

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, January 3, 2023**

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. National Humanities Conference Presentation by HRC/MOA

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 – 31

Open Public Comment – Items 2 – 30 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 2 – 30

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

Approve Minutes

2. Approve Minutes for the December 19, 2022 Regular Council meeting.
3. Approve Minutes for the December 27, 2022 Special Council meeting.

Alcoholic Beverage License Applications Set for Hearing (Tuesday, January 17, 2023)

4. Moyle Petroleum Company DBA Sheridan Lake Common Cents #105 for a new Package (off-sale) Liquor License at 2808 Sheridan Lake Road
5. Hana Korean Grill LLC DBA Hana Restaurant, 3550 Sturgis Road for a Retail (on-off sale) Wine and Cider license and a Retail (on-off sale) Malt Beverage & SD Farm Wine TRANSFER from Eni Tulistiya DBA Hana Restaurant, 3350 Sturgis Road

Public Works Committee Consent Items

6. PW122722-01: Approve Acceptance Of Infrastructure For Creek Drive Water Main Extension – Project 22-2617
7. PW122722-02: Authorize Staff To Advertise For Bids For RCFD Fire Training Facility Site Improvements Project #2529.

8. PW122722-03: Authorize Staff to Advertise Bids for South Truck Route Drainage Basin Design Plan (DBDP) – Element 16 Culvert Crossing, Project Number 21-2668 / CIP 51331, in the amount of \$635,000.00
9. PW122722-04: Approve Change Order #1F To Mainline Contracting, Inc. For Trenchless Sanitary Sewer Rehabilitation, Project# 2075, CIP# 50818, For An Increase Of \$48,665.00.
10. PW122722-05: Approve Change Order #1 For Project No. 2674 / CIP No. 51225 RC City Hall AHU Replacement With Climate Control Systems And Services For An Increase Of \$45,327.
11. PW122722-06: Authorize Staff To Submit Transit Grant To FTA FFY2019/2021 5307 Formula Funds For Operating Assistance In The Amount Of \$2,276,659.
12. PW122722-07: Authorize The Director Of Public Works Or His Designee To Apply For, And If Awarded To Accept, Environmental Protection Agency (EPA) Grant Funding To Increase Our Current Education And Outreach Efforts.
13. PW122722-08: Authorize The Director Of Public Works Or His Designee To Apply For, And If Awarded To Accept, Environmental Protection Agency (EPA) Grant Funding To Expand Our Current Recycling Efforts.
14. PW122722-09: Approve Request From Kirby Johnson For A Variance To Waive The Requirement To Install Sidewalk Along Pinedale Heights Dr And Pinedale Circle, Rapid City, Per City Ordinance 12.08.060.

Legal and Finance Committee Consent Items

15. LF122822-05 – Authorize the HR Department to Conduct an RFP (Request for Proposal) for the AFSCME 2023 Wage Study
16. LF122822-02 – Authorize Mayor and Interim Finance Director to Sign Resolution No. 2022-095, a Resolution to Enter into a Lease Agreement with Nexstar Media Inc.
17. LF122822-03 – Authorize Mayor and Interim Finance Director to Sign Resolution No. 2022-093, a Resolution to Enter into a Use Agreement with Rapid City Youth Boxing, Inc.
18. LF122822-01 – Authorize Youth City Council for the expenditure matching the County of an amount up to \$13,000.00 to the Full Budgeted Amount of \$26,000 to Attend the National League of Cities – Congressional City Conference 2023.
19. LF122822-04 – Approve Resolution No. 2022-096 a Resolution Amending the Youth City Council Resolution 2021-099, as Amended by Resolution 2022-018, to Reflect that the Mayor has Authority to Review and Determine Approval of YCC Annual Budgeted Expenditures Under \$1,000, and Expenditures of \$1,000 or More shall be Presented to the Full City Council for Review and Approval as May be Determined

CIP Committee Consent Items

20. No. CIP121622-00 - Approve Minutes for September 16, 2022
21. No. CIP121622-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, Summary)
22. No. CIP121622-04 – Approve Capital Plan for Fire Vehicles
23. No. CIP121622-05 – Approve Capital Plan for Parks & Recreation
24. No. CIP121622-06 – Approve Capital Plan for Information Technology
25. No. CIP121622-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
26. No. CIP121622-02 – Approve Capital Plan for PW Infrastructure
27. No. CIP121622-07 – Approve permission to transfer the balance of two completed projects to another Gov't Buildings project "Parks Security Cameras" to cover an anticipated overage after scope of services changed during the project.

Community Development Consent Items (NONE)

Bid Award Consent Items

28. CC120522-04.2 - 1. Approve award of negotiated bid for Sioux Park Tennis Courts Reconstruction, Project No. PR22-6186, opened on November 29, 2022 to the lowest responsible bidder, Complete Concrete, Inc., in the amount of \$2,997,837.00.

- 29. CC010323-04.1 - No bids were received December 27, 2022 for the Two (2) Current Model Year ½ Ton 4x4 Pickup Trucks. Staff recommends negotiating a contract in accordance with SDCL 5-18A-5(9).
- 30. CC010323-04.2 - No bids were received December 27, 2022 for the One (1) Current Model Year ¾ Ton 4x4 Pickup Truck. Staff recommends negotiating a contract in accordance with SDCL 5-18A-5(9).

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Item 31

Open Public Comment – Item 31 (3-minute time limit per speaker)

Close Public Comment

Ordinances (NONE)

Public Works Committee Items (NONE)

Legal and Finance Committee Items

- 31. LF121422-13 – Approve Directing City Attorney’s Office to Draft a Resolution to Prohibit Use of TikTok on all City-issued Devices, Restrict Access to TikTok on City Networks, and Prohibit City Accounts on the TikTok Platform (continued from December 19, 2022 City Council Meeting).
Recommendation: Approve 3-2 with Armstrong and Nordstrom voting no

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 32-42**

Open Public Hearing (comment) - **Items 32-42** (3-minute time limit per speaker)

[Public Hearing Remains Open]

Close Public Hearing (comment) - **Items 32 – 42**

CONSENT PUBLIC HEARING ITEMS – **Items 32 – 41**

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

Community Development Items (NONE)

Alcohol Licenses

- 32. MG Oil Company DBA Corner Pantry 8, 302 E North Street for a Package (off-sale) Liquor License TRANSFER from Atlantis LLC DBA Fairfield Inn & Suites by Marriott, 1314 N Elk Vale Rd
- 33. Cimarron Casino Inc. DBA Pot-O-Gold Too II, 840 Timmons Blvd, Suite 1A for a Retail (on-off sale) Malt Beverage & SD Farm Wine License with Video Lottery TRANSFER from Wyngard Pot-O-Gold Casino Inc., DBA Pot-O-Gold Casino Too II, 840 Timmons Blvd Suite 1A
- 34. Cimarron Casino Inc. DBA Pot-O-Gold Too I, 840 Timmons Blvd Ste 1 for a Retail (on-off sale) Malt Beverage & SD Farm Wine License with Video Lottery TRANSFER from Wyngard Pot-O-Gold Casino Inc. DBA Pot-O-Gold Too I, 840 Timmons Blvd Suite 1
- 35. Cimarron Casino Inc. DBA Wyngard Pot-O-Gold Casino Inc., 530 Cambell Street Suite 2 for a Retail (on-off sale) Malt Beverage & SD Farm Wine License with Video Lottery TRANSFER from Wyngard Pot-O-Gold Casino Inc. DBA Pot-O-Gold Casino III, 530 Cambell Street Suite 2
- 36. Cimarron Casino Inc. DBA Lucky D's Casino III, 1330 E St Patrick St Suite 1 for a Retail (on-off sale) Malt Beverage & SD Farm Wine License with Video Lottery TRANSFER from Wyngard Pot-O-Gold Casino Inc. DBA Lucky D's Casino III, 1330 E St Patrick St Suite 1
- 37. Cimarron Casino Inc. DBA Lucky D's Casino, 1330 E St Patrick St, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License with Video Lottery TRANSFER from Wyngard Pot-O-Gold Casino Inc. DBA Lucky D's Casino, 1330 E St Patrick St
- 38. Cimarron Casino Inc. DBA Pot-O-Gold Casino II, 530 Cambell Street Suite 1A for a Retail (on-off sale) Malt Beverage & SD Farm Wine License with Video Lottery TRANSFER from Wyngard Pot-O-Gold Casino Inc. DBA Pot-O-Gold Casino II, 530 Cambell Street Suite 1A
- 39. Cimarron Casino Inc. DBA Pot-O-Gold Casino, 530 Cambell Street Suite 1 for a Retail (on-off sale) Malt Beverage & SD Farm Wine License with Video Lottery TRANSFER from Wyngard Pot-O-Gold Casino Inc. DBA Pot-O-Gold Casino, 530 Cambell Street Suite 1
- 40. Cimarron Casino Inc. DBA Lucky D's Casino II, 1330 E St Patrick St Suite 2, for a Retail (on-off sale) Malt Beverage & SD Farm Wine License with Video Lottery TRANSFER from Wyngard Pot-O-Gold Casino Inc. DBA Lucky D's Casino II, 1330 E St Patrick St Suite 2
- 41. Cimarron Casino Inc. DBA Pot-O-Gold Casino Too III, 840 Timmons Blvd Ste 7A , for a Retail (on-off sale) Malt Beverage & SD Farm Wine License with Video Lottery TRANSFER from Wyngard Pot-O-Gold Casino Inc. DBA Pot-O-Gold Casino Too III, 840 Timmons Blvd Ste 7A

Assessment Rolls (NONE)

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Item 42

- 42. 22VR007: Approve Resolution 2022-087 - Resolution For A Vacation Of A Section Line Right-Of-Way For Property Generally Described As Being Located West Of Highway 79, South Of Wasteland Subdivision.

Recommendation: Approve

BILLS

- 43. No. CC010323-01 – Bill List for January 3, 2023

ADJOURN