

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 15, 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

1. Veteran of the Month, Michael Ball, Ward 1
2. Recognize Luke Haugen for his internship at the Mayor's Office.

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 3-34

Open Public Comment – Items 3-26 (3-minute time limit per speaker)
Close Public Comment

CONSENT ITEMS – Items 3-26

Remove Items from the "Consent Items" and Vote on Remaining Consent Items

Approve Minutes

3. Approve Minutes for the August 1, 2016 Regular Council meeting.

Vacations of Right-Of-Way Set for Hearing (September 19, 2016)

4. No. 16VR009 - A request by KTM Design Solutions for Duane C Pankratz for a Vacation of Section Line Right-of-Way for property generally described as being located north of Eglin Street and west of North Elk Vale Road.

Alcoholic Beverage License Applications Set for Hearing (September 6, 2016)

5. Holiday Stationstores, Inc. DBA Holiday Stationstores, Inc., 35 Omaha Street, for a Package (off sale) Malt Beverage License
6. Wobbly Bobby British Pub LLC DBA CIAO, 512 Main Street #130 for a Retail (on-sale) Liquor License TRANSFER from Patrick Hall, dba Phatty McGees, 321 7th Street

Public Works Committee Consent Items

7. No. PW080916-01 – Confirm the Appointment of John Herr to the Planning Commission.

8. No. PW080916-02 – Approve Change Order No. 1F to Action Mechanical, Inc. for WRF Administration Building HVAC Improvements, Project No. 14-2228 / CIP No. 51062 for an increase of \$5,557.00.
9. No. PW080916-03 – Approve Change Order #2F to Knife River for Pavement Rehabilitation Project - Minuteman Area Chip Seal, Project No. 15-2243 / CIP No. 50549 for an increase of \$4,366.06.
10. No. PW080916-04 – Approve Change Order #1F to Western Construction, Inc. for North Rapid Reservoir and Northridge Reservoir Access Road Repair, Project No. 15-2298 / CIP No. 51103 for a decrease of \$3,315.25.
11. No. PW080916-05 – Approve Change Order #1F to Hills Materials Company for Sanitary Sewer Main Extension 12th Street, Fulton Street, Alley Blocks 32 & 41, Project No. 14-2154 / CIP No. 50961.4 for an increase of \$37,690.43.
12. No. PW080916-07 – Authorize Staff to Advertise for Bids on Pavement Rehabilitation Project – Steamboat Circle, Project No. 16-2324 / CIP No. 50549. Estimated Cost: \$175,000.00.
13. No. PW080916-08 – Authorize Mayor and Finance Officer to Sign Joint Powers Maintenance and Encroachment Agreement between the City of Rapid City and Department of Transportation for City Project No. 12-2051 / CIP No. 50867, State Project NH 0016(84)67 PCN 049F.
14. No. PW080916-09 – Authorize Mayor and Finance Officer to Sign Amendment to Agreement between City of Rapid City and Hills Materials for Northridge Reservoir Access Road Chip Seal, Project No.16-2335 / CIP No. 51103 increasing the original contract from \$34,203.00 to \$43,269.05.
15. No. PW080916-06 – Authorize Staff to Advertise for Bids for South Truck Route Drainage Basin Design Plan – Element 203, Project No. 14-2207 / CIP No. 51031. Estimated Cost: \$440,000.00.
16. No. PW062816-15 – Acknowledge Applicant’s Withdrawal of Appeal of Exception Contingencies in Request from KTM Design Solutions on Behalf of Hagg Brothers LLC to Waive Curb, Gutter, Sidewalk, a Second Water Main North of Moon Meadows Drive, Dual Water Mains South of Moon Meadows Drive and Sewer South of Moon Meadows Drive in US Hwy 16 (City File 16EX072).
17. No. PW062816-16 – Acknowledge Applicant’s Withdrawal of Appeal of Denied Exception Request from KTM Design Solutions on Behalf of Hagg Brothers LLC to Waive Pavement, Curb, Gutter, Sidewalk, Street Light Conduit, Water and Sewer in the Access and Utility Easement Along the East Lot Line; and Maintain the existing 50’ wide Access and Utility Easement Instead of Dedicating 70’ of Right-of-Way with 10’ of Additional Right-of-Way Adjacent to Moon Meadows Drive (City File 16EX075).
18. No. PW062816-17 – Acknowledge Applicant’s Withdrawal of Appeal of Denied Exception Request from KTM Design Solutions on Behalf of Hagg Brothers LLC to Waive Pavement, Curb, Gutter, Sidewalk, Street Light Conduit, Water and Sewer in Sammis Trail (City File 16EX076).

Legal & Finance Committee Consent Items

19. No. LF081016-06 – Approve Rapid City Police Department’s Special Event Permit for 2016 RCPD Cruiser Car Show
20. No. LF081016-02 – Acknowledge May 2016 Sales Tax Report
21. No. LF081016-05 – Resolution No. 2016-057A a Resolution Fixing Time and Place for Hearing on Assessment Roll for Cleanup of Miscellaneous Property
22. No. LF081016-09 – Resolution No. 2016-058 a Resolution Declaring Miscellaneous Personal Property Surplus
23. No. LF081016-01 – Authorize Mayor and Finance Officer to Sign Funding Approval/Agreement for FY2016 Community Development Block Grant Funding
24. No. LF081016-08 – Authorize Staff to Advertise a Request for Proposals for an Architectural Survey Project of the Downtown Area Generally Located East of 5th Street to Maple Avenue

Community Planning & Development Services Department Consent Items

25. No. 16CA004 – Approve a request by the City of Rapid City to consider an application for an Amendment to the Comprehensive Plan to revise the Major Street Plan.
26. No. LF081016-07 – Authorize Mayor and Finance Officer to Sign Amendment No. 1 of the Agreement for Professional Services Between the City of Rapid City and Progressive Urban Management Associates (P.U.M.A.) for a No-Cost Extension

Bid Award Consent Items (None)

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 27-34

Open Public Comment – Items 27-34 (3-minute time limit per speaker)

Close Public Comment

Ordinances

27. No. LF060116-10A – Second Reading, Ordinance 6122, An Ordinance Adopting Section 16.090 of the Rapid City Municipal Code Requiring Registration of Vacant Residential Properties.
Recommendation: Approve
28. No. LF081016-11 – First Reading of Ordinance No. 6141, An Ordinance to Update the Regulations Related to Purchases Made by Department Directors by Amending Section 3.04.030 of the Rapid City Municipal Code.
Recommendation: Approve
29. No. 16RZ027 - First Reading, Ordinance 6134, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dirk Jablonski, ACES for Mike Kuhl, Pennington County for a Rezoning from High Density Residential District to Public District for property generally described as being located at 718 4th Street.
Recommendation: Approve
30. No. 16RZ028 - First Reading, Ordinance 6135, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dirk Jablonski, ACES for Mike Kuhl, Pennington County for a Rezoning from General Commercial District to Public District for property generally described as being located at 321 Kansas City Street.
Recommendation: Approve

Public Works Committee Items

31. No. PW080916-11 – Request from RDSS, LLLP for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 along Homestead Street and Turbine Drive, Rapid City.
Recommendation: Send to City Council without recommendation.

Legal & Finance Committee Items

32. No. LF081016-03 – Authorize Mayor and Finance Officer to Sign Assignment for Tax Increment District 76 Buffalo Crossing Between KS West, LLC and SK East, LLC and First National Bank.
Recommendation: Approve 3-1 with Laurenti voting no.
33. No. LF081016-10 – Resolution No. 2016-059 Extending an Offer with a Limited Election Window to Eligible Employees to Elect a Voluntary Early Retirement Incentive
Recommendation: Send to City Council without recommendation.

Mayor's Items

- 34. Acknowledge Central States Fair Update – Ron Jefferies

Council Items & Liaison Reports

- Reconsideration Notices
- Motion for Delivery of Items from Committee

Staff Items

Appeals

- Planning Commission Appeals*
- License Appeals*
- Other Appeals Heard by the Council*

PUBLIC HEARING ITEMS – Items 35-47

Open Public Hearing (comment) – Items 35-47 (3-minute time limit per speaker)
[Public Hearing Remains Open]

Close Public Hearing (comment) – Items 35-47

CONSENT PUBLIC HEARING ITEMS – Items 35-39

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

Community Planning & Development Services Department Items (NONE)

Alcohol Licenses

- 35. 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
- 36. 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
- 37. 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)
- 38. PT Operations LLC DBA Philly Ted’s Cheezsteaks, 502 Main Street, Suite 200, for a Retail (on-off sale) Malt Beverage License

Assessment Rolls

- 39. No. LF081016-04 – Resolution No. 2016-050B a Resolution Levying Assessment for Downtown Business Improvement District 2016

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 40-47

- 40. No. 16RZ021 - Second 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

41. No. 16RZ022 - Second 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
42. No. 16RZ023 - Second 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
43. No. 16RZ024 - Second 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
44. No. 16RZ025 - Second 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
45. No. 16RZ026 - Second 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
46. 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 the September 6, 2016 City Council Meeting
47. 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 the September 19, 2016 City Council Meeting

BILLS

48. No. CC081516-01 – Bill List for August 15, 2016

ADJOURN