

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
10:00 A.M., Monday, August 1, 2016**

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)

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 – 45

Open Public Comment – Items 1 – 31 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 1 – 31

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

Approve Minutes

1. Approve Minutes for the July 18, 2016 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (August 15, 2016)

2. Story Book Island for a SPECIAL EVENT On-Sale Dealer for an Event Scheduled for September 9, 2016 at Story Book Island, 1301 Sheridan Lake Road
3. B & B Kelley DBA Historic Freight House, 306 7th Street for a Retail (on-sale) Liquor License TRANSFER from Sanfords Grub & Pub South Dakota DBA Sandfords Grub & Pub, 306 7th Street
4. Calm Waters LLC DBA Hilton Garden Inn, 815 E Mall Drive for a Retail (on-sale) Liquor License (Inactive) TRANSFER from AJ Inc. DBA Shotgun Willies, 2201 Mt. Rushmore Rd (formerly held at 2808 W Main Street)
5. PT Operations LLC DBA Philly Ted’s Cheezsteaks, 502 Main Street, Suite 200, for a Retail (on-off sale) Malt Beverage License

Public Works Committee Consent Items

6. No. PW072616-01 – Confirm the Reappointment of Vicky Fenhaus to the Historic Sign Review Committee.
7. No. PW072616-02 – Approve Change Order #2F to J & J Asphalt Company for Rapid City Sports Complex Phase II, Project No.15-2234 / CIP No. 50792 for a decrease of \$1,367.28.
8. No. PW072616-03 – Approve Change Order #1 to RCS Construction for Water and Sanitary Sewer Extension, Project No. 14-2155 / CIP No. 50961.5 for an increase of \$9,265.68.

9. No. PW072616-04 – Approve Change Order #3F to RCS Construction for North Rapid Booster Station, Project No. 13-2080 / CIP No. 50812.A for a decrease of \$15,993.25.
10. No. PW072616-05 – Authorize Staff to Advertise for Bids on Cobalt Drive Sanitary Sewer Bypass, Project No. 14-2127 / CIP No. 50957. Estimated Cost: \$575,000.00.
11. No. PW072616-06– Authorize Staff to Advertise for Bids on Backhoe for the Water Reclamation Utility Maintenance Group.
12. No. PW072616-07 – Authorize Mayor and Finance Officer to Sign Agreement between the City of Rapid City and Kadrmass, Lee and Jackson for Rapid City Primary and Secondary Control Survey, Project No. 16-2336 / CIP No. 51117 in the amount of \$54,410.00.
13. No. PW072616-08 – Authorize Mayor and Finance Officer to Sign Purchase Agreement for Well Lot between Terracotta Estates Homeowners Association and City of Rapid City.
14. No. PW072616-09 – Authorize Staff to Seek Proposals for Catron Boulevard Widening Project; Project No. 16-2343 / CIP No. 51115. Estimated Cost: \$1,300,000.00.
15. No. PW072616-11 – Deny the Request from Vista Village, LLC for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 along East North Street adjacent to 544 Century Road.

Legal & Finance Committee Consent Items

16. No. LF072716-03 – Confirm the Reappointment of Chris Connelly to the Hotel Business Improvement District (BID) Board
17. No. LF072716-06 – Confirm the Appointment of Ross McKie and Lisa Modrick and the Reappointment of Anna Huntington to the Performing Arts Board
18. No. LF072716-04 – Authorize Fire Chief to Sign Mutual Aid Agreement with Ellsworth for Ambulance Mutual Aid
19. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Elyse Jensen, Julianna Miller, Madison Romeo, Ashley Parr, Ashton Parr, Al Calderon
20. No. LF072716-02 – Acknowledge June 2016 General Fund Cash Balance Report
21. No. LF072716-07 – Approve Request for Property Tax Abatement as Follows: Alan Skeen, 2015, \$192.50
22. No. LF072716-11 – Resolution No. 2016-054A Fixing Time and Place for Hearing on Assessment Roll for Cleanup of Miscellaneous Property
23. No. LF072716-09 – Authorize Mayor and Finance Officer to Sign FY2015, SF-424 and Certifications and Approve Final Consolidated Annual Performance and Evaluation Report (CAPER)
24. No. LF072716-12 – Authorize Mayor and Finance Officer to Sign Master Service Agreement, Addendum to Master Service Agreement and Two Service Orders with Midcontinent Communications
25. No. LF072716-08 – Acknowledge Update Regarding Ordinance Regulating Short Term Rentals.
26. No. LF072716-01 – Acknowledge Update on Summer Nights.
27. No. LF072716-05 – Approve Request to Eliminate RapidRide Public Transportation Fee for K-12 Students.

Community Planning & Development Services Department Consent Items

28. 16CA003 – Acknowledge Report and Presentation of the Downtown Area Master Plan (Draft).

Bid Award Consent Items

29. No. CC080116-02.1 – Approve award of Total Bid for Pavement Rehabilitation Project – Watertown Street, Project No. 15-2303 / CIP No. 50549 opened on July 26, 2016 to the lowest responsible bidder, Hills Materials Company in the amount of \$295,413.90.
30. No. CC080116-02.2 - Approve award of Total Bid for Pavement Rehabilitation Project – North Plaza Drive, Project No. 15-2299 / CIP No. 50844 opened on July 26, 2016 to the lowest responsible bidder, Hills Materials Company in the amount of \$279,601.30.

31. No. CC080116-02.3 – Approve award of Total Base Bid plus Alternate 1B for Southside Drive Sanitary Sewer Extension, Project No. 14-2095 / CIP 50328 opened on July 26, 2016, to the lowest responsible bidder, Highmark, Inc., in the amount of \$2,095,099.40.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 32 - 45

Open Public Comment – Items 32 - 45 (3-minute time limit per speaker)

Close Public Comment

Ordinances

32. No. LF060116-10A – First Reading, Ordinance 6122, An Ordinance Adopting Section 16.090 of the Rapid City Municipal Code Requiring Registration of Vacant Residential Properties. (This item was sent back to staff at the June 6, 2016 City Council meeting.)
Recommendation: Approve
33. No. LF071316-06 - Second Reading and Recommendation of Ordinance No. 6132, an Ordinance to Modify the Procedure for Approval of Vision Account Projects by Amending Section 3.16.090(B) of the Rapid City Municipal Code
Recommendation: Approve
34. No. LF071316-06A – Approve a 1 year Plan Period for 2017 Vision Account Revenue
Recommendation: Approve
35. No. LF071316-07 – Second Reading, Ordinance No. 6133, An Ordinance to Update the Contracting Authority Delegated to Department Directors by Amending Section 3.04.090 of the Rapid City Municipal Code.
Recommendation: Approve
36. No. 16RZ021 - First Reading, Ordinance 6126, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Gordon Howie for Black Hills Crisis Pregnancy Center for a Rezoning from Medium Density Residential District to Office Commercial District for property generally described as being located in the southeast corner of the intersection of Haines Avenue and Anamosa Street.
Recommendation: Approve
37. No. 16RZ022 - First Reading, Ordinance 6127, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for ZCO Incorporated for a Rezoning from Office Commercial District to Light Industrial District for property generally described as being located in the southeast corner of the intersection of Creek Drive and Marlin Drive.
Recommendation: Approve
38. No. 16RZ023 - First Reading, Ordinance 6128, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for ZCO Incorporated for a Rezoning from General Agricultural District to General Commercial District for property generally described as being located south of Elk Vale Road between Creek Drive and Marlin Drive.
Recommendation: Approve
39. No. 16RZ024 - First Reading, Ordinance 6129, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for ZCO

Incorporated for a Rezoning from General Agricultural District to Light Industrial District for property generally described as being located east of the intersection of Creek Drive and Marlin Drive.

Recommendation: Approve

40. No. 16RZ025 - First Reading, Ordinance 6130, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for SSST, LLC for a Rezoning from General Agricultural District to General Commercial District for property generally described as being located south of the intersection of Elk Vale Road and East Minnesota Street.

Recommendation: Approve

41. No. 16RZ026 - First Reading, Ordinance 6131, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for SSST, LLC for a Rezoning from General Agricultural District to Office Commercial District for property generally described as being located west of E. Minnesota Street and south of Marlin Drive.

Recommendation: Approve

Public Works Committee Items

42. No. PW072616-10 – Approve with the requirement to sign a waiver of right to protest the Request from Richard and Carol Bell for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 along 1206 Clark Street, Rapid City.

Recommendation: Approve the request 4-1, with Nordstrom voting no.

Legal & Finance Committee Items

43. No. LF072716-10 – Acknowledge Discussion Regarding 2K16 Dove Family Fair Freestyle Motocross Event.

Recommendation: Acknowledge Discussion 4-1 with Modrick voting no.

44. No. LF072716-13 - Authorize Mayor and Finance officer to Sign Letter Agreement with Crown Castle LA for Cell Tower Lease Amendment

Recommendation: Send to August 1, 2016 City Council meeting without Recommendation.

Community Planning & Development Services Department Items (NONE)

Alcoholic Beverage License Applications (NONE)

Reissuance
Special Event

Mayor's Items

45. No. CC080116-04.1 - Confirm the appointments of Mark Massa, Tim Johnson, Bob DeMersseman, Megan Reder-Schopp, Dawn Connor, Jo Lynn Little Wounded, Heather Forney, Katy Kinnan, and George Grassby as Committee Chair to the Vision Fund Citizen Committee

Council Items & Liaison Reports (NONE)

Reconsideration Notices
Motion for Delivery of Items from Committee

Staff Items (NONE)

Appeals (NONE)

Planning Commission Appeals
License Appeals

Other Appeals Heard by the Council

PUBLIC HEARING ITEMS – Items 46 - 53

Open Public Hearing (comment) - Items 46 - 53 (3-minute time limit per speaker)
[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 46 - 53

CONSENT PUBLIC HEARING ITEMS – Item 46 - 48

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

Community Planning & Development Services Department Items (NONE)

Alcohol Licenses

46. Ryan Schendzielos dba West Dakota Improv, LLC, 632 ½ St. Joseph Street for a Retail (on-off sale) Malt Beverage License and Retail (on-off sale) Wine License
47. NAJA Shrine Temple for a SPECIAL EVENT On-Sale Dealer for an Event Scheduled for September 3, 2016 at Rapid City Shrine Center, 4091 Sturgis Road
48. LC Beer LLC dba Lost Cabin Beer Co., 1401 W. Omaha Street, Suite 3 for a Retail (on-off sale) Wine License

Assessment Rolls (NONE)

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 49 - 53

49. No. 16RZ019 - Second Reading, Ordinance 6124, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning from No Use District to General Commercial District for property generally described as being located south and east of the intersection of 5th Street and Catron Boulevard.
Recommendation: Approve
50. No. 16RZ020 - Second Reading, Ordinance 6125, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning from No Use District to Light Industrial District for property generally described as being located south and east of the intersection of 5th Street and Catron Boulevard.
Recommendation: Approve
51. No. 16VR003 - A request by Fisk Land Surveying and Consulting Engineers, Inc., for Roger and Heidi Hanzlik for a Vacation of Right-of-Way for property generally described as being located at 4018 Calle Baja Street.
Recommendation: Continue to August 15, 2016 City Council
52. No. 16VR007 - A request by AE2S for Black Hills Federal Credit Union for a Vacation of Right-of-Way for property generally described as being located west of 2nd Street and north of Main Street.
Recommendation: Approve with stipulations

53. No. 16TI003 – Highway 16 Sewer – A request by Kent Hagg for Alta Terra Development to consider an application to Amend Project Plan for Tax Increment District No. 70 - Highway 16 Sewer for property generally described as being located Catron Boulevard from 5th Street to South U.S. Highway 16, then south along U.S. Highway 16 to Sammis Trail and east to the proposed Hyland Crossing Subdivision.

Recommendation: Continue to August 15, 2016 City Council

BILLS

54. No. CC080116-01 – Bill List for August 1, 2016

ADJOURN