Second Reading, Ordinance 6550, regarding FY2023 Appropriation Ordinance
Recommendation: Approve

Public Works Committee Items (NONE)

Legal and Finance Committee Items
62. LF083122-14 – Authorize Staff to Collaborate with The Monument and Visit Rapid City to Hire Oxford Economics/Tourism Economics for up to $12,000.00 for the City’s Share to Conduct an Economic Impact Study to Determine the Economic Impact of The Monument on the Regional Economy
Recommendation: Approve

CIP Committee Items (NONE)

Community Development Items
63. No. 22PL078 - A request by KTM Design Solutions, Inc for BH Capital LLC for a Preliminary Subdivision Plan for proposed Lots 1 thru 27 of Block 1, Lots 1 thru 37 of Block 2, Lots 1 thru 7 of Block 3, Lots 1 thru 40 of Block 4, Lots 1 thru 20 of Block 5, Lots 1 thru 3 of Block 6, Lots 1 thru 11 of Block 7 of Shepherd Hills East Subdivision, generally described as being located north of E. Anamosa Street.
Recommendation: Approve with Stipulations
64. No. 22PL084 - A request by FMG Engineering for Inland Truck Parts Company for a Preliminary Subdivision for proposed Lot 1 and Lot 2 of Inland Subdivision, generally described as being located northeast of the intersection of Dyess Avenue and E. Mall Drive.
Recommendation: Approve with Stipulations

65. No. 22RZ014 – 1st Reading, Ordinance 6546, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Ferber Engineering Company for Peaches, LLC for a Rezoning request from General Agricultural District to General Commercial District for property generally described as being located south of Eglin Street, west of Luna Avenue.
Recommendation: Approve

Other Board, Commission & Committee Items (NONE)
Bid Awards (NONE)
Alcoholic Beverage License Applications (NONE)
  Reissue
  Special Event
Mayor’s Items (NONE)
Council Items & Liaison Reports (NONE)
  Reconsideration Notices
  Motion for Delivery of Items from Committee
Staff Items

66. CC090622-02 – Approve Resolution No. 2022-073 - A Resolution to limit the number of package (off-sale) liquor licenses available in Rapid City.

Appeals
  Planning Commission Appeals
  License Appeals
  Sign Code Appeals
  Other Appeals Heard by the Council

PUBLIC HEARING ITEMS – Items 67 – 72

Open Public Hearing (comment) - Items 67 – 72 (3-minute time limit per speaker)
[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 67 – 72

CONSENT PUBLIC HEARING ITEMS – Item 67 – 69

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

Community Development Items (NONE)

Alcohol Licenses

67. Black Hills Running Co. LLC DBA Black Hills Running Co for a new Retail (on-off sale) Malt Beverage & SD Farm Wine License at 1130 W Omaha Street
68. Sodexo America LLC, for a SPECIAL EVENT (On-Sale Dealer) License for multiple events scheduled for September 10 and 24, 2022; October 1, 14 and 29, 2022; and November 12, 2022 at SDSMT, Dunham Field at O’Hare Stadium, 501 East St. Joseph Street
69. Youth and Family Services for a SPECIAL EVENT (On-Sale) Malt Beverage and (On-Sale Wine) License scheduled for October 7-8, 2022; also a SPECIAL EVENT (Off-Sale) Package Wine License scheduled for October 7-11, 2022 for an online auction, the event will take place at Youth and Family Services, 120 East Adams Street.
Assessment Rolls (NONE)

Other Items Requiring Public Hearings

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 70 – 72

70. No. 22RZ011 – Second Reading, Ordinance 6546, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by FMG Engineering for Inland Truck Parts Company for a Rezoning request from Heavy Industrial District to Light Industrial District for property generally described as being located east of Dyess Avenue and north of E. Mall Drive
   Recommendation: Approve

71. No. 22RZ012 - Second Reading, Ordinance 6547, 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 request from General Agricultural District to Medium Density Residential District for property generally described as being located north of Fran Way.
   Recommendation: Approve

72. No. 22RZ013 - Second Reading, Ordinance 6548, 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 request from General Agricultural District to Medium Density Residential District for property generally described as being located north of Fran Way.
   Recommendation: Approve

BILLS

73. No. CC090622-01 – Bill List for September 6, 2022

ADJOURN