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, September 19, 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, Neil Harris, Ward 5
2. Service Award to Lt. Peter Ragnone from Chief Jegeris
3. Academy Award to Deputy Fire Marshal Tammy Stadel from Chief Maltaverne

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 4 – 44

Open Public Comment – Items 4 – 36 (3-minute time limit per speaker)
Close Public Comment

CONSENT ITEMS – Items 4 – 36

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

Approve Minutes
4. Approve Minutes for the August 24, 2016 Special Council meeting.
5. Approve Minutes for the September 6, 2016 Regular Council meeting.

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

Alcoholic Beverage License Applications Set for Hearing (October 3, 2016)
6. Peggy Kelly dba Mostly Chocolates LLC, 1919 Mt. Rushmore Road for a Retail (on-off sale) Malt Beverage & SD Farm Wine License
7. Rapid City Area Chamber of Commerce for a SPECIAL EVENT Wine and Malt Beverage License for an Event Scheduled for October 11, 2016 at Regional Health, 1635 Caregiver Circle
7A. MG Oil DBA BP Casino II, 609 Mt. View Rd, Suite C-2, for a Retail (on-off sale) Malt Beverage License TRANSFER from MG Oil DBA East North Casino, 230 E North Street
Public Works Committee Consent Items

8. No. PW091316-01 – Approve Change Order #1F to Tru-Form Construction, Inc. for Concrete Repair Project – Sheridan Lake Road, Project No. 16-2333 / CIP NO. 50445 for a decrease of $269.25.

9. No. PW091316-02 – Approve Change Order #1F to Heavy Constructors, Inc. for Sheridan Lake Road Reconstruction – June Court to Rapid Creek, Project No. 14-2203 / CIP No. 50933 for an increase of $3,611.99.


11. No. PW091316-04 – Approve Change Order #1F to J & J Asphalt for Pavement Rehabilitation Project – Seahawk Drive, Project No. 15-2294 / CIP No. 50844 for an increase of $20,216.45.


13. No. PW091316-06 – Approve Change Order #2F to R.C.S. Construction for Water and Sanitary Sewer Clifton and Ryther, Project No. 14-2155 / CIP No. 50961.5 for an increase of $22,641.11.

14. No. PW091316-07 – Approve Change Order #1F to J.V. Bailey for Park Drive Bridge Repair, Project No. 16-2325 / CIP No. 50752 for an increase of $13,818.66.

15. No. PW091316-08 – Approve Change Order #1F to Complete Concrete, Inc. for 2015 ADA Compliance Project, Project No. 15-2275 / CIP No. 50761 for a decrease of $10,699.77.

16. No. PW091316-09 – Approve Change Order #3 to MAC Construction for Rapid Transit Bus Storage Addition, Project No. 15-2248 / CIP No. 51084 for an increase of $8,812.00.

17. No. PW091316-10 – Authorize Staff to Advertise for Bids West Omaha Drainage & Utility Improvements – Mountain View Road to 11th Street, Project No. 15-2316 / CIP No. 50904.1. Estimated Cost $5,500,000.00.

18. No. PW091316-11 – Authorize Mayor and Finance Officer to Sign Amendment No. 1 to the Agreement between the City of Rapid City and FMG Engineering for the South Truck Route Drainage Basin Design Plan – Element 203, Project No. 14-2207 / CIP No. 51031, in the amount of $4,873.50.

19. No. PW091316-12 – Authorize Mayor and Finance Officer to Sign Amendment No. 1 to the Agreement between the City of Rapid City and Advanced Engineering and Environmental Services, Inc. (AE2S) for Detailed Analysis of Federal Emergency Management Agency (FEMA) Special Flood Hazard Areas (SFHA), Project No. 15-2244 / CIP No. 51057, in the amount of $20,926.00.

20. No. PW091316-15 – Authorize Mayor and Finance Officer to Sign an Agreement with Burns & McDonnell for Engineering Services to design the Landfill Gas Collection for closed Cells 13, 14, & 17 at the Rapid City Landfill for $111,308.00.

21. No. PW091316-13 – Authorize Mayor and Finance Officer to Sign Resolution No. 2016-068, A Resolution Declaring Surplus the Structure Located at 1111 North Maple Avenue and Authorize the Demolition of the Structure.
22. No. PW091316-16 – Authorize Mayor and Finance Officer to Sign an Agreement with FMG Engineering for design services of a low permeability cap for Cell 17 the Rapid City Landfill for $135,328.00.

23. No. PW091316-14 – Approve the Determination that the Construction of the Water Main in Harley Drive is Necessary and Direct the Public Works Director to Enforce the Terms of the Covenant Agreement with Hog Wild, LLC.

**Legal & Finance Committee Consent Items**

24. No. LF091416-02 – Approve Festival of Lights’ Special Event Permit for the 2016 Festival of Lights Parade

25. No. LF091416-06 – Acknowledge Invitation to RCPD Community Advisory Committee’s First Public Forum

26. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Autumn Anderson, Ailsa Snyder

27. No. LF091416-03 – Resolution No. 2016-067A a Resolution Fixing Time and Place for Hearing on Assessment Roll for Cleanup of Miscellaneous Property

28. No. LF091416-07 – Acknowledge July 2016 Sales Tax Report

29. No. LF091416-08 – Authorize Mayor to Sign Midco Service Orders for Nine Locations

30. No. LF091416-01 – Acknowledge Update from the Opportunity Capture Fund Committee

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

31. No. 16TP022 – Approve the Transit Feasibility Study RFP

32. No. 16TP019 – 2017 Unified Planning Work Program – Draft

33. No. LF091416-09 – Approve the 2017 Air Quality Pass Through Agreement – Final

34. No. 16AN002 - A request by Steven and Jane Arity for a Petition for De-Annexation for property generally described as being located south of Sammis Trail, east of S. Highway 16.

**Bid Award Consent Items**

35. CC091916-02.1 - Approve award of Total Bid for Pavement Rehabilitation Project – Steamboat Circle, Project No. 16-2324 / CIP No. 50549 opened on September 13, 2016 to the lowest responsible bidder, Hills Materials Company, in the amount of $184,935.35.

36. CC091916-02.2 - Approve award of Total Bid plus Alternate 1 and 2 Bid for 2016 Miscellaneous Improvements Project, Project No. 15-2308 / CIP No. 50298 opened on September 13, 2016 to the lowest responsible bidder, Complete Concrete, Inc. in the amount of $165,085.00.

END OF CONSENT ITEMS

**NON-CONSENT ITEMS** – Items 37 - 44

*Open Public Comment* – Items 37 - 44 (3-minute time limit per speaker)

*Close Public Comment*
Ordinances
37. No. LF083116-02a – Second Reading, Ordinance No. 6137, Regarding Supplemental Appropriation #3 for 2016.
Recommendation: Approve

Recommendation: Approve

Recommendation: Approve

Recommendation: Approve

Recommendation: Approve

Recommendation: Approve

Public Works Committee Items
43. No. PW091316-17 – Discussion of future construction and improvements of Elm Avenue from its current southern terminus near Fieldview Drive for approximately 800 feet.
Recommendation: Send to City Council without recommendation.

Legal & Finance Committee Items
44. No. LF091416-09 – Direction to staff regarding Master Development Agreement and all addendums thereto, including the Contract for Private Development for TID #73 with President’s Plaza L.L.C.
Recommendation: Direct staff to terminate all agreements regarding Master Development Agreement and all addendums thereto, including the Contract for Private Development for TID #73 with President’s Plaza L.L.C. - Motion carried 3-2.

Community Planning & Development Services Department Items (none)

Other Board, Commission & Committee Items (none)

Mayor’s Items (none)

Staff Items (none)
CITY COUNCIL

SEPTEMBER 19, 2016

Appeals (none)
Planning Commission Appeals
License Appeals
Other Appeals Heard by the Council

PUBLIC HEARING ITEMS – Items 45 - 48

Open Public Hearing (comment) - Items 45 - 48 (3-minute time limit per speaker)
[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 45 - 48

CONSENT PUBLIC HEARING ITEMS – Item 45

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

Community Planning & Development Services Department Items (none)

Alcohol Licenses (none)

Assessment Rolls
45. No. LF091416-04 – Resolution No. 2016-057B a Resolution Levying Assessment for Cleanup of Miscellaneous Property

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 46 - 48

46. No. 16RZ029 - Second Reading, Ordinance 6136, 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 308 Quincy Street.
Recommendation: Approve

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 October 3, 2016 City Council meeting

48. 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.
Recommendation: Approve with Stipulations

BILLS
49. No. CC091916-01 – Bill List for September 19, 2016

ADJOURN