

**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., November 6, 2023**

**ROLL CALL AND DETERMINATION OF QUORUM**

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

**PLEDGE OF ALLEGIANCE** - Lead by the Cub Scouts

**ADOPTION OF AGENDA**

**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 – 54

**Open Public Comment** – Items 1 – 48

**Close Public Comment**

**CONSENT ITEMS** – Items 1 – 48

***Approve Minutes***

1. Approve Minutes for the October 16, 2023 Regular Council meeting.

***Alcoholic Beverage License Applications Set for Hearing (November 20, 2023)***

2. ChrisBro 4 DBA Tru by Hilton, 825 Eglin Street Building B, for a new Retail (on-off sale) Wine and Cider License.
3. BW Gas & Convenience Retail LLC DBA Yesway #1187, 4030 Cheyenne Blvd for a Package (off-sale) Liquor License TRANSFER from Lifesavings, LLC DBA Autumn Hills Liquor 2 (Inactive) 5312 Sheridan Lake Road
4. Zonta Club of the Black Hills for a SPECIAL EVENT (On-Sale) Malt Beverage and (On-Sale) Wine license and (off-sale) package wine license for an event scheduled for March 8, 2024 at Western Dakota Tech, 800 Mickelson Drive
5. Naja Shrine for a SPECIAL EVENT (On-Sale) Dealer License for an event scheduled for February 24, 2024 at Naja Shrine, 4090 Sturgis Road
6. Bar K-9 LLC for a SPECIAL EVENT (On-Sale) Malt Beverage License for an event scheduled for December 8 and 9, 2023 at the Rushmore Mall, 2200 N Maple, Suite 508

***Public Works Committee Consent Items***

7. PW103123-01: Authorize Staff To Advertise For Bids For EAFB Meter Facility Reconstruction, Project No. 22-2733 / CIP No. 51384. Estimated Cost \$1,000,000.
8. PW103123-02: Authorize Staff To Advertise For Bids For The 2023 Chip Seal, Project No. 23-2764 / CIP 50549.23B. Cost: \$370,000
9. PW103123-03: Approve Change Order3 To Layne Christensen Company For Well No. 12 2021 Improvements, Project No. 2684, CIP No. 51340, For A Project Completion Date Of December 1, 2023 And An Increase Of \$29,224.54.

10. PW103123-04: Authorize Mayor And Finance Director To Sign Construction Services Agreement Between Black Hills Power And City Of Rapid City For Utility Relocation At The Water Reclamation Facility, In The Amount Of \$45,424.82
11. PW103123-05: Authorize Mayor And Finance Director To Sign Technical Services Agreement Between Black Hills Power And City Of Rapid City For The Initial Installation And Construction For A Customer Owned And Operated Medium Voltage Primary Distribution System At The Water Reclamation Facility, In The Amount Of \$881,503.05.
12. PW103123-06: Authorize Mayor And Finance Director To Sign Technical Services Agreement Between Black Hills Power And City Of Rapid City To Provide Ongoing Monitoring And Emergency Subscription Service To The City Owned Medium Voltage Loop At The Water Reclamation Facility For A Period Of 1 Year, In The Amount Of \$50,004.00
13. PW103123-07: Authorize Mayor And Finance Director To Sign Agreement With Converjint For Access Control System Upgrades At Utility Maintenance, In An Amount Not To Exceed \$9,530.82
14. PW103123-08: Authorize Mayor And Finance Director To Sign Water Service Agreement Between The City Of Rapid City And Box Elder.
15. PW103123-09: Authorize Staff To Seek Proposals For Engineering Services For Sioux Ave, E Saint Charles St, And Riley Ave – Street And Utility Improvements, Project No. 24-2780 / CIP No. 51365.
16. PW103123-10: Authorize Staff To Seek Proposals For Engineering Services For Water Main Tunnel(S) Investigation And Remediation Project No. 24-2781 / CIP No. 51395
17. PW103123-11: Authorize Staff To Publish Notice Of Public Hearing For State Revolving Fund Application Pertaining To The Water Reclamation Facility South Plant Improvements, Project Number 23-2629.2/ CIP Number 51129.2 And Conduct Hearing At December 4, 2023 City Council Meeting.
18. PW103123-12: Approve Request From Jeremy And Amanda Kahler For A Variance To Waive The Requirement To Install Sidewalk Along 4780 Cliff Drive, Rapid City, Per City Ordinance 12.08.060.
19. PW103123-13: Approve Request From Towey Design Group For A Variance To Waive The Requirement To Install Sidewalk Along 1720 Samco Rd. St A, Rapid City, Per City Ordinance 12.08.060.
20. PW103123-14: Approve Purchase From ClearSpan Fabric Structures International, Inc. For Greenhouse Benches In The Amount Of \$31,197.60 Under SourceWell Contract #071223-CSS, #110822-CSS.
21. PW103123-15: Authorize Staff To Advertise For Bids For Executive Golf And Star Of The West Irrigation, Project PR23-6190. Estimated Cost: \$2,100,000.
22. PW103123-16: Confirm The Appointment Of John Roberts And Lindsey Seachris To The Tax Increment Financing (TIF) District Project Review Committee As Council Liaisons.
23. PW103123-17: Confirm Reappointments Of Doug Wilson, Doug McIntosh And Kristofer James To The Rapid City Trenching Board, Each To Serve An Additional Two-Year Term.

***Legal & Finance Committee Consent Items***

24. LF110123-06 – Confirm the Appointment of Trevor Johnson to the Downtown Business Improvement District (BID) Board
25. LF110123-13 – Confirm the Appointment of Tifanie Petro to the Community Relations Commission, formerly HRC/MOA Commission
26. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Gail Tysdal and Del Wientjes (RSVP+)
27. LF110123-03 – Acknowledge August 2023 Sales Tax Report
28. LF110123-04 – Approve Resolution No. 2023-087, a Resolution Declaring Property Surplus
29. LF110123-05 – Acknowledge September 2023 General Fund Cash Balance Reports
30. LF110123-07 – Acknowledge Opportunity Capture Fund Minutes from September 1, 2023
31. LF110123-11 – Approve Resolution No. 2023-088, a Resolution Amending Certain Fees to be Charged in 2024 for Various Licenses, Permits and Applications

32. LF110123-01 – Authorize Mayor and Chief of Police to Sign the Memorandum of Mutual Support with the Oglala Sioux Tribe Department of Public Safety
33. LF110123-10 – Authorize Request for Proposals to Seek Professional Services for Roosevelt Pool Enclosure
34. LF110123-09 – Approve Expenditure Request for Rapid City Youth City Council – 2024 NLC Congressional City Conference
35. LF110123-08 – Authorize Mayor and Finance Director to Sign Dinosaur Park Tower Indemnification, Property Transfer, and Lease Termination Agreement
36. LF110123-12 – Authorize Mayor and Finance Director to Sign a Cooperative Agreement between the South Dakota Department of Public Safety (Wildland Fire Division) and the City of Rapid City Fire Department
37. LF110123-14 – Authorize Mayor and Finance Officer to sign Agreement Between the Rapid City Sports Commission and the City of Rapid City Regarding Funding to Support the Commission’s Work
38. LF110123-02 – Authorize Mayor and Finance Director to Sign First Amendment to Contract for Construction of Public Improvements by Private Developer for Tax Increment District Number Eighty-Four between Yasmeeen Dream, LLC and the City of Rapid City.

#### ***CIP Committee Consent Items***

39. Approve Minutes for October 20, 2023 CIP Meeting
40. No. CIP102023-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, Summary)
41. No. CIP102023-04 – Approve Capital Plan for Fire Vehicles
42. No. CIP102023-05 – Approve Capital Plan for Parks & Recreation
43. No. CIP102023-06 – Approve Capital Plan for Information Technology
44. No. CIP102023-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
45. No. CIP102023-02 – Approve Capital Plan for PW Infrastructure

#### ***Community Planning & Development Services Department Consent Items***

46. No. 23AN004 – Approve Resolution No. 2023-080, a Resolution to Adopt Amendment #1 to TID No. 84 – East Anamosa Street for Property Generally Described As Being Located East of E North Street, North of SD Highway 44, West of Elk Vale and South of Eglin Street

#### ***Bid Award Consent Items***

47. CC110623-04.1 - Approve award of Operated Equipment Rental for Street Snow Removal Operations. Estimated cost: \$100,000.00
48. CC110623-04.2 - Approve award of total bid for 2024 Professional Services for Televising Critical Sewer Lines, Project No. 22-2708 / CIP No. 51350 opened on October 31, 2023 to the lowest responsible bidder, CC Steel, LLC in the amount of \$248,021.41

END OF CONSENT ITEMS

#### **NON-CONSENT ITEMS** – Items 49 – 54

**Open Public Comment** – Items 49 – 54

**Close Public Comment**

#### ***Ordinances***

49. No. 23RZ018 – First Reading, Ordinance 6593, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Longbranch Civil Engineering, Inc for American Storage LLC for a Rezoning request from General Commercial District to Light Industrial District for property generally described as being located northwest of the intersection of Century Road and East North Street.

**Recommendation: Approve**

50. No. 23RZ019 – First Reading, Ordinance 6594, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Towey Design Group for Rob Poeppel for a Rezoning request from No Use District to Low Density Residential District I for property generally described as being located east of Reservoir Road, north of Bridge Drive.

**Recommendation: Approve in conjunction with 23AN004**

51. LF101123-01 – Second Reading of Ordinance No. 6592, an Ordinance Regarding Supplemental Appropriation #5 for 2023.

**Recommendation: Approve**

**Public Works Committee Items (NONE)**

**Legal & Finance Committee Items (NONE)**

**Community Planning & Development Services Department Items**

52. No. 23PL095 - A request by FMG Engineering for Heavy Constructors, Inc. for a Preliminary Subdivision Plan for proposed Lot 1 of Deadwood Storage Subdivision, generally described as being located north and east of Interstate 90, west of Deadwood Avenue.

**Recommendation: Approve with stipulations**

53. No. 23PL096 - A request by FMG Engineering for Comford Investments, LLC for a Preliminary Subdivision Plan for proposed Lot 1 and Lot 2 of Comford Subdivision, generally described as being located east of Cambell Street, between Highway 44 and E. North Street.

**Recommendation: Approve with stipulations**

**CIP Committee Items (NONE)**

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

**Bids (NONE)**

**Alcoholic Beverage License 2024 Renewal Applications**

54. CC110623-02.1 - Approve the attached list of 2024 Alcohol Beverage License Renewals, which have been vetted and approved by the Rapid City Police Department and the Rapid City Fire Department.

**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** – Item 55

**Open Public Hearing (Comment)- Item 55 ]**

**[Public Hearing Remains Open]**

**Close Public Hearing** – Item 55

**CONSENT PUBLIC HEARING ITEMS** – Item 55

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

**Community Planning & Development Services Department Items (NONE)**

**Alcohol Licenses**

- 55. Team Ma Cualli Inc. DBA Ma Cualli for a new Liquor (on-sale) Liquor Restaurant License at 4831 5th Street, Suite 101

**Assessment Rolls (NONE)**

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

END OF CONSENT PUBLIC HEARING CALENDAR

**NON-CONSENT PUBLIC HEARING ITEMS** – Items 56 – 58

- 56. 23TI004 – Approve Resolution No. 2023-080, a Resolution to Adopt Amendment #1 to TID No. 84 – East Anamosa Street for Property Generally Described As Being Located East of E North Street, North of SD Highway 44, West of Elk Vale and South of Eglin Street  
**Recommendation: Approve**
- 57. No. 23RZ016 – Second Reading, Ordinance 6587, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Hermanson Egge Engineering, Inc. for a Rezoning request from General Commercial District to Medium Density Residential District for property generally described as being located at 1909 and 1915 Ash Avenue.  
**Recommendation: Approve**
- 58. No. 23UR027 – Appeal of Planning Commission’s decision on a request by Renner Associates, LLC for John and Erin Neumann for a Conditional Use Permit to allow an oversized garage for property generally described as being located at 2150 Skyline Ranch Road. Appeal of Planning Commission’s decision to approve  
**Recommendation: This is an appeal of the Planning Commission’s decision to approve.**

**BILLS**

- 59. No. CC110623-01 – Bill List for November 6, 2023

**ADJOURN**