

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., October 7, 2024**

ROLL CALL AND DETERMINATION OF QUORUM

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

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

PROCLAMATION

1. World Habitat Day Proclamation – Mayor Salamun

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 2 – 55

Open Public Comment – Items 2 – 50

Close Public Comment

CONSENT ITEMS – Items 2 – 50

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

Approve Minutes

2. Approve Minutes for the September 16, 2024 Regular Council meeting.

Vacations of Right-Of-Way Set for Hearing (NONE)

Alcoholic Beverage License Applications Set for Hearing (NONE)

Public Works Committee Consent Items

3. PW100124-01: Approve Change Order 1F To Underground Construction, LLC, For Meade Street Water Reconstruction - 7th To 5th Street, Project No. 2679/CIP No. 51077. Increase Of \$20,290.45
4. PW100124-02: Approve Change Order 1F To Dakota Asphalt LLC, For 2023 Street Patching, Project 2763/CIP No 50549.23A. Increase Of \$49,955.75
5. PW100124-03: Approve Change Order 1F To Simon Contractors Of SD, Inc., For 2023 Chip Seal Project No. 2764/CIP No. 50549.23B, Decrease Of \$5,298.50
6. PW100124-04: Approve Change Order 1F For 2024 Roof Replacement Project For The Street Division Shop 1, Project No. 2770/CIP No. 50098. Increase Of \$6,800.00
7. PW100124-05: Approve Change Order 1F To Simon Contractors Of SD, Inc., For 2024 Chip Seal, Project No. 2812/CIP No. 50549.24E. Increase Of \$3,483.88

8. PW100124-06: Approve Change Order 1F For St Joseph St Emergency Street Repair, Project No. 2831/CIP No. 50549.24L. Increase Of \$4,235.99
9. PW100124-07: Authorize Mayor And Finance Director To Sign Amendment No. 4 To Agreement Between City Of Rapid City And LongBranch Civil Engineering, Inc. For Design And Bidding Professional Services For Robbinsdale Phase 6 Design Project No. 2515/CIP No. 51232, In The Amount Of \$22,820.00
10. PW100124-08: Authorize Mayor And Finance Director To Sign Agreement Between The City Of Rapid City And FMG Engineering For Professional Services For Skyline Drive Rehabilitation - Quincy Street To Tower Road. Project No. 2658/CIP. No. 50153, Amount Not To Exceed \$412,655.00
11. PW100124-09: Authorize Mayor And Finance Director To Sign Amendment No. 1 To Professional Services Agreement Between The City Of Rapid City And Foth Infrastructure And Environment, LLC, For Elk Vale Lift Station Equipment Improvements. Project No. 2755/CIP No. 51394. Amount Not To Exceed \$95,952.00
12. PW100124-10: Authorize Mayor And Finance Director To Sign Agreement Between The City Of Rapid City And LongBranch Civil Engineering, Inc. For Professional Engineering Services For Robbinsdale Reconstruction - East Tallent Street And Willow Avenue. Project No. 2788/CIP No. 50390.5-1. Amount Not To Exceed \$294,650.00
13. PW100124-11: Authorize Mayor And Finance Director To Sign Agreement Between The City Of Rapid City And FMG Engineering, Inc. For Engineering Services For Solid Waste Permit Renewal, Project No. 2832 / CIP No. 51364 Amount Not To Exceed \$194,900.00
14. PW100124-12A: Authorize Mayor And Finance Director To Sign Agreement With FMG Engineering For Floodplain Development Review Services. Project No. 2836/CIP No. 51434. Amount Not To Exceed \$55,000.00
15. PW100124-12B: Authorize Mayor And Finance Director To Sign Agreement With Avid4 Engineering For Floodplain Development Review Services. Project No. 2836/CIP No. 51434. Amount Not To Exceed \$55,000.00
16. PW100124-13: Authorize Staff To Advertise For Bids For Equipment Rental Rates For Snow Removal Operations. Estimated Cost \$100,000.00
17. PW100124-14: Authorize Staff To Advertise Bids For Debra Drive Retaining Wall. Project No. 2791/CIP No. 51360. Estimated Cost \$300,000.00
18. PW100124-15: Authorize Staff To Purchase One (1) Case 621G Wheel Loader From Titan Machinery, Pricing From Minnesota State Contract#239131, For Street Maintenance, In The Amount Of \$202,015.20
19. PW100124-16: Authorize Staff To Purchase Two (2) Ford Endera E450 Raised Floor Buses From Washington State Department Of Enterprise Service Cooperative Purchasing Agreement Contract #06719. For Rapid Transit, Dial-A-Ride, In The Amount Of \$365,602.00
20. PW100124-17: Authorize Staff To Purchase Two (2) Gillig 29FT Low Floor Diesel Buses From Washington State Department Of Enterprise Service Cooperative Purchasing Agreement Contract #06719. For Rapid Transit, Rapid Ride, In The Amount Of \$1,238,626.00
21. PW100124-18: Authorize Staff To Purchase One (1) New 2024 Ford F600 W/Dur-A- Lift Non-Insulated Aerial Lift On A Knapheide Steel Platform Body Northern Truck Equipment, Using SourceWell Contract 091521-NAF SourceWell For Traffic Operations, In The Amount Of \$219,840.00
22. PW100124-19: Approve Resolution No. 2024-077 – Construction Fee Resolution For Sunburst Drive Reconstruction – Sewer Per Benefit Fee, City Project No. 2532.
23. PW100124-20: Approve Request From Mayor to Confirm the appointment of Corey Yates and Re-Appointment of Jeremy Altman to the Historic Preservation Commission.

Legal & Finance Committee Consent Items

24. LF100224-06 – Approve Resolution No. 2024-076, a Resolution Honoring the Renewal of the Rapid City- Apolda Germany Sister City Relationship

25. LF100224-08 – Confirm the Appointment of Lila Mehlhaff and Reappointment of Tifanie Petro to the Community Relations Commission
26. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Monica Albrecht, Janelle Austin, Susan Beeman, Marilyn Engle Huston, Kurt Lange, Linda Lueders, Wayne Lueders, Debbie Myers, Janice Nequette, Cynthia Rankin, Pamela Somervold, Brian Muir, Rhonda Berger, Patty Kennedy, and Cindy Voyles (RSVP+)
27. LF100224-02 – Acknowledge the August 2024 Treasury and General Fund Update
28. LF100224-03 – Acknowledge the July 2024 Sales Tax Report
29. LF100224-05 – Approve Resolution No. 2024-074, a Resolution Declaring Property Surplus
30. LF100224-12 – Authorize the Mayor and Finance Director to Sign Two (2) Copies of the FY24 Community Development Block Grant (CDBG) Subrecipient Contract with West River Mental Health
31. LF100224-13 – Approve Resolution No. 2024-078, a Resolution in Support of the City of Rapid City's Application to the HUD "Pathways to Removing Obstacles Housing" Grant and Commitment to Providing City Infrastructure Funding to Support the Project
32. LF100224-04 – Authorize the Mayor and Finance Director to Sign Agreement between the Fraternal Order of Police, South Dakota Lodge #2A, and the City of Rapid City, for the Period of January 1, 2025 through December 31, 2027
33. LF100224-01 – Authorize Mayor and Finance Director to Sign a Revised Agreement with Innovative Nonprofit (INP), Reallocating \$35,000 of Community Violence Intervention and Prevention Initiative (CVIPI) Grant Dollars to Provide an Additional 233 Hours of Capacity-Building Support to City Co- Response Partner, Journey On and the RCPD Community Engagement Division
34. LF100224-09 – Authorize Application and Acceptance of the 2024 JAG Grant Award for Equipment and Software for the Digital Forensic Unit
35. LF100224-10 – Authorize Staff to Accept the Hazardous Materials Emergency Preparedness (HMEP) Grant in the Amount of \$37,761.25

CIP Committee Consent Items

36. No. CIP092024-00 – Approve CIP Minutes for September 20, 2024
37. No. CIP092024-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, Summary)
38. No. CIP092024-04 – Approve Capital Plan for Fire Vehicles
39. No. CIP092024-05 – Approve Capital Plan for Parks & Recreation
40. No. CIP092024-06 – Approve Capital Plan for Information Technology
41. No. CIP092024-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
42. No. CIP092024-02 – Approve Capital Plan for PW Infrastructure
43. No. CIP092024-07 – Approve a Request from Fire to transfer \$300K from CIP Station 1 Funds to Fire Admin for equipment and furniture to complete Phase I of Station I
44. No. CIP092024-08 – Approve a Request from Police to reallocate \$142,773 designated as "West Precinct" to Fencing and Security Cameras

Community Planning & Development Services Department Consent Items

45. 24TP033 – Approve the 2025 Unified Planning Work Program – Draft Report
46. LF100224-11 – Authorize the Mayor and Finance Director to Sign Professional Services Agreement with Urban3, LLC for a Rapid City Economic Analysis in an Amount Not to Exceed \$226,227

Bid Award Consent Items

47. No. CC100724-04.1 - Approve award of total bid for 2024 MIP – Streets and Drainage, Project No. 2768 / CIP No. 50298.24A, opened on October 1, 2024 to the lowest responsible bidder, Tru-Form Construction, Inc. in the amount of \$201,229.00.

48. No. CC100724-04.2 – Approve award of total base bid for 2024 Sanitary Sewer Televising, Project No. 2820 / CIP No. 51350 opened on October 1, 2024 to the lowest responsible bidder, Mainsaver North Central Inc. dba Pipe Detectives, in the amount of \$398,310.60.
49. No. CC100724-04.3 – Approve award of bid for purchase of Lot A of Lot H3 in the NW1/4 of the SW1/4 of Section 22, T1N, R7E of the Black Hills Meridian, Rapid City opened on 10/1/2024 to the high bidder Kathleen Donhiser in the amount of \$10,000 and authorize the Mayor and Finance Director to sign a quitclaim deed.
50. No. CC100724-04.4 - Approve award of bid for purchase of Lot 54 of High Place Subdivision, City of Rapid City, opened on 10/1/2024 to the high bidders Trenten A and Sharon L. Jensen in the amount of \$500.00 and authorize the Mayor and Finance Director to sign a quitclaim deed.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 51 – 55**Open Public Comment** – Items 51 – 55**Close Public Comment****Ordinances**

51. LF091124-10 – Second Reading of Ordinance No. 6635, an Ordinance Regarding Supplemental Appropriation #5 for 2024
Recommendation: Approve
52. 24OA005 – First Reading of Ordinance No. 6626, an Ordinance Amending Title 17 to Add the Definition of a Data Center and Permit Data Centers in Light Industrial Districts and Heavy Industrial Districts
Recommendation: Acknowledge Withdrawal of Application
53. 24OA007 – First Reading of Ordinance No. 6636, an Ordinance Amending Clerical Errors and Redundancy in Chapters 17.28.040, 17.50.020, and 17.50.250 of the Rapid City Municipal Code
Recommendation: Approve

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

54. LF100224-07 – Approve Resolution No. 2024-079, a Resolution Initiating a Moratorium on Accepting Applications for New Cannabis Dispensary Licenses
Recommendation: Send to Council Without Recommendation

Community Planning & Development Services Department Items

55. No. 24PL070 - A request by Advanced Design Engineering and Surveying, Inc for Drew Heid for a Preliminary Subdivision Plan for Lots 1 and 2 of Block 5 of Morningside Addition, generally described as being located southwest of Blue Jay Drive and Nickel Street intersection.
Recommendation: Approve with Stipulations

CIP Committee Items (NONE)**Other Board, Commission & Committee Items (NONE)****Bids (NONE)****Alcoholic Beverage License Applications (NONE)**

Reissuance

Special Event

Mayor's Items (NONE)**Council Items & Liaison Reports (NONE)**Reconsideration NoticesMotion 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 56

Open Public Hearing (Comment)- Item 56
[Public Hearing Remains Open]
Close Public Hearing – Item 56

CONSENT PUBLIC HEARING ITEMS – Item 56

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

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

56. Catrachos LLC DBA Catrachos Latin Cuisine Restaurant, 544 Century Rd Suite 101, for a New Retail (on-off sale) Malt Beverage and SD Farm Wine License and a New Retail (on-off sale) Wine and Cider License.

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

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Item 57

57. No. 24VR001 – Approve Resolution 2024-015 – A Request by Towey Design Group for Northwestern Engineering For Vacation Of Right-Of-Way Property Generally Described As Being Located North Of E. Watertown And East Of Spruce Street, Feigel Subdivision. *(This item was continued from the Sept. 16, 2024 City Council Meeting.)*

Recommendation: Continue to the October 21, 2024 City Council Meeting

EXECUTIVE SESSION - An executive session will be held pursuant to SDCL 1-25-2(1) Discussing the qualifications, competence, performance, character or fitness of any public officer or employee or prospective public officer or employee. The term, employee, does not include any independent contractor; and also, pursuant to SDCL 1-25-2(3) Consulting with legal counsel or reviewing communications from legal counsel about proposed or pending litigation or contractual matters;

STAFF DIRECTION**BILLS**

58. No. CC100724-01 – Bill List for October 7, 2024

ADJOURN