

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, April 3, 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. Mayoral Proclamation for National Public Safety Telecommunicators Week

COMMUNITY DEVELOPMENT PRESENTATION

2. No. CC040317-04.1 – Affordable Housing Survey Findings – Barb Garcia, Community Development Manager

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 3 - 47

Open Public Comment – Items 3 - 38

Close Public Comment

CONSENT ITEMS – Items 3 – 38

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

Approve Minutes

3. Approve Minutes for the March 20, 2017 Regular Council meeting.

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

Exchange of Property Set for Hearing (April 17, 2017)

4. Authorize Mayor and Finance Officer to Sign Agreement Between the City of Rapid City and Hay Land, LLC for Exchange of Property (Seeger Drive Reconstruction)

Alcoholic Beverage License Applications Set for Hearing (April 17, 2017)

5. Rapid City Summer Nights for a SPECIAL EVENT Malt Beverage and Wine License for Events scheduled for June 1, 2017; June 8, 2017; June 15, 2017; June 22, 2017; June 29, 2017; July 6, 2017; July 13, 2017; July 20, 2017; July 27, 2017; August 3, 2017; August 10, 2017; August 17, 2017; August 24, 2017 and August 31, 2017 at 7th and Saint Joseph Street
6. Arrowhead Country Club for a SPECIAL EVENT Malt Beverage and Wine License for an Event Scheduled for April 27, 2017, at Freed’s Fine Furnishings, 3645 Sturgis Road

7. Big D Oil DBA Big D Oil #54, 3851 Eglin Street for a Package (off-sale) Liquor License TRANSFER from LaGrand Station LLC, DBA LaGrand Station, 3851 Eglin Street
8. Evergreen Restaurant LLC 4211 DBA Outback Steakhouse, 665 E Disk Drive for a Retail (on-sale) Liquor License TRANSFER from Outback Steakhouse of Florida LLC DBA Outback Steakhouse, 665 E Disk Drive
9. Hegg Companies DBA Hilton Garden Inn Rapid City, 815 E Mall Drive for a Retail (on-sale) Liquor License TRANSFER from Calm Waters LLC DBA Great American Grill Hilton Garden Inn, 815 E Mall Drive
10. Minimax Inc. DBA Minimax Inc. DBA Aura, 4040 Cheyenne Blvd Suite B for a Retail (on-off sale) Malt Beverage & SD Farm Wine License
11. LaCosta LLC DBA LaCosta Mexican Restaurant, 603 Omaha Street for a Retail (on-off sale) Malt Beverage License and a Retail (on-off sale) Wine License

Public Works Committee Consent Items

12. No. PW032817-01 – Approve Change Order #1 to R.C.S Construction, Inc. for Oak Ave Water Main Reconstruction, Project No. 16-2351 / CIP No. 51144 for an increase of \$3,560.08.
13. No. PW032817-02 – Authorize Staff to Advertise for Bids for Reservoir Road Trunk Sewer Extension, Project No. 15-2315 / CIP NO. 50328.1. Estimated Cost: \$2,810,000.00.
14. No. PW032817-03 – Authorize Staff to Advertise for Bids for Pavement Rehabilitation Project – Jolly Lane Overlay, Project No. 17-2359 / CIP No. 50844. Estimated Cost: \$250,000.00.
15. No. PW032817-04 – Authorize Staff to Advertise for Bids for East Rapid City Water Expansion – Valley View and Radar Hill Road North Extensions, Project 14-2197 / CIP No. 50964.E. Estimated Cost: \$950,000.00.
16. No. PW032817-05 – Authorize Mayor and Finance Officer to Sign an Agreement with Reta McGovern, 821 Flormann Street, for utility easements for Meade/Hawthorne DBDP-Element 48, Project No. 15-2306 / CIP No. 50758.
17. No. PW032817-06 – Appoint Charity Doyle, Brad Estes, and Ritchie Nordstrom as freeholders to establish value for property to be exchanged with Hayland, LLC.
18. No. PW032817-07 – Authorize Mayor and Finance Officer to Sign a Bridge Reinspection Program Resolution, Project No. 17-2382.
19. No. PW032817-08 – Authorize Mayor and Finance Officer to Sign Amendment No. 2 for Anamosa Street Reconstruction – Midway Street to Milwaukee Street, Project No. 07-1473 / CIP No. 50559 for additional work associated with design and site grading and reduction in work for easement negotiations. Amendment results in a net decrease of \$8,040.00.
20. No. PW032817-11 – Approve Request for Stormwater Drainage Utility Fee Abatement for Delaware Land Holdings, LLC, 6303 Mount Rushmore Rd., Tax ID 43168, in the amount of \$844.16 (2017).
21. No. PW032817-13 – Authorize Mayor and Finance Officer to Sign a Detention Pond Easement with Office of School and Public Lands for property located at 4300 Cheyenne Boulevard.
22. No. PW032817-14 – Authorize Mayor and Finance Officer to Sign a Drainage Easement with Office of School and Public Lands for property located at 4300 Cheyenne Boulevard.
23. No. PW032817-16 – Approve Request from Ron Rebenitsch for a Variance to Waive the Requirement to Install Sidewalk on S. Glenview Place and Carriage Hills Drive adjacent to 4510 S. Glenview Place, Rapid City, per City Ordinance 12.08.060.
24. No. PW032817-15 – Authorize Staff to Advertise for Bid for One (1) Current Year Model Tandem Roll-off Truck.
25. No. PW032817-18 – Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and Veolia Environmental Services for the Household Hazardous Waste Event in the amount of \$44,191.32.
26. No. PW032817-20 - Approve Resolution No. 2017-023, A Resolution of Intent to Enter Into Lease of Land with Black Hills Lacrosse Association, Pursuant to SDCL 9-12-5.2.
27. No. PW032817-12 – Authorize Staff to Negotiate Professional Consultant Services with FMG, Inc. for West Memorial Park Improvements, Project No. 2246 / CIP No. 51083.

28. No. PW032817-19 – Approve a request from Black Hills Farmers Market to move to 145 E. Omaha Street (adjacent to Rapid Spa) beginning in 2017 and designate that area a farmer's market site.

Legal & Finance Committee Consent Items

29. No. LF032917-04 – Authorize Staff to Purchase Vehicles to Replace Aging Vehicles in the Police Department Fleet.
30. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Cory Ferguson, John Nickel, Judy Olson, Kaleigh Noel Crumb
31. No. LF030117-05 – Acknowledge FY2016 Annual Financial Report (continued from the March 1, 2017 Legal and Finance Committee meeting)
32. No. LF032917-05 – Approve Resolution No. 2017-026 a Resolution Declaring Miscellaneous Personal Property Surplus
33. No. LF032917-03 – Approve Resolution No. 2017-025 a Resolution to Add One and a Half Full Time Equivalent (FTE) Positions to the Solid Waste Division of the Public Works Department.
34. No. LF032917-01 – Approve Request to Waive Clean Up Assessment Fees at 1065 East Ohio Street.

Community Planning & Development Services Department Consent Items

35. No. 17CA001 – Approve a request by City of Rapid City Parks Department for an Amendment to Rapid City Comprehensive Plan adopting the Robbinsdale Park Master Plan for property generally described as being located at 626 E. Fairmont Boulevard.

Bid Award Consent Items

36. No. CC040317-02.1 – Approve award of Total Bid, contingent on South Dakota State DENR concurrence and approval, for East Rapid City Water Expansion Morris Lane Pressure Reducing Valve (PRV) Facility, Project No. 14-2195 / CIP No. 50964.C opened on March 28, 2017 to the lowest responsible bidder Mainline Contracting, Inc., in the amount of \$431,010.00.
37. No. CC040317-02.2 – Waive Technical Irregularities and Approve Award of Total Bid for Red Rock Booster Pump Station Upgrades, Project No. 14-2177 / CIP No. 50812.B opened on March 28, 2017, to the lowest responsible bidder Action Mechanical, Inc., in the amount of \$988,324.00.
38. No. CC040317-02.3 – Approve award of Total Bid for Roosevelt Swim Center Carpet Replacement Project PR17-5156 opened on March 21, 2017, to Freed's Fine Furnishings Inc. in the amount of \$45,855.00.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 39 - 47

Open Public Comment – Items 39 – 47

Close Public Comment

Ordinances

39. No. LF031517-06 – Second Reading of Ordinance No. 6170 Regarding Supplemental Appropriation #1 for 2017.
Recommendation: Approve
40. No. LF031517-11 – Second 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
41. No. 17RZ011 - First Reading, Ordinance 6169, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by AE2S for Black Hills Federal Credit

Union for a **Rezoning from General Agricultural District to Light Industrial District** for property generally described as being located at 2700 N. Plaza Drive.

Recommendation: Approve in conjunction with Planned Development #17PD009

Community Planning & Development Services Department Items

42. No. 17PL014 - A request by Renner Associates, LLC for HDRK Properties LLC for a Preliminary Subdivision Plan for proposed Lot 4 of Tract C of Rushmore Center, generally described as being located lying east of Luna Avenue north of E. Anamosa Street.
Recommendation: Approve with stipulations
43. No. 17PL015 - A request by Britton Engineering and Land Surveying, Inc for Jim Meier of Maple Avenue Development LLC for a Preliminary Subdivision Plan for proposed Lot 4 of LJS Subdivision, generally described as being located southeast of the North Maple Avenue and Mall Drive intersection.
Recommendation: Approve with stipulations
44. No. 17PL017 - A request by FMG, Inc. for Rockerville Volunteer Fire Department for a Preliminary Subdivision Plan for proposed Lot 1R of RFD Subdivision, generally described as being located along U.S. Highway 16.
Recommendation: Approve with stipulations
45. No. 17PL018 - A request by AE2S for Black Hills Federal Credit Union for a Preliminary Subdivision Plan for proposed Tract A Revised of Fountain Springs Business Park and Tracts B and B2 of Fountain Springs - Golf Course and Gardens, generally described as being located 2700 N. Plaza Drive.
Recommendation: Approve with stipulations

Legal & Finance Committee Items

46. LF032917-02 – Request from NeighborWorks for City Council Authorization to Allow Tax Increment Financing Funds to be Used for Land Acquisition for Anticipated Village on Monroe Affordable Housing TIF Application
Recommendation: Send to Council without recommendation 2-1 with Laurenti voting no.

Public Works Committee Items

47. No. PW032817-17 – Appeal of Denied Exception Request from Sperlich Consulting on Behalf of DOECK, LLC to not Construct A Water Main and A Sewer Main in Haines Avenue adjacent to Auburn Hills Subdivision (City File 17EX048). Drew moved, second by Salamun to uphold the denial of an Exception Request from Sperlich Consulting on Behalf of DOECK, LLC to not Construct A Water Main and A Sewer Main in Haines Avenue adjacent to Auburn Hills Subdivision (City File 17EX048).
Recommendation: Uphold Denial of an Exception Request, 3-2 with Estes and Doyle opposed.

Other Board, Commission & Committee Items (NONE)

Mayor's Items (NONE)

Council Items & Liaison Reports (NONE)

Staff Items (NONE)

PUBLIC HEARING ITEMS – Items 48 - 60

Open Public Hearing - Items 48 - 60 [Public Hearing Remains Open]

Close Public Hearing - Items 48 – 60

CONSENT PUBLIC HEARING ITEMS – Item 48 – 52Remove Items from the “Consent Public Hearing Items” and Vote on Remaining Consent Items***Alcohol Licenses***

48. 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
49. 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
50. 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
51. 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
52. 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

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

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 53 – 60

53. No. 17VR002 - Section 30, T2N, R8E – Approve a request by Ferber Engineering Company, Inc. for City of Rapid City for a Vacation of Right of Way for property generally described as being located north of E. Mall Drive, east of North Lacrosse Street, south of Seger Drive.
Recommendation: Approve with stipulation
54. No. 17RZ003 – Second 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 Planned Development Designation File #17PD012
55. No. 17RZ004 - Second 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
56. No. 17RZ005 - Second 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
57. No. 17RZ006 - Second 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
58. No. 17RZ007 - Second 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

59. No. 17RZ008 - Second 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

60. No. 17RZ009 - Second 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

BILLS

61. No. CC040316-01 – Bill List for April 3, 2017

ADJOURN