

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, March 20, 2023**

ROLL CALL AND DETERMINATION OF QUORUM

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

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

PRESENTATION

1. Sustainability Presentation to Dr. Scott Kenner
2. Journey On! Update – Rich Braunstein

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 – 43

Open Public Comment – Items 2 – 40 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 2 – 40

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

Approve Minutes

3. Approve Minutes for the March 6, 2023 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (Monday, April 3, 2023)

4. ChrisBro Inc. DBA Microtel Inn & Suites, for a new Retail (on-off sale) Wine and Cider License, at 1720 Rapp Street
5. ChrisBro 4 Inc. DBA Hampton Inn and Suites, for a new Retail (on-off sale) Wine and Cider License, at 825 Eglin Street
6. Bar K-9 for a SPECIAL EVENT (on-sale) Malt Beverage License for an event scheduled for April 27, 2023 at the Rushmore Mall, 2200 N Maple Ave Suite 2002
7. Storybook Island, Inc. for a SPECIAL EVENT (on-sale) Malt Beverage License and (on-sale) Wine License for an event scheduled for June 24, 2023 at Storybook Island, 1301 Sheridan Lake Road
8. EP SO Sturgis SD LLC DBA Black Hills Harley-Davidson, 2820 Harley Drive, for a Retail (on-off sale) Malt Beverage & SD Farm Wine TRANSFER from Black Hills Harley-Davidson, 2820 Harley Drive

Public Works Committee Consent Items

9. PW031423-01: Authorize Staff to Advertise Bids for Wildwood Drive Reconstruction Phase 2, Project No. 19-2506 / CIP No. 51003. Estimated Cost \$4,850,000.00.

10. PW031423-02: Authorize Staff to Advertise Bids for Catron Boulevard Pavement Rehabilitation, Project No. 22-2725 / CIP No. 51376. Estimated Cost \$1,300,000.
11. PW031423-03: Authorize Staff to Advertise Bids for EAFB Meter Facility Demolition, Project No. 22-2733.1 / CIP No. 51384, Estimated Cost: \$125,000.
12. PW031423-04: Authorize Staff to Advertise Bids for Sheridan Lake Road Reconstruction – Utility, Wall & Sidewalk Breakout Project, Project No. 23-2736 / CIP No. 51122.1. Estimated Cost \$3,500,000.00.
13. PW031423-05: Authorize Mayor and Finance Director to sign Professional Service Amendment #2 for City Hall Renovation – Phase 2 with TSP, Inc. in the amount of \$30,000 for Project No. 19-2675 / CIP 51225
14. PW031423-06: Authorize Mayor and Finance Director to Sign an Agreement between the City of Rapid City and Avid4 Engineering for Professional Services for Sedivy Lane Sanitary Sewer Improvements, Project No. 23-2735 / CIP No. 51351, in the amount of \$260,225.00.
15. PW031423-07: Authorize Mayor and Finance Director to sign two (2) copies of the State of SDDOT Section 5307 Urban Public Transportation Matching Funds Agreement for \$29,353.40 for CY2023.
16. PW031423-08: Authorize Mayor and Finance Director to sign the City of Rapid City Right-of-Way Acquisition Offer and Agreement with Boomshockalocka, LLC for Dyess Avenue Reconstruction Seger Drive to City Limits, Project No. 20-2630 / CIP No. 51282.
17. PW031423-09: Request to purchase (1) one new E60 R2-Series Bobcat compact excavator delivered and equipped as needed in the amount of \$101,830.76 utilizing the Sourcewell cooperative purchasing agreement of contract #040319-CEC through Clark Equipment and Jenner Equipment Company.
18. PW031423-10: Authorize Mayor and Finance Director to Sign Change Order No. 4 with Veolia ES / Technical Solutions, LLC (Contractor) for Collection and Disposal of Household Hazardous Waste (HHW) One-day event for Rapid City Solid Waste Customers, Project Number: 18-2463 / CIP No. 51206.
19. PW031423-11: Approve Request from Carey Kassube, the property owner, for a variance to waive the requirement to install sidewalk along SD West Highway 44 and the private access easement, per City Ordinance 12.08.060.
20. PW021423-11: Acknowledge Applicant's Request to Withdraw Appeal by Lazy P6 Land Company, Inc. of an Exception Request Denial to allow for 6-inch storm sewer pipe in Fargo Lane.
21. PW031423-12: Confirm the re-appointment of Brittany Neiles to the Historic Preservation Commission.
22. PW031423-13: Confirm the appointment of Craig Stump to the Historic Sign Review Committee.

Legal and Finance Committee Consent Items

23. LF031523-09 – Confirm the Re-appointment of Stacie Granum and the Appointment of Carrie Gerlach to the Journey Museum Board of Directors
24. LF031523-01 – Authorize Staff to Apply for and Accept if Awarded the HMEP (Hazardous Materials Emergency Preparedness) Grant in the Amount of \$41,144.00
25. LF031523-03 – Authorize Staff to Apply for and Accept if Awarded the Fire Prevention and Safety Grant in the Amount of \$81,500.00 for heat-limiting cooktops
26. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Duane Albright (RSVP+), Marlyn Crowser (RSVP+), Judy Stewart (RSVP+), Jan Woodard (RSVP+)
27. LF031523-02 – Approve 2023 Arts Investment Fund Awards
28. LF031523-08 – Approve Resolution No. 2023-008 a Resolution Levying Assessment for Abatement of Nuisances
29. LF031523-04 – Approve Preliminary Reallocation of FY20 Community Development Block Grant CARES Act Funds

30. LF031523-05 – Authorize the Mayor and Interim Finance Director to Sign the Community Development Block Grant FY23 Application for Federal Assistance SF-424, SF-424D, and Certifications
31. 23TP002 – Approve 2023 Unified Planning Work Program Amendment #23-01 and Amendment Number 1 to Funding Agreement 311568
32. 23TP006 – Authorize the Mayor and Interim Finance Director to Sign the Professional Services Agreement with HDR engineering Inc. for the Major Street Plan Analysis and Update in an Amount not to Exceed \$199,856.24
33. LF031523-06 – Authorize Staff to Apply for and Accept if Awarded the Historic Preservation Commission Certified Local Government Grant for 2023-2024
34. LF031523-07 – Acknowledge Historic Preservation Commission 2022 Annual Report
35. LF031523-10 – Approve Revisions to the Code of Conduct for Elected Officials.
36. LF031523-11 – Approve Resolution No. 2023-024 Approve Correction to Resolution No. 2022-078 a Resolution Levying Assessment for Abatement of Nuisances.

Community Development Consent Items

37. No. 23PL004 - A request by KTM Design Solutions, Inc for Alevtina L. Smirnova for a Preliminary Subdivision Plan for Lots 12A and 12B of Block 3 of Moon Meadows Estates Subdivision, generally described as being located at 3499 Moon Meadows Drive.
Recommendation: Approve with stipulations
38. No. 23PL008 - A request by KTM Design Solutions, Inc for Benedictine Covent of St. Martins for a Preliminary Subdivision Plan for Lot 1 of St. Martin Subdivision, generally described as being located at 1851 City Springs Road.
Recommendation: Approve with stipulations
39. No. 23PL010 - A request by KTM Design Solutions, Inc for 35 Point Capital LLC for a Preliminary Subdivision Plan for Tract A1 and Tract A2 of Second Floor Subdivision, generally described as being located at 5125 Mt. Rushmore Road.
Recommendation: Approve with stipulations

Bid Award Consent Items

40. CC032023-04.1 – Approve award of total bid for Cemetery Columbarium, Project No. PR22-6185 opened on March 14, 2023 to the lowest responsible bidder, MAC Construction Co., Inc. in the amount of \$165,468.00.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 41-43

Open Public Comment – Items 41-43 (3-minute time limit per speaker)

Close Public Comment

Ordinances

41. No. 23RZ001 – First Reading, Ordinance 6564, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by VIKOR for Black Hills Energy for a Rezoning request from No Use District to General Agricultural District for property generally described as being located at 3575 Skyline Drive.
Recommendation: Approve
42. No. 23RZ002 - First Reading, Ordinance 6565, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc for The Holding Company LLC for a Rezoning request from Office Commercial District to General Commercial District for property generally described as being located northeast of the intersection of Marlin Dr. and East Minnesota Street.
Recommendation: Approve

Public Works Committee Items (NONE)

- 43. PW022823-21: Approve Request from KLJ Engineering on behalf of owner NDN Holdings, LLC for a variance to waive the requirement to install sidewalk along Country Road; and Deny variance to waive requirement to install sidewalk along Haines Avenue, per City Ordinance 12.08.060. This item was continued from the March 6, 2023 City Council Meeting.
Recommendation: Approve

Legal and Finance Committee Items (NONE)

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 44-45

Open Public Hearing (comment) - Items 44-45 (3-minute time limit per speaker)

[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 44 – 45

CONSENT PUBLIC HEARING ITEMS – Items 44 – 45

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

Community Development Items (NONE)

Alcohol Licenses

- 44. Big D Oil Co DBA Big D Oil #62 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 2700 E Hwy 44

Assessment Rolls (NONE)

Other Items Requiring Public Hearings

- 45. 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 (NONE)

BILLS

46. No. CC032023-01 – Bill List for March 20, 2023

ADJOURN