

**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 21, 2023**

**ROLL CALL AND DETERMINATION OF QUORUM**

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

**PLEDGE OF ALLEGIANCE**

**ADOPTION OF AGENDA**

**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 – 41

**Open Public Comment** – Items 1 – 37 (3-minute time limit per speaker)

**Close Public Comment**

**CONSENT ITEMS** – Items 1 – 37

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

***Approve Minutes***

1. Approve Minutes for the February 6, 2023 Regular Council meeting.

***Alcoholic Beverage License Applications Set for Hearing (Monday, March 6, 2023)***

2. Working Against Violence for a SPECIAL EVENT (Off-Sale) Package Wine License and (Off-Sale) Malt Beverage License for an event scheduled for March 25, 2023 at the Best Western Ramkota, 2111 N. LaCrosse Street
3. Naja Shrine for a SPECIAL EVENT (On-Sale) Dealer License for events scheduled for April 22, 2023; June 24, 2023; and July 22, 2023 at the Naja Shrine Temple, 4091 Sturgis Road
4. Main Street Square for a SPECIAL EVENT (On-Sale) Dealer for events scheduled for June 17, 2023 and August 5, 2023 at Main Street Square, 526 Main Street with legal description on file

***Public Works Committee Consent Items***

5. PW021423-01: Authorize Mayor And Finance Director To Sign Amendment Number 2 To The Professional Services Agreement With FMG Engineering, For Perrine And Unnamed Tributary Drainage Basin Design Plan (DBDP) Amendment – Phase 4, Project No. 18-2430 / CIP No. 51189.4, For An Amount Not To Exceed \$87,625.00.
6. PW021423-02: Authorize Mayor And Finance Director To Sign A Joint Funding Agreement Between U.S. Department Of Interior, U.S. Geological Survey And City Of Rapid City For 2023 Water Resource Investigations, CIP No. 51279. The City Of Rapid City’s Share Of The Program Is \$145,000.00.

7. PW021423-03: Authorize Mayor And Finance Director To Sign The Bridge Reinspection Program Resolution. Project No. 23-2741 / CIP 50630.
8. PW021423-04: Authorize Mayor And Public Works Director To Sign The Application To The South Dakota Department Of Agriculture And Natural Resources (SDDANR), For A Solid Waste Permit Amendment.
9. PW021423-05: Authorize Mayor And Finance Director To Sign And An Agreement Between The City Of Rapid City And A-1 Sewer And Drain Inc. For 2023 Sanitary Sewer Televising – Woodlawn Area, Project No. 2707, CIP No. 50849, In An Amount Not To Exceed \$48,978.70.
10. PW021423-06: Approve Change Order #1F to Western Construction, Inc. for 2021 Roadway Surfacing Project, Project# 2673, CIP# 50297, for a decrease of \$8,428.70.
11. PW021423-07: Approve the Request From D.C Scott Surveyors For A Variance To Waive The Requirement To Install Sidewalk Along 7400 Long View Road, Rapid City, Per City Ordinance 12.08.060.
12. PW021423-08: Approve the Request From KTM Design Solutions, Inc. On Behalf Of Owner Alevtina Smirnova For A Variance To Waive The Requirement To Install Sidewalk Along Moon Meadows Drive, Per City Ordinance 12.08.060.
13. PW021423-09: Authorize Staff To Advertise For Cemetery Columbarium, Project PR22-6185 For \$154,000.
14. PW021423-10: Authorize Staff To Purchase 3 (Three) 2023 Ram Regular Cab 4x4 Trucks From Liberty Superstores For \$50,132.00 Each For A Total Amount Of \$150,396.00.

***Legal and Finance Committee Consent Items***

15. LF021523-17 – Authorize Staff to Apply for and Accept if Awarded a Homeland Security Program Grant in the Amount of a Total of \$80,168.55 dollars
16. LF021523-15 – Authorize the Implementation of the Proposed Non-Union Pay Scale
17. LF021523-16 – Authorize a Cost of Living Adjustment for Non-Union Employees of 4% on June 18, 2023
18. LF021523-06 – Authorize Mayor and Chief of Police to Sign the 2023 Federal Equitable Sharing Agreement
19. LF021523-10 – Authorize Staff to Apply for and Accept if Awarded the Assistance to Firefighters Grant in the amount of \$545,163.32
20. LF021523-11 – Authorize Staff to Apply for and Accept if Awarded the HLS (Homeland Security) Grant in the Amount of \$132,796.00
21. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Dicksy Howe (Library), Jack Monroe (Library), Ann Cline (RSVP+), Karen Hahn (RSVP+), Beverly Lalama (RSVP+)
22. LF021523-01 – Approve Resolution No. 2023-001 a Resolution Levying Assessment for Abatement of Nuisances
23. LF021523-03 – Approve Request for Property Tax Abatement as follows: Evelyn Cumberworth (Tax ID 27092) 2022; \$1012.64 [Total for City of Rapid City: \$1012.64]
24. LF021523-04 – Approve Request for Property Tax Abatement as follows: Tom Moen on behalf of Russell Moen (Tax ID 25713) 2022; \$736.60 [Total for City of Rapid City: \$736.60]
25. LF021523-05 – Approve Resolution No. 2023-012 a Resolution Declaring Miscellaneous Personal Property Surplus to be discarded/recycled
26. LF021523-14 – Approve Resolution No. 2023-013 a Resolution Declaring Miscellaneous Personal Property Surplus to be discarded/recycled
27. LF021523-12 – Authorize the Mayor and Interim Finance Director to Sign Developer Agreement for TIF 87
28. LF021523-13 – Approve Resolution No. 2023-014 a Resolution authorizing Mayor and Interim Finance Director to Sign Corrected Resolution No. 2022-077
29. LF021523-18 – Approve Resolution No. 2023-015 a Resolution to Declare Certain Real Property Generally Located Along East Monroe and North Racine Street Surplus for Purposes of Disposing of Such Property

**Community Development Consent Items**

30. LF021523-07 – Continue to the March 6, 2023, City Council Meeting - MSA Professional Services, Inc. presentation of the 5-year CDBG Consolidated Plan (FY23-FY27) and updated Analysis of Impediments to Fair Housing Choice (Informational only)
31. LF021523-08 – Continue to the March 6, 2023, City Council Meeting - Final FY23-27 CDBG Consolidated Plan and FY23 Annual Action Plan
32. LF021523-09 – Continue to the March 6, 2023 City Council Meeting - Updated Analysis of Impediments to Fair Housing Choice
33. 23TP005 – Authorize the Mayor and Finance Director to sign the Professional Services Agreement with Ayres Associates, Inc. for the LiDAR Data Acquisition Project in an amount not to exceed \$150,000

**Bid Award Consent Items**

34. CC020623-04.2 - Approve Award for a Negotiated Price for RCFD Fire Training Facility Site Improvement Project No. 19-2529 / CIP 51250 Opened on January 31, 2023 to RCS Construction, Inc. for 2,414,944.49. *(This item was continued from the February 6, 2023 City Council Meeting.)*
35. CC022123-04.1 – Approve award of total bid for Saint Joseph Street Valve Repair – West Boulevard to 4<sup>th</sup> Street, Project No. 22-2731 / CIP No. 50445.23C opened on February 14, 2023 to the lowest responsible bidder, J. V. Bailey Co. Inc. in the amount of \$759,137.95
36. CC022123-04.2 – Approve award of total bid for Reservoir Road Rehabilitation and Manhole Repair, Project No. 22-2712 / CIP No. 51356 opened on February 14, 2023 to the lowest responsible bidder, Simon Contractors of SD, Inc. in the amount of \$1,083,269.20.
37. CC022123-04.3 – Approve award of total bid for Well 12 VFD Upgrade Equipment Installation, Project No. 22-2723.2 / CIP No. 51372 opened on February 14, 2023 to the lowest responsible bidder, Muth Electric, Inc. in the amount of \$166,166.00

END OF CONSENT ITEMS

**NON-CONSENT ITEMS** – Items 38 - 41

**Open Public Comment** – Items 38 - 41 (3-minute time limit per speaker)

**Close Public Comment**

**Ordinances**

38. LF020123-20 – Second 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**
39. 23OA001 - First Reading of Ordinance No. 6561- An Ordinance Amendment to Amend Sections 17.12.050, 17.12.070, and 17.40.050 of the Rapid City Municipal Code relating to the Height of Certain Structures.  
**Recommendation: Approve**
40. LF021523-02 – First Reading of Ordinance No. 6563 Regarding Supplemental Appropriation #1 for 2023.  
**Recommendation: Approve**

**Public Works Committee Items (NONE)****Legal and Finance Committee Items (NONE)****Community Development Items**

41. No. 22PL143 - A request by Renner Associates, LLC for Nick Emery for a Preliminary Subdivision Plan for proposed Lot 33 and 34 of Block 3 and Lot 27 of Block 5 of Robbinsdale Terrace

Subdivision generally described as being located north of northern terminus of Grandview Drive and southeast of the intersection of Indiana Street and Oak Avenue.  
**Recommendation: Approve with stipulations**

**Other Board, Commission & Committee Items (NONE)**

**Bid Awards (NONE)**

**Alcoholic Beverage License Applications (NONE)**

**Mayor’s Items (NONE)**

**Council Items & Liaison Reports (NONE)**

**Staff Items (NONE)**

**Appeals (NONE)**

**PUBLIC HEARING ITEMS** – Items 42 - 49

**Open Public Hearing (comment)** - Items 42 - 49 (3-minute time limit per speaker)

**[Public Hearing Remains Open]**

**Close Public Hearing (comment)** - Items 42 – 49

**CONSENT PUBLIC HEARING ITEMS** – Items 42 – 49

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

**Alcohol Licenses**

- 42. 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 5<sup>th</sup> Street
- 43. 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
- 44. 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 5<sup>th</sup> Street
- 45. 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
- 46. 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
- 47. 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
- 48. 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

**Other Items Requiring Public Hearings**

- 49. 22VR008: Nicholls No. 2 Subdivision – Approve Resolution 2023-005 – Resolution For Vacation Of Right-Of-Way For Property Generally Described As Being Located At 1221 E. St. Joseph St.  
**Recommendation: Approve**

END OF CONSENT PUBLIC HEARING CALENDAR

**NON-CONSENT PUBLIC HEARING ITEMS** – (NONE)

**BILLS**

- 50. No. CC022123-01 – Bill List for February 21, 2023

**ADJOURN**