

**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, September 5, 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 – 49

**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 August 21, 2023 Special Council meeting.
2. Approve Minutes for the August 21, 2023 Regular Council meeting.
3. Approve Minutes for the August 28, 2023 Special Council meeting.

***Alcoholic Beverage License Applications Set for Hearing (Monday, September 18, 2023)***

4. Main Street Square for a SPECIAL EVENT (On-Sale) Liquor License for an event scheduled for September 30, 2023 at Main Street Square, 512 Main Street
5. Black Hills Works Foundation for a SPECIAL EVENT (Off-Sale) Package Wine License for an event scheduled for October 13, 2023 at The Monument, 444 Mt. Rushmore Road
6. Survivors of the Battle of Khe Sanh Vietnam War for a SPECIAL EVENT (On-Sale) Liquor License for an event scheduled for October 8 to October 14, 2023 at Best Western Ramkota Hotel at 2111 N Lacrosse Street
7. MG Oil Company DBA Jokerz I-90 – 3, 1111 Endeavor Blvd Ste 3, for a Retail (On-off sale) Malt Beverage & SD Farm Wine License with video lottery TRANSFER from MG Oil Company DBA Happy Jacks I-90, 4036 Cheyenne Blvd
8. Kelly’s Sports Lounge Inc. DBA Kelly’s Sports Lounge (Jeremy Ofstad) 825 Jackson Blvd for a Retail (on-sale) Liquor License TRANSFER from Kelly’s Sports Lounge Inc. DBA Kelly’s Sports Lounge (Kelly Cotton), 825 Jackson Blvd
9. NNN, LLC DBA The Nail Bar, 705 Mt. View Rd Ste F for a Retail (on-off sale) Wine and Cider License TRANSFER and a Retail (on-off sale) Malt Beverage & SD Farm Wine License TRANSFER from Nancy Nguyen, DBA The Nail Bar, 705 Mt. View Rd Ste F

**Public Works Committee Consent Items**

10. PW082923-02: Approve Change Order 1F for Project No. 21-2639 / CIP No. 51153 E. Anamosa Street – Street and Storm Sewer Repairs with Precision Grading, LLC for an increase of \$28,410.70.
11. PW082923-03: Approve Change Order 4 for Project No. 2689 / CIP No. Block 75 Parking Structure Maintenance with SECO Construction, Inc. for an increase of \$13,868.
12. PW082923-04: Approve Change Order 1F for Project No. 22-2698 / CIP No. 50549.22D Pavement Rehabilitation Project – Red Rock Canyon Rd. Idlewild Ct. with Dakota Asphalt LLC for an increase of \$15,113.30.
13. PW082923-05: Authorize Mayor and Finance Director to Sign Amendment 2 between the City of Rapid City and Longbranch Civil Engineering, Inc. for Southeast Area Trunk Sewer Reconstruction – Elm Avenue to St. Francis Street Project, Project No 20-2571 / CIP 50829, in the amount of \$4,200.00.
14. PW082923-06: Authorize Mayor and Finance Director to Sign Infill Agreement between the City of Rapid City and KTAM Enterprises, LLC For The Construction Of Sanitary Sewer In The Mall Drive Right-Of-Way.
15. PW082923-07: Authorize Mayor and Finance Director To Sign An Easement Document Allowing Black Hills Power, Inc. To Construct, Operate, And Maintain An Underground Electric Power Line For A New Feed To The Material Recovery Facility.
16. PW082923-08: Approve a Request For Adoption of the Rapid Transit System (RTS) Public Transportation Agency Safety Plan (PTASP) Annual Updates
17. PW082923-09: Approve a Request From Matt Neibauer on behalf of Bruce Kringlie for a variance to waive the requirement to install sidewalk along Plant Street, per City Ordinance 10.08.060.
18. PW082923-10: Authorize Staff to Advertise for Bids for Parks Greenhouse, Project PR23-6191. Estimated Cost: \$351,000.
19. PW082923-11 / LF083023-01: Acknowledge Presentation by GCC and Rapid City Solid Waste Division Alternative Fuel Investigation

**Legal and Finance Committee Consent Items**

20. LF083023-02 – Approve FY23 CDBG City of Rapid City Knollwood Drainage Redevelopment Funding Recommendation
21. LF083023-03 – Approve Resolution 2023-065 a Resolution Levying Assessment for Abatement of Nuisances
22. LF083023-04 – Approve June 2023 Sales Tax Report
23. LF083023-05 – Approve Staff to Submit an Application and Authorize Mayor to Sign Resolution No. 2023-078 a Resolution in Support of the City of Rapid City's Application to the SD Department of Transportation for the Mary Hall Park Project
24. LF083023-09 – Approve Mayor and Finance Director to Sign an Easement Document Allowing Black Hills Power, Inc. to Construct, Operate, and Maintain an Underground Electrical Power Line on the City Soccer Property Located on N Elk Vale Road.

**Community Development Consent Items**

25. 23TP016 – Approve 2024-2027 Rapid City Area Transportation Improvement Program – Final Report
26. LF083023-06 – Approve Resolution No. 2023-077 a Resolution Amending Resolution No. 2023-066 a Resolution to Provide a Building Permit Fee Waiver Program for Qualifying Affordable Housing Projects

**CIP Committee Consent Items**

27. No. CIP081823-00 – Approve Minutes for June 16, 2023
28. No. CIP081823-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, Summary)
29. No. CIP081823-04 – Approve Capital Plan for Fire Vehicles

30. No. CIP081823-05 – Approve Capital Plan for Parks & Recreation
31. No. CIP081823-06 – Approve Capital Plan for Information Technology
32. No. CIP081823-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
33. No. CIP081823-02 – Approve Capital Plan for PW Infrastructure
34. No. CIP081823-07 – Approve to Reallocate Funding to Greenhouse Project PR23-6191

***Bid Award Consent Items***

35. CC082123-04.1 – Approve award of total bid for two (2) Paratransit Vehicles, opened August 15, 2023, to the lowest responsible bidder, Model1 Commercial Vehicles (dba Creative Bus Sales) in the amount of \$387,336. *(This item was continued from the August 21, 2023 City Council Meeting.)*
36. CC090523-04.1 – Approve award of total bid for 2023 Roadway Paving: East Saint Charles Street – Sedivy Lane to South Valley Drive, Project No. 23-2746 / CIP No. 50297 opened on August 29, 2023 to the lowest responsible bidder, Dakota Asphalt, LLC. in the amount of \$254,901.00
37. CC090523-04.2 - Approve award of total bid for St. Charles Street Rehabilitation and Water Main Replacement, Project No. 23-2760 / CIP No. 51409 opened on August 29, 2023 to the lowest responsible bidder, BTD Enterprises, LLC. in the amount of \$354,006.61.

END OF CONSENT ITEMS

**NON-CONSENT ITEMS** – Items 38 - 49

**Open Public Comment** – Items 38 - 49 (3-minute time limit per speaker)

**Close Public Comment**

***Ordinances***

38. 23OA002 – Introduction and First Reading of Ordinance No. 6586 an Ordinance to Amendment to Create Regulations for Indoor Shooting Ranges by Amending Chapter 17 of Rapid City Municipal Code  
**Recommendation: Approve**
39. LF083023-08 – Introduction and First Reading of Ordinance No. 6589 an Ordinance to Amend Section 9.28.050 of the Rapid City Municipal Code Relating to Discharging Firearms.  
**Recommendation: Approve**
40. LF083023-07 – Introduction and First Reading of Ordinance No. 6588 an Ordinance to Repeal Rapid City Municipal Code Section 9.12.120 School Grounds-Prohibited Acts.  
**Recommendation: Approve**
41. No. 23RZ011 – First Reading, Ordinance 6581, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Millstone LLC for a Rezone request from Light Industrial District to General Commercial District for property generally described as being located at 1002 W. Main Street.  
**Recommendation: Approve**
42. No. 23RZ012 - First Reading, Ordinance 6582, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc for ZCO Incorporated for a Rezoning request from General Commercial District to Light Industrial District for property generally described as being located 2214 Marlin Drive.  
**Recommendation: Approve**
43. No. 23RZ013 - First Reading, Ordinance 6583, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by FMG Engineering for The Evangelical Lutheran Good Samaritan Society for a Rezoning request from General Agricultural District to Medium Density Residential District for property generally described as being located West of City Springs Road.  
**Recommendation: Approve**

- 44. No. 23RZ014 - First Reading, Ordinance 6584, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Donovan Broberg of ARC International for a Rezoning request from General Agricultural District to General Commercial District for property generally described as being located at 1840 Fountain Plaza Drive.  
**Recommendation: Approve**
- 45. No. 23RZ015 - First Reading, Ordinance 6585, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Donovan Broberg of ARC International for a Rezoning request from Light Industrial District to General Commercial District for property generally described as being located at 1840 Fountain Plaza Drive.  
**Recommendation: Approve**

**Public Works Committee Items (NONE)**  
**Legal and Finance Committee Items (NONE)**  
**CIP Committee Items (NONE)**

**Community Development Items**

- 46. No. 23PL065 - A request by Longbranch Civil Engineering, Inc for Ryan Kelly for a Preliminary Subdivision Plan for proposed Lot 2A and Lot 2B of Parcel B of MJK Subdivision, generally described as being located southwest of the intersection of Derby Lane and E. Minnesota Street.  
**Recommendation: Approve with stipulations**
- 47. No. 23PL067 - A request by KTM Design Solutions, Inc for Charles and Loretta Hammerquist for a Preliminary Subdivision Plan for proposed Lots AR and B of Lutheran Subdivision and dedicated right-of-way, generally described as being located at 501 and 583 Valley Drive.  
**Recommendation: Approve with stipulations**
- 48. No. 23PL070 - A request by FMG Engineering for Elmington Capital for a Preliminary Subdivision Plan for proposed Lot 1AR and Lot 11 of Anamosa Crossing Subdivision, generally described as being located E. Anamosa Street and Camden Drive.  
**Recommendation: Approve with stipulations**
- 49. No. 23PD019 – Appeal of Planning Commission’s decision on a request by TerraSite Design for Hope Center for a Final Planned Development to allow a mission with no overnight lodging for property generally described as being located at 630 East Boulevard North. Staff recommendation was to approve with stipulations. Planning Commission recommended to approve with stipulations.  
**Recommendation: Appeal of Planning Commission’s decision to 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 50 - 56

**Open Public Hearing (comment)** - Items 50 - 56 (3-minute time limit per speaker)

**[Public Hearing Remains Open]**

**Close Public Hearing (comment)** - Items 50 - 56

**CONSENT PUBLIC HEARING ITEMS** – Items 50 – 56

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

***Community Development Items (NONE)***

***Alcohol Licenses***

- 50. 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
- 51. 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
- 52. 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
- 53. 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
- 54. 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
- 55. 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
- 56. 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

***Assessment Rolls (NONE)***

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

END OF CONSENT PUBLIC HEARING CALENDAR

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

**BILLS**

- 57. No. CC090523-01 – Bill List for September 5, 2023

**ADJOURN**