

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, February 6, 2023**

ROLL CALL AND DETERMINATION OF QUORUM

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

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

PRESENTATION

1. Housing Trust Fund Presentation – Liz Hamburg

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 – 60

Open Public Comment – Items 2 – 55 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 2 – 55

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

Approve Minutes

2. Approve Minutes for the January 17, 2023 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (Tuesday, February 21, 2023)

3. Girl Scouts Dakota Horizons for a SPECIAL EVENT (on-sale) Wine License and (on-sale) Malt Beverage License for an event scheduled for May 2, 2023 at the Rushmore Plaza Holiday Inn, 505 North 5th Street
4. Bar K-9 for a SPECIAL EVENT (on-sale) Malt Beverage License for an event scheduled for March 10-11, 2023 at the Rushmore Mall, 2200 N Maple Ave Suite 2002
5. Woodland Republic LLC DBA Woodland Republic Brewing and Blending, for a new Retail (on-off sale) Malt Beverage and SD Farm Wine License; and a new Retail (on-off sale) Wine and Cider License, at 412 5th Street
6. Fresh Ideas LLC DBA Ugly Graffiti for a new Retail (on-off sale) Malt Beverage and SD Farm Wine License; and a new Retail (on-off sale) Wine and Cider License, at 725 St Joseph Street
7. Elevate Rapid City for a SPECIAL EVENT (on-sale) Malt Beverage and (on-sale) Wine License for an event scheduled for April 11, 2023 at Monument Health, 353 Fairmont Blvd
8. MG Oil Company DBA The Park – 2B for a new Retail (on-off sale) Malt Beverage & SD Farm Wine License with Video Lottery at 707 Mountain View Rd
9. MG Oil Company DBA 777 Casino South A2 for a new Retail (on-off sale) Malt Beverage & SD Farm Wine License with Video Lottery at 2110 Jackson Blvd, Suite A2

Public Works Committee Consent Items

10. PW013123-01: Authorize Mayor and Finance Director to Sign Professional Services Agreement between the City of Rapid City and Avid4 Engineering for Signal Drive and Kellogg Place Street and Utility Reconstruction Project No.21-2670 / CIP No. 51170, for an amount not to exceed \$201,655.00.
11. PW013123-02: Authorize Mayor and Finance Officer to Sign Professional Services Agreement Between the City of Rapid City and Bartlett & West, Inc. for Portable Water Pump Procurement, Project No. 22-2734, CIP No. 51385, for an amount not to exceed \$105,000.00.
12. PW013123-03: Authorize Mayor and Finance Director to sign the "Covenant Agreement between the City of Rapid City and Platinum MT, LLC to permit a structure to encroach into a Major Drainage Easement".
13. PW013123-04: Approve Request for Abatement of Stormwater Drainage Utility Fee 1850 Skyline Ranch Road, tax ID 72915, in the amount of \$107.59 (assessment year 2023).
14. PW013123-05: Authorize removal of the requirement that the Contractor perform a minimum of 50% of the work for Well 12 VFD Upgrade Equipment Installation, Project No. 22-2723.2, CIP No. 51372.
15. PW013123-06: Authorize Staff to Advertise Bids for Dyess Avenue Reconstruction Seger Drive to City Limits, Project No. 20-2630 / CIP No. 51282. Estimated Cost \$3,765,000.00.
16. PW013123-07: Authorize Mayor and Finance Director to Sign Amendment No. 3 to the Agreement between the City of Rapid City and Avid4 Engineering for Professional Engineering Services for FEMA LOMR – Southeast and Truck Bypass Drainages, Project No. 20-2569 / CIP No. 51275 in the amount of \$25,000.00.
17. PW013123-08: Authorize Mayor and Finance Director to sign Amendment No. 2 to Agreement between the City of Rapid City and FMG Engineering for Landfill Cell 16 Final Closure, Number 18-2448 CIP No. 51202. Amendment is for \$162,618.00
18. PW013123-09: Approve Change Order #1 to OJ Dupree Company for Well 12 VFD Upgrade Equipment Procurement, Project# 22-2723.1, CIP# 51372. This is a no cost change order.
19. PW013123-10: Authorize staff to purchase a one-year supply of Posi-Shell, an alternative daily cover from LSC Environmental Products, LLC in the amount of \$70,644.00.
20. PW013123-11: Authorize staff to purchase a GPS System for the 836 Cat Packer at the Landfill from RDO Equipment in the amount of \$51,375.50. Purchase will be made through the MN Department of Administration Cooperative Purchasing Venture.
21. PW013123-12: Authorize Mayor and Finance Director to Sign 2022 Annual Operational Report on Behalf of the Rapid City Regional Landfill.
22. PW013123-13: Authorize Mayor and Finance Director to sign Amendment 1 to the agreement between the City of Rapid City and Solar Sound Corporation for 2022 Street Light Maintenance contract in the amount of \$4,687.20.
23. PW013123-14: Approve a Request to purchase (1) one new current model year 4X4 crew cab pick-up truck using state contract 17620 with Wegner Auto, contract amount \$39,124.00.
24. PW011023-03: Acknowledge Change Of Terms For Three-Year Contract with Azteca Systems, LLC – CityWorks For Contract Authorized At January 17, 2023 Council Meeting To Adjust Payment Due Date From 45 Days To 30 Days.
25. PW013123-15: Authorize Staff to Solicit Proposals for an Annual Fireworks Display in Rapid City, South Dakota for 2023, 2024 and 2025.
26. PW013123-16: Request Authorization to Seek Proposals for Professional Services for Executive Golf and Star of the West Softball Irrigation – Project No. PR23-6190
27. PW013123-17: Authorize Staff to Purchase 4 (Four) 2023 Z930M ZTrak Mowers from RDO Equipment Co. with Sourcwell Contract #031121 Pricing of \$13,074.28 each For a Total Amount of \$52,297.12.
28. PW013123-18: Authorize Staff to Purchase a 2023 Groundsmaster 4000D T4, AWD from Midwest Turf & Irrigation, with Omnia Pricing Contract #2017025 for a Total Amount of \$84,682.00.

29. PW013123-19: Confirm the appointment of Riley Winter to the Parks & Recreation Advisory Board.
30. PW013123-20: Approve Request from Respec Inc. for a variance to waive the requirement to install sidewalk along Jet Dr, Rapid City, per City Ordinance 12.08.060.
31. PW013123-21: Request from Wind River, LLC for a variance to waive the requirement to install sidewalk along Long View Road, Pleasant View Subdivision, per City Ordinance 12.08.060.

Legal and Finance Committee Consent Items

32. LF020123-05 – Approve New City Logo
33. LF020123-10 – Approve the Appointment of Reese Niu to the Human Relations Commission for a Term of Three Years
34. LF020123-12 – Authorize Staff to Purchase Four (4) Vehicles for a Total Cost of \$178,722.00 (\$44,963.00 each) to Augment or Replace Aging Patrol Vehicles in the Rapid City Police Department Fleet
35. LF020123-13 – Authorize Staff to Purchase Four (4) Vehicles for a Total Cost of \$190,349.00 (\$47,587.00 each) to Augment or Replace Aging Patrol Vehicles in the Rapid City Police Department Fleet
36. LF020123-15 – Request Authorization for Mayor and Interim Finance Director to Sign a Three-Year Contract for Professional Services, with Innovative NonProfit LLC (INP), in an Amount up to \$156,000.00 over the Course of the Three Years, which Funding Comes from the City's \$2 Million Dollar Community Violence Intervention and Prevention Initiative (CVIPI) Grant Award
37. LF020123-02 – Authorize Staff to Apply for and Accept if Awarded, the Western States Fire Managers Grant (Funding for a Wildfire Mitigation Project) in the Amount of \$300,000.00 to be used for the Skyline Project
38. LF020123-03 – Authorize Staff to Apply for and Accept if Awarded, the Western States Fire Managers Grant Survivable Space Initiative in the Amount of \$300,000.00
39. LF020123-04 – Authorize Staff to Purchase 6 Gray Wireless Portable Lift System-140s through Houston-Galveston Area Council (HGAC) in the amount of \$62,764.88
40. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Beth Garrett (RSVP+), Roger Garrett (RSVP+), Doris Parke (RSVP+), Juanita McNaughton (RSVP+)
41. LF020123-01 – Approve Abatements from the Director of Equalization
42. LF020123-06 – Authorize Staff to Advertise for one (1) New Current Year Model 4x4 SUV for an Estimated Amount of \$32,000 with trade of current 2010 Ford Explorer
43. LF020123-16 – Acknowledge November 2022 Sales Tax
44. LF020123-17 – Acknowledge December 2022 General Fund Cash Balance Report
45. LF020123-08 – Approve Purchase from ClearSpan Fabric Structures International Inc. for a Greenhouse Structure, associated mechanical and HVAC equipment, automated controls, and quoted installation services with Sourcewell Contract Pricing in the Amount of \$288,918.04
46. LF020123-14 – Approve Purchase from Musco Sports Lighting, LLC for Sports Lighting Poles and Fixtures for Sioux Park Tennis Courts with Sourcewell Contract Pricing in the Amount of \$231,000.00
47. LF020123-09 – Authorize Mayor and Interim Finance Director to sign Assignment Agreement of Street Light Maintenance Agreement for Red Rock Meadows Subdivision
48. LF020123-18 – Authorize Mayor and Interim Finance Director to Acknowledge the City's Consent to the Assignment of the Development Agreement between the City and CR Lloyd Associates for the Construction of a Mixed-Use Development to Block 5, L.L.C.
49. LF020123-19 – Authorize the Mayor and Interim Finance Director to Acknowledge the City's Consent to the Assignment of the Right to Payment of the Proceeds from Tax Increment District #85 Directly to Pioneer Bank
50. LF020123-22 – Acknowledge Selling Times for Off-Sale Beer, Wine, and Liquor - Pat Jones
51. LF020123-21 – Approve to initiate an appraisal on the property regarding the Request from Dr. Jeffrey Bendt for the City to Consider the Purchase of an Approximately 2 Acre Lot Located at 3300 Campbell Street

Community Development Consent Items

- 52. 22PL121: Approve Request to extend review timeline for Development Engineering Plan application 22PL121 for 60 days per City Ordinance 16.08.070(D).
- 53. LF020123-11 – Authorize Mayor and Interim Finance Director to Sign the Professional Services Agreement with KLJ engineering, Inc. for the Highway 1416 and Radar Hill Road Corridor Study in an Amount not to Exceed \$309,215.63

Bid Award Consent Items

- 54. CC020623-04.1 – Approve award of total bid for Water and Sewer Improvement Block 13 of Boulevard Addition, Project No. 22-2699 / CIP No. 50927.1 opened on January 31, 2023 to the lowest responsible bidder, Underground Construction LLC, in the amount of \$1,277,372.00.
- 55. CC020623-04.2 - Continue the award of RCFD Fire Training Facility Site Improvement, Project No. 19-2529 / CIP 51250, bid opened on January 31, 2023 continue to the February 21, 2023 City Council Meeting.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Item 56-57

Open Public Comment – Item 56-57 (3-minute time limit per speaker)

Close Public Comment

Ordinances

- 56. LF020123-20 – Approve the Introduction and First Reading of Ordinance No. 6562 an Ordinance Changing the Name of the Rapid City Human Relations Commission to the Rapid City Community Relations Commission Along with Some Miscellaneous Cleanup of the Ordinance by Amending Chapter 2.64 of the Rapid City Municipal Code
Recommendation: Approve

Public Works Committee Items (NONE)

Legal and Finance Committee Items (NONE)

Community Development Items

- 57. No. 22PL153 - A request by KTM Design Solutions, Inc for Shepherd Hills Commons LLC for a Preliminary Subdivision Plan for proposed Lots 1A and 1B of Block 7 of Shepherd Hills South Subdivision, generally described as being located at 2109 E. Anamosa Street and Michelson Drive.
Recommendation: Approve with stipulations

Alcoholic Beverage License Applications (NONE)

Mayor’s Items (NONE)

Council Items & Liaison Reports (NONE)

Staff Items (NONE)

Appeals (NONE)

PUBLIC HEARING ITEMS – Items 58-65

Open Public Hearing (comment) - Items 58-65 (3-minute time limit per speaker)

[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 58 – 65

CONSENT PUBLIC HEARING ITEMS – Items 58 – 60Remove Items from the “Consent Public Hearing Items” and Vote on Remaining Consent Items***Community Development Items (NONE)******Alcohol Licenses***

- 58. Naja Shrine for a SPECIAL EVENT (on-sale) Dealer License for an event scheduled for June 24, 2023 at Naja Shrine, 4091 Sturgis Road
- 59. American Heart Association for a SPECIAL EVENT (on-sale) Wine License and and (off-sale) Wine License for an event scheduled for February 25, 2023 at The Monument, 444 Mt. Rushmore Road

Assessment Rolls (NONE)***Other Items Requiring Public Hearings***

- 60. LF020123-07 – Authorize Mayor and Interim Finance Director to Sign Resolution No. 2023-007, a Resolution to Enter into a Concessionaire Agreement with Dinosaur Park
Recommendation: Approve

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 61 - 65

- 61. No. 22RZ015 – Second Reading, Ordinance 6554, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Yasmeen Dream II, LLC for a Rezoning from General Agricultural District to Low Density Residential District II for property generally described as being located south of the intersection of Diamond Ridge Boulevard and Cadillac Drive.
Recommendation: Approve
- 62. No. 22RZ017 – Second Reading, Ordinance 6557, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Substance Architecture for NDN Holdings, LLC for a Rezoning request from Low Density Residential District I to Low Density Residential District II for property generally described as being located at 315 Wright Street.
Recommendation: Approve
- 63. No. 22RZ018 – Second Reading, Ordinance 6558, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Yasmeen Dream III, LLC for a Rezoning request from Medium Density Residential District to Public District for property generally described as being located southeast of the intersection of E. Philadelphia Street and E. Anamosa Street.
Recommendation: Approve
- 64. No. 22RZ019 – Second Reading, Ordinance 6559, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Eric Willadsen for John Samuelson for a Rezoning request from General Commercial District to Office Commercial District for property generally described as being located northwest of the intersection of Mount Rushmore Road and Golden Eagle Drive.
Recommendation: Approve
- 65. No. 22RZ020 – Second Reading, Ordinance 6560, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by FMG Engineering for Fifth Park LLC for a Rezoning request from General Commercial District to Office Commercial District for property generally described as being located at 4908 5th Street.

Recommendation: Approve

EXECUTIVE SESSION - To discuss the qualifications, competence, performance, character or fitness of any public officer or employee or prospective public officer or employee and to consult with legal counsel about proposed or pending litigation and contractual matters pursuant to SDCL 1-25-2 sub-sections 1 and 3.

BILLS

66. No. CC020623-01 – Bill List for February 6, 2023

ADJOURN