

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, March 20, 2017**

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. "Weather-Ready National Ambassador" Certificate presented to Mayor Allender and Darrell Shoemaker
2. Veteran of the Month, Christian Messina
3. Employee Service Award, Roy Cork

GENERAL PUBLIC COMMENT

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 – 62

Open Public Comment – Items 4 – 44

Close Public Comment

CONSENT ITEMS – Items 4 – 44

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

Approve Minutes

4. Approve Minutes for the March 6, 2017 Regular Council meeting.

Vacations of Right-Of-Way Set for Hearing (April 17, 2017)

5. No. 17VR003 - A request by KTM Design Solutions, Inc. for DKEA, LLC for a Vacation of a Section Line Highway for property generally described as being located west of the current terminus of Poppy Trail.

Alcoholic Beverage License Applications Set for Hearing (April 3, 2017)

6. Main Street Square for a SPECIAL EVENT Malt Beverage License for an Event scheduled for October 7, 2017 at Main Street Square, 526 Main Street
7. Rapid City Chamber of Commerce for a SPECIAL EVENT Malt Beverage and Wine License for an Event Scheduled for April 11, 2017 at Canyon Lake Senior Center, 2900 Canyon Lake Drive
8. Rapid City Chamber of Commerce for a SPECIAL EVENT Malt Beverage and Wine License for an Event Scheduled for April 20, 2017 at VAST Broadband, 809 Deadwood Avenue
9. Rapid City Chamber of Commerce for a SPECIAL EVENT Malt Beverage and Wine License for an Event Scheduled for May 9, 2017 at Fort Hays Chuckwagon Suppers, 2255 Ft. Hays Drive

10. Rapid City Chamber of Commerce for a SPECIAL EVENT Malt Beverage and Wine License for an Event Scheduled for May 18, 2017 at Liberty, Chrysler, Jeep, Volkswagen, 1101 E. Omaha St

Public Works Committee Consent Items

11. No. PW031417-01 – Confirm the Reappointments of Steve Malone and Jamie Stampe to the Building Code Board of Appeals.
12. No. PW031417-17 – Approve Change Order #1F to Johnson Controls Inc. for Parking Garage Security Cameras, Project No. 16-2349 for an increase of \$5,662.00.
13. No. PW031417-03 – Authorize Staff to Advertise for Bids for Creek Drive Bridge Repairs, Project No. 16-2366 / CIP No. 51154. Estimated Cost: \$90,000.00.
14. No. PW031417-04 – Authorize Staff to Advertise for Bids for Anamosa Street Reconstruction – Midway Street to Milwaukee Street, Project No. 07-1473 / CIP No. 50559. Estimated Cost: \$4,300,000.00.
15. No. PW031417-06 – Authorize Mayor and Finance Officer to Sign Amendment No. 1 between the City of Rapid City and Banner Associates, Inc. for Water Reclamation Facility (WRF) Potable Water Improvements, Project No. 15-2266 / CIP No. 51079 in the amount of \$7,400.00.
16. No. PW031417-07 – Authorize Mayor and Finance Officer to Sign Agreement Between the City of Rapid City and the South Dakota Department of Transportation for Improvements to Lacrosse Street At Grade Railroad Crossing.
17. No. PW031417-08 – Authorize Mayor and Finance Officer to Sign Agreement between the City of Rapid City and FMG, Inc. for Design Professional Services for Trunk Sewer Master Plan – East Blvd to St. Patrick Street, Project No. 16-2353 / CIP 50878 in the amount of \$54,345.00.
18. No. PW031417-09 – Authorize Mayor and Finance Officer to Sign Amendment No. 1 between the City of Rapid City and HDR Engineering, Inc. for Professional Services for Water Reclamation Facility (WRF) Process Reliability Improvements, Project No. 16-2342 / CIP No. 51141 in the amount of \$15,880.00.
19. No. PW031417-10 – Authorize Mayor and Finance Officer to Sign Agreement between the City of Rapid City and Hog Wild, LLC for Oversize Water Main Cost Reimbursement, not to exceed \$36,175.00.
20. No. PW031417-11 – Authorize Mayor and Finance Officer to Sign Amendment No. 3 to Bartlett and West for North Rapid Booster Pump Station Reconstruction, Project No. 13-2080 / CIP No. 50812.A, in the amount of \$58,575.40.
21. No. PW031417-12 – Approve Acceptance of Infrastructure for Moon Meadows Park, Schedules A, B, and C - DEV12-1087.
22. No. PW031417-13 – Approve Extension of Contract Bid to Blackstrap for Sodium Chloride.
23. No. PW031417-14 – Authorize Staff to Purchase One Dodge 2500 4x4 Crew Cab Pickup w/optional 8' box from state contract #16998.
24. No. PW031417-15 – Authorize Staff to Purchase a 2017 Intimidator 19XP Brush Bandit Chipper from Fairbank Equipment with NJPA Pricing in the Amount of \$76,069.20.
25. No. PW031417-02 – Approve Change Order #1F to Heavy Constructors, Inc., dba Gustafson Builders for RC Public Library Main Floor – Public Area Update, Project No. 16-2355 for an increase of \$3,758.60.
26. No. PW031417-05 – Authorize Staff to Advertise for Bids for 2017 Street Patching Project, Project No. 16-2354 / CIP No. 50844. Estimated Cost: \$150,000.00.
27. No. PW031417-16 – Approve a Request from Bryce Chambliss for Ray & Shirley DeGeest for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 Along Vista Hills Drive adjacent to 4760 Vista Hills Drive, Rapid City.
28. No. PW031417-18 – Approve Appeal of Denial of Exception Request from KTM Design Solutions on Behalf of Watershed Development, LLC to Waive Pavement, Curb, Gutter, Sidewalk, Street Light Conduit, Water and Sewer in the Section Line Right-of-Way located along the Eastern Boundary of the Property generally located north of the intersection of Poppy Trail and Dunsmore Road (City File 17EX031). Approve the Appeal to Waive Pavement, Curb, Gutter, Sidewalk, Street Light Conduit, Water and Sewer in the Section Line Right-of-Way located along the

Eastern Boundary of the Property generally located north of the intersection of Poppy Trail and Dunsmore Road (City File 17EX031), but require the developer to construct a street connection to the property to the east within the last developable phase of the project.

Legal & Finance Committee Consent Items

29. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Shanea Hardwick, Jacob Restemayer, Thomas Tyran, Alyn Gravatt
30. No. LF031517-03 – Approve Request for Property Tax Abatement as Follows: Black Hills Corporation, 2016, \$13,250.72; Black Hills Corporation, 2016, \$64,827.22 (Total for City of Rapid City: \$78,077.94)
31. No. LF031517-04 – Authorize Mayor and Finance Officer to Sign Electric Cooperative Agreement with West River Electric Association and Black Hills Electric Cooperative for FY2018
32. No. LF031517-05 – Acknowledge January 2017 General Fund Cash Balance Report
33. No. LF031517-07 – Approve Resolution No. 2017-025 a Resolution Writing Off Uncollectible Account Receivable Accounts (Parking Violations)
34. No. LF031517-14 – Acknowledge January 2017 Sales Tax Report
35. No. LF031517-08 – Approve Resolution No. 2017-020 a Resolution to Create Position of Parks and Recreation Electrician
36. No. LF031517-10 – Approve Resolution No. 2017-022 a Resolution Authorizing Staff to Consolidate Existing Employee Policy Resolutions into Employee Policy Manual
37. No. LF031517-09 – Authorize Submission of the Historic Preservation Commission Certified Local Government Grant Application for 2017-2018 and Receipt of Funds Associated with the Grant
38. No. LF031517-13 – Approve Purchase of Stage with Vision Funds for Use by Rapid City Summer Nights and Authorize Mayor and Finance Officer to Sign Lease Agreement with Rapid City Summer Nights for Use of Stage.
39. No. LF031517-12 – Acknowledge Briefing on Street Pavement Maintenance

Community Planning & Development Services Department Consent Items (NONE)

Bid Award Consent Items

40. No. CC032017-02.1 – Approve award of Total Bid for the Single Axle 4x4 Dump Truck w/Slide in Sander and V-Plow to Eddie's Truck Center, opened on March 14, 2017, to Eddie's Truck Center in the amount of \$176,073.77.
41. No. CC032017-02.2 – Approve award of Total Bid for Single Axle Sander with Plow to Eddie's Truck Center, opened on March 14, 2017, to Eddie's Truck Center in the amount of \$137,285.00.
42. No. CC032017-02.3 – Approve award of Total Bid for Vacuum Street Sweeper to Sheehan Mack Sales & Equipment, opened on March 14, 2017, to Eddie's Truck Center in the amount of \$248,575.00.
43. No. CC032017-02.4 – Approve award of Total Bid for Pothole Patch Truck, opened on March 14, 2017, to Eddie's Truck Center in the amount of \$167,936.00.
44. No. CC032017-02.5 – Approve award of Total Bid for Four (4) Paratransit Vehicles, opened on March 14, 2017, to the lowest responsible bidder, Telin Transportation Group in the amount of \$327,604.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 45 – 63

Open Public Comment – Items 45 - 63
Close Public Comment

Ordinances

45. No. PW022817-10 – Second Reading, Ordinance No. 6113, An Ordinance to Amend Park Use Regulations by Amending Chapter 12.24 of the Rapid City Municipal Code.
Recommendation: Approve
46. No. LF030117-06 – Second Reading, Ordinance No. 6167, An Ordinance Narrowing the Municipal Licensing Requirements for Ambulances by Amending Sections 5.16.010 and 5.16.020 of the Rapid City Municipal Code.
Recommendation: Approve
47. No. 17RZ003 - First Reading, Ordinance 6160, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Fisk Land Surveying and Consulting Engineers, Inc for HER Enterprises LLC for a Rezoning from General Commercial District to Light Industrial District for property generally described as being located 1002 E. Omaha Street.
Recommendation: Approve in conjunction with a Planned Development Designation
48. No. 17RZ004 - First Reading, Ordinance 6161, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions Inc for BH Capital, LLC for a Rezoning from No Use District to Low Density Residential District I for property generally described as being located southeast of E. St. Patrick Street and South Valley Drive intersection.
Recommendation: Approve
49. No. 17RZ005 - First Reading, Ordinance 6162, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions Inc for BH Capital, LLC for a Rezoning from No Use District to Medium Density Residential District I for property generally described as being located southeast of E. St. Patrick Street and South Valley Drive intersection.
Recommendation: Approve
50. No. 17RZ006 - First Reading, Ordinance 6163, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions Inc for BH Capital, LLC for a Rezoning from No Use District to General Commercial District for property generally located southeast of E. St. Patrick Street and South Valley Drive intersection.
Recommendation: Approve
51. No. 17RZ007 - First Reading, Ordinance 6164, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions Inc for BH Capital, LLC for a Rezoning from No Use District to General Commercial District I for property generally described as being located southeast of E. St. Patrick Street and South Valley Drive intersection.
Recommendation: Approve
52. No. 17RZ008 - First Reading, Ordinance 6165, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions Inc for BH Capital, LLC for a Rezoning from General Agricultural District to Medium Density Residential District I for property generally described as being located southeast of E. St. Patrick Street and South Valley Drive intersection.
Recommendation: Approve
53. No. 17RZ009 - First Reading, Ordinance 6166, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions Inc for BH Capital, LLC for a Rezoning from General Agricultural District to General Commercial District for property generally described as being located southeast of E. St. Patrick Street and South Valley Drive intersection.
Recommendation: Approve
54. LF031517-06 – Approve Introduction and First Reading of Ordinance No. 6170 Regarding Supplemental Appropriation #1 for 2017.
Recommendation: Approve

55. LF031517-11 – First Reading, Ordinance No. 6171, An Ordinance to Update the City's Promotion Agency for Purposes of the Municipal Gross Receipts Tax by Amending Sections 3.18.050, 3.18.060, and 3.18.070 of the Rapid City Municipal Code.
Recommendation: Approve

Community Planning & Development Services Department Items

56. No. 17PL011 - A request by Fisk Land Surveying and Consulting Engineers, Inc for Founders Park LLC for a Preliminary Subdivision Plan for Lot 9 of Founders Park Subdivision, generally described as being located east of Founders Park Drive.
Recommendation: Approve with stipulations
57. No. 17PL013 - A request by KTM Design Solutions, Inc for BH Capital, LLC for a Preliminary Subdivision Plan for Lots 1 thru 14 of Block 1, Lots 1 thru 14 of Block 2 of Johnson Ranch Subdivision, generally described as being located southeast of the E. St. Patrick and South Valley Drive intersection.
Recommendation: Approve with stipulations

Legal & Finance Committee Items

58. No. LF030117-02 – Authorize Mayor and Finance Officer to Sign Second Amended Contract for Construction of Public Improvements Through Private Developer Tax Increment District Number Thirty-Eight Between Heartland Retail Center LLC and City of Rapid City (continued from the March 1, 2017 Legal and Finance Committee Meeting)
Recommendation: Send to council without recommendation.
59. No. LF030117-03 – Authorize Mayor and Finance Officer to Sign Third Assignment Agreement for Tax Increment District No. 38 Between the City of Rapid City, Heartland Retail Center, LLC, and CorTrust Bank (continued from the March 1, 2017 Legal and Finance Committee Meeting)
Recommendation: Send to council without recommendation.

Public Works Committee Items

60. No. PW021417-17 – Appeal of Denial of Request from KTM Design Solutions for an Exception to Waive the Requirements for Subdivision Improvements on South Valley Drive. (*This item was continued from the March 6, 2017 Council meeting.*)
Recommendation: Send to City Council without recommendation. Motion carried 4-1.
61. No. PW111516-21 – Sidewalk Discussion (Continued from the February 14, 2017, Public Works Committee Meeting).
Recommendation: Send to City Council without Recommendation

Other Board, Commission & Committee Items (NONE)

Bids

62. No. CC030617-02.1 – Approve award of Total Bid for WRF Potable Water Improvements, Project No. 15-2266 / CIP No. 51079 opened on February 28, 2017, to the lowest responsible bidder, R.C.S. Construction, Inc. in the amount of \$585,048.60.
Recommendation: Motion carried by a vote of 3-1 with Doyle opposed.

Mayor's Items (NONE)

Staff Items

63. No. CC032017-04.1 - Authorize lowering the percentage of work that the Contractor must perform, with their own organization, from 50% to 30% for the East Rapid City Water System Expansion Morris Lane Pressure Reducing Valve (PRV) Facility, Project Number 14-2195, CIP # 50964.C.

Council Items & Liaison Reports (NONE)

PUBLIC HEARING ITEMS – Items 64 - 70

Open Public Hearing - Items 64 - 70 [Public Hearing Remains Open]

Close Public Hearing - Items 64 - 70

CONSENT PUBLIC HEARING ITEMS – Item 64 – 67

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

Community Planning & Development Services Department Items (NONE)

Alcohol Licenses

- 64. NAJA Shrine Temple for a SPECIAL EVENT On-Sale Dealer License for an Event scheduled for April 29, 2017 at Rapid City Shrine Center, 4091 Sturgis Road
- 65. SODACO, Inc. DBA Baymont Inn & Suites, 4040 Cheyenne Blvd for a Package (off sale) Malt Beverage & SD Farm Wine License

Assessment Rolls

- 66. No. LF031517-01 – Approve Resolution No. 2017-012B a Resolution Levying Assessment for Cleanup of Miscellaneous Property.
- 67. No. LF031517-02 – Approve Resolution No. 2017-014B a Resolution Levying Assessment for the Countryside Water System Conversion Project.

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 68 – 70

- 68. No. 17RZ001 - Second Reading, Ordinance 6158, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Sperlich Consulting, Inc. for ZO Incorporated for a Rezoning from General Agricultural District to Low Density Residential District II for property generally described as being located northeast of Jolly Lane and Ping Drive intersection.

Recommendation: Approve

- 69. No. 17RZ002 - Second Reading, Ordinance 6159, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Sperlich Consulting, Inc. for Benevolent and Protective Order of Elks for a Rezoning from Low Density Residential District II to General Agricultural District for property generally described as being located northeast of Jolly Land and Ping Drive intersection.

Recommendation: Approve

- 70. No. 17VR001 - A request by Renner Associates, LLC for Presbyterian Retirement Village of Rapid City, Inc. for a Vacation of Right of Way for property generally described as being located 225 Texas Street.

Recommendation: Approve

BILLS

- 71. No. CC032017-01 – Bill List for March 20, 2017

ADJOURN