

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, August 21, 2023**

ROLL CALL AND DETERMINATION OF QUORUM

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

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

PRESENTATION

1. Economic Impact Analysis of The Monument by Greg Pepitone with Tourism Economics

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 – 36

Open Public Comment – Items 2 – 32 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 2 – 32

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

Approve Minutes

2. Approve Minutes for the August 7, 2023 Regular Council meeting.

Alcoholic Beverage License Applications Set for Hearing (Tuesday, September 5, 2023)

3. S&M Rentals LLC DBA Autumn Hills Liquor, 5312 Sheridan Lake Rd Ste 103 for a Package (off-sale) Liquor License TRANSFER from Lifesavings, LLC DBA Autumn Hills Liquor, 5312 Sheridan Lake Rd Ste 103
4. WR Hospitality LLC DBA Dakotah Steakhouse, 1325 Elk Vale Rd for a Retail (on-sale) Liquor License TRANSFER from Iron Phnx LLC DBA Iron Phnx, 3468 Sturgis Road
5. Young Professionals Group C/O Elevate for a SPECIAL EVENT (on-sale) Malt Beverage License for an event scheduled for September 21, 2023 at Bangs, McCullen Butler, Foye & Simmons LLP, 333 W Blvd, Suite 400
6. Young Professionals Group C/O Elevate for a SPECIAL EVENT (on-sale) Malt Beverage License for an event scheduled for October 17, 2023 at West River Electric Association, 3250 SD Hwy 44
7. Cortez LLC DBA Hotel Alex Johnson for a SPECIAL EVENT (on-sale) Malt Beverage License and an (on-sale) Wine License for an event scheduled for September 9, 2023 at First Stop Gun and Coin, downstairs, at 701 Main Street
8. Youth and Family Services for a SPECIAL EVENT (on-sale) Malt Beverage License, an (On-Sale) Wine License and an (Off-Sale) Package Wine License for an event scheduled for October 27, 2023 and October 28, 2023, at Youth and Family Services, 120 East Adams St

9. St. Elizabeth Seton Central Catholic School Corp for a SPECIAL EVENT (On-Sale) Liquor License for an event scheduled for September 26, 2023 at St. Thomas More Main Campus, 300 Fairmont Blvd

Public Works Committee Consent Items

10. PW081523-01: Authorize Staff to Advertise for Bids for 2023 Miscellaneous Improvements Projects, Procurement of MRF HVAC Units. Project Number: 23-2753 / CIP #51292.1. Estimated Cost \$250,000.
11. PW081523-02: Authorize Staff to Advertise for Bids for Pavement Rehabilitation Project 2023 Street Patching, Project No. 23-2763 / CIP 50549.23A. Cost: \$550,000
12. PW081523-03: Authorize Staff to Advertise Bids for Grade and Pave Bunker Drive, Project No. 23-2774 / CIP No. 51411. Estimated Cost \$250,000.00.
13. PW081523-04: Approve Change Order 3F for Project No. 17-2375 / CIP No. 50437.1 Deadwood Avenue Reconstruction Phase 1 with Heavy Constructors, Inc. for a decrease of \$216,161.01.
14. PW081523-05: Authorize Mayor and Finance Director to Sign agreement between the City of Rapid City and FMG Engineering for Basic Construction Services for Wildwood Drive Reconstruction Project No. 19-2506 / CIP No. 51003 in the amount of \$52,815.00.
15. PW081523-06: Authorize Mayor and Finance Director to Sign City of Rapid City Right-Of-Way Acquisition Offer and Agreement with Joshua Ault for Temporary Construction and H-Lot for the Sheridan Lake Road Reconstruction – Corral Drive to Catron Boulevard project, Project No. 20-2579 / CIP 51122, in the amount of \$29,500.00
16. PW081523-07: Authorize Mayor and Finance Director to Sign Amendment 1 to Professional Services Agreement Between the City of Rapid City and Advanced Engineering and Environmental Services, LLC for Rapid City SCADA, Alarms, and Surge Protection Project, Project No. 23-2758, CIP No. 51389, for an increase of \$155,286.00.
17. PW081523-08: Authorize Staff to Purchase Temporary Traffic Signal and Control Cabinet Located At The Intersection of Mall Drive and Haines Ave, As Is, Where Is With All Faults. Includes Four (4) Signal Poles, Swivel Clamps, and Cobalt Traffic Control Cabinet. Estimated cost \$53,512.00.
18. PW081523-09: Authorize Staff to Purchase 2024 Wilkens Steel Open Top Walking Floor Transfer Trailer from Wilkens Industries, Inc in the amount of \$119,973.00. Pricing from South Dakota BuyBoard Proposal Invitation No. 686-22, Refuse and Recycle Bodies, Containers and Other Transport Bodies.
19. PW081523-10: Authorize Staff to purchase a 2022 Freightliner Roll-Off truck from Big Truck Rental in the amount of \$185,000.00. Pricing from OMNIA Partners National Cooperative contract #2019000319.
20. PW081523-11: Authorize Staff to purchase a 2024 Kenworth T880 truck from Black Hills Truck and Trailer (Custom Body Company) in the amount of \$167,314.00. Pricing from Sourcewell Kenworth Trucks Contract 060920-KTC.
21. PW081523-12: Approve Request From Justin Briggs for a variance to waive the requirement to install sidewalk along Cliff Drive, per City Ordinance 12.08.060.
22. PW081523-13: Approve Change Order #1 to Complete Concrete, Inc. for Sioux Park Tennis Courts Reconstruction, Project PR22-6186, for a decrease of \$1,185.00.
23. PW081523-14: Request Authorization to Seek Proposals for Professional Services for Knollwood Park Redevelopment – Project No. PR23-6192
24. PW081523-15: Confirm the Appointment of Dave Viall to the Historic Preservation Commission

Legal and Finance Committee Consent Items

25. LF081623-07 – Approve Confirm the Reappointment of Tiffany Smith, Val Simpson, Laura Jones, and Wade Lampert to the Community Investment Committee.
26. LF081623-08 – Acknowledge June 2023 General Fund Cash Balance Reports
27. LF081623-09 – Approve Resolution 2023-062 a Resolution Levying Assessment for Abatement of Nuisances

- 28. LF081623-06 – Approve Resolution 2023-075 to authorize Staff to Surplus Twenty-Seven (27) Radios from the Rapid City Fire Department.
- 29. LF081623-01 – Authorize Mayor and Finance Director to Sign the Exclusive Beverage Agreement between Coca-Cola Bottling Company High Country and the City of Rapid City to Sell and Vend Products at the Recreation Facilities for Parks and Recreation
- 30. LF081623-04 – Authorize Mayor and Finance Director to Sign Development Agreement for Tax Increment Financing District Number Ninety
- 31. LF081623-05 – Authorize Mayor and Finance Director to Sign Assignment Agreement for Tax Increment Financing District Number Ninety

Community Development Consent Items (NONE)

Bid Award Consent Items

- 32. CC082123-04.1 – Continue the bid award for RTS Dial-A-Ride Bus Procurement opened on August 15, 2023 to the September 5, 2023 Council Meeting. Staff is currently reviewing options for the purchase.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 33-36

Open Public Comment – Items 33-36 (3-minute time limit per speaker)

Close Public Comment

Ordinances

- 33. LF080223-07 – Approve Second Reading and Recommendation of Ordinance No. 6579 an Ordinance Regarding Supplemental Appropriation #3 for 2023.
Recommendation: Approve

Public Works Committee Items

- 34. PW081523-16: Request From Joe Noble, AE2S on behalf of Ken Brown for a variance to waive the requirement to install sidewalk along Madison Street and N. 2nd Street, per City Ordinance 12.08.060. Staff recommendation was to deny.
Recommendation: Approve the Variance 4-1 with Pettigrew voting no

Legal and Finance Committee Items

- 35. LF081623-03 – Approve Request by Peter Schmid for a Determination by City Council that there Are No Feasible and Prudent Alternatives to Adding a 4th Floor to a Contributing Commercial Office Building in a Historic District Located at 809 South Street, and that the Proposal Contains Planning to Minimize Harm to Historic Property Pursuant to SDCL1-19A-11.1 and RCMC 17.54.080 (PROPOSAL 2).
Recommendation: Approve 4-1 with Evans voting no

Community Development Items

- 36. No. 23PL059 - A request by KTM Design Solutions, Inc for BH Capital LLC for a Preliminary Subdivision Plan for proposed Lots 1, 2, and 3 and Drainage Lot A of Block 16 of Shepherd Hills South Subdivision and dedicated right-of-way, generally described as being located northeast of E. Anamosa Street and North Valley Drive.
Recommendation: Approve with stipulations

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 37-42

Open Public Hearing (comment) - Items 37-42 (3-minute time limit per speaker)

[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 37 – 42

CONSENT PUBLIC HEARING ITEMS – Items 37 – 42

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

Community Development Items (NONE)

Alcohol Licenses

- 37. MG Oil Company, DBA Jokerz 9 – 2, 903 E North St Suite A for a Retail (on-off sale) Malt Beverage and SD Farm Wine License with video lottery TRANSFER from Deanos Casino II, 903 E North St Suite A
- 38. MG Oil Company DBA Jokerz 9, 903 E North St, for a Retail (on-off sale) Malt Beverage and SD Farm Wine License with video lottery TRANSFER from Deanos Casino, 903 E North Street
- 39. Western Dakota Tech Foundation for a SPECIAL EVENT (on-sale) Malt Beverage License, an (On-Sale) Wine License and an (Off-Sale) Package Wine License for an event scheduled for October 26, 2023 at Western Dakota Tech, 800 Michelson Drive
- 40. West Boulevard Neighborhood Association for a SPECIAL EVENT (on-sale) Malt Beverage and SD Farm Wine License and an (on-sale) Wine License for an event scheduled for September 9, 2023 at the West Boulevard Neighborhood Association Block Party. (There is a map on file at the RC Finance Office for the parameters of the block party.)
- 41. Naja Shrine for four (4) SPECIAL EVENT (On-Sale) Liquor Licenses for events scheduled on September 23, 2023; October 21, 2023; November 18, 2023; and December 16, 2023 at 4091 Sturgis Road
- 42. City of Rapid City DBA Roosevelt Ice Arena for a new Municipal Retail (on-sale) Liquor License at 225 Waterloo Street; City of Rapid City DBA Meadowbrook Golf Course for a new Municipal Retail (on-sale) Liquor License at 2331 Arrowhead Drive (Rapid City Greenway Tract, Tract 4 & N27’ of VAC Flormann St); City of Rapid City DBA Executive Golf Course for a new Municipal Retail (on-sale) Liquor License at 1136 Executive Dr (Rapid City Greenway Tract, Tract 18B) and City of Rapid City DBA Rushmore Plaza Civic Center for a new Municipal Retail (on-sale) Liquor License at 444 N. Mt. Rushmore Rd

Assessment Rolls (NONE)

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Item 43

43. No. 23RZ010 – Second Reading, Ordinance 6578, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc for S.K.Y. Properties LLC for a Rezoning request from General Agricultural District to Low Density Residential District for property generally described as being located east of SD Highway 44.

Recommendation: Approve

BILLS

44. No. CC082123-01 – Bill List for August 21, 2023

ADJOURN