

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, May 1, 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. Jeanne Nicholson, 25-year Service Award
2. International Firefighter's Day
3. The Rapid City Early Childhood Educator of the Year

EXECUTIVE SESSION to consult with legal counsel regarding pending litigation pursuant to SDCL 1-25-2(3)

STAFF DIRECTION regarding pending litigation with Epic Outdoor Advertising.

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 – 97

Open Public Comment – Items 4 – 39

Close Public Comment

CONSENT ITEMS – Items 4 – 39

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

Approve Minutes

4. Approve Minutes for the April 17, 2017 Regular Council meeting.

Vacations of Right-Of-Way Set for Hearing (June 5, 2017)

5. 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 at 225 Texas Street.

Alcoholic Beverage License Applications Set for Hearing (NONE)

Public Works Committee Consent Items

6. PW042517-01 – Approve Utility Support Funding of \$2,400,000.00 in 2018 and \$1,100,000.00 in 2019 for the Jolly Lane Project – Utility Support Fund and SAB 28 Fund Oversight Committee.

7. PW042517-02 – Authorize Staff to Advertise for Bids for Limestone Gravel for Various City Departments. Estimated cost \$87,000.00.
8. PW042517-03 – Authorize Staff to Advertise for Bids for Hot Mixed Asphaltic Concrete. Estimated Cost: \$161,000.00.
9. PW042517-04 – Authorize Staff to Advertise for Bids for Ready Mixed Concrete. Estimated Cost: \$63,000.00.
10. PW042517-05 – Authorize Staff to Advertise for Bids for Utility Cut Portland Concrete Replacement. Estimated Cost: \$75,000.00.
11. PW042517-06 – Authorize Staff to Advertise for Bids for East Idaho Street, East Nevada Street, Ivy Avenue – Street and Utility Reconstruction Project and Meade/Hawthorne Drainage Element 221 Improvements, Project No. 15-2253 / CIP No. 50421.3.1B. Estimated Cost: \$4,937,000.00.
12. PW042517-07 – Authorize Staff to Advertise for Bids for Big Sky Subdivision Street Rehabilitation, Project No. 17-2380 / CIP No. 51160. Estimated Cost: \$1,100,000.00.
13. PW042517-08 – Authorize Staff to Advertise for Bids for Pavement Rehabilitation Project – Terricita Drive Area, Project No. 17-2358 / CIP No. 50549. Estimated Cost: \$275,000.00.
14. PW042517-09 – Authorize Staff to Advertise for Bids for Elk Vale Road & Minnesota Street Traffic Signal Improvements, Project No. 16-2352 / CIP No. 51047. Estimated Cost: \$440,000.00.
15. PW042517-10 – Authorize Mayor and Finance Officer to Sign a Drainage Easement with Office of School and Public Lands for property located east of the intersection of East Signal Drive and Elm Avenue.
16. PW042517-11 – Authorize Mayor and Finance Officer to Sign Amendment No. 2 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 \$4,000.00.
17. PW042517-12 – Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and Dakota Pump, Inc. for Morris Lane PRV Supervisory Control and Data Acquisition (SCADA) Integration; Project No. 14-2195 / CIP No. 50964.C in the amount of \$17,087.00.
18. PW042517-14 – Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and Highway Improvement Inc. for Asphalt Surface Crack Sealing, Project No. 17-2383, in the amount of \$89,500.00.
19. PW042517-15 – Authorize Mayor and Finance Officer to Sign Amendment No. 2 to the Agreement between the City of Rapid City and KTM Design Solutions, Inc. for Rapid Valley Sanitary Sewer Bypass, Project No. 13-2076 / CIP No. 50911, for an increase of \$14,650.00 and amend the project completion date.
20. PW042517-16 – Authorize Mayor and Finance Officer to Sign a Construction Professional Services agreement between City of Rapid City and FMG, Inc. for Anamosa Street Reconstruction – Phase 3 Midway Street to Milwaukee Street, Project No. 07-1473 / CIP No. 50559, in the amount of \$29,966.00.
21. PW042517-17 – Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and Advanced Engineering and Environmental Services, Inc. for Pavement Rehabilitation Project – East Saint Joseph Street Overlay, Project No. 17-2363 / CIP No. 51161, in the amount of \$31,878.50.
22. PW042517-18 – Authorize Mayor and Finance Officer to Sign Amendment No. 1 with Burns & McDonnell for Landfill Gas Collection Expansion –Cells 13, 14, & 17, Project No. 16-2370.
23. PW042517-19 – Approve Request from Steve Wynia for Wyngard Investments, LLC for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 Along Centre Street for the property located at 1300 Centre Street.
24. PW042517-20 – Authorize Lowering the Percentage of Work that the General Contractor Must Perform from 50% to 35% for East Idaho Street, East Nevada Street, Ivy Avenue – Street and Utility Reconstruction and Meade/Hawthorne Drainage Element 221 Improvements, Project 15-2253 / CIP No. 50421.3-1B.
25. PW042517-21 – Approve Extension of Contract Bid to Thatcher Company of Montana, Inc. for Odor Control Chemical.

26. PW042517-22 – Approve proposed Lease Agreement Between the City of Rapid City and Black Hills Lacrosse for field space at the Star of the West Sports Complex.
27. 17TP005 – Acknowledge the 2014-2016 Socio-Economic Report.
28. PW042517-13 – Authorize Mayor and Finance Officer to Sign a License Agreement with MFP Mid-America Shopping Centers LLC for access to property at 2001 W Main Street for the purpose of tree removal.
29. PW042517-23 – Uphold Staff’s Denial of an Exception Request from KTM Design Solutions for Buffalo East, LLC to Waive the Requirements for installation and alignment of water and sanitary sewer mains and services in accordance with Rapid City Municipal Ordinance 13.04.270 and the Infrastructure Design Criteria Manual Figure 3-6.

Legal & Finance Committee Consent Items

30. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Robert “Bud” Burgess, Lawrence Tesch
31. LF042617-01 – Acknowledge March 2017 General Fund Cash Balance Report
32. LF042617-02 – Approve Resolution No. 2017-032 a Resolution Declaring Miscellaneous Personal Property Surplus
33. LF042617-03 – Amend the Request for Reallocation of the FY 2016 & 2017 Community Development Block Grant (CDBG) Contingency Funds Recommendations by awarding \$75,000 to Youth and Family Services and \$75,000 to Freeland Ranch Community, Inc. out of the approximately \$249,000 allocated to demolition and land acquisition for small affordable housing and recommend approval of the funding reallocation as amended.
34. LF042617-06 – Authorize Mayor and Finance Officer to Sign an Agreement Between the City of Rapid City and Wellspring, Inc. d/b/a Wellfully for the Use of City Vision Funds to Construct an Adolescent Care Center
35. LF042617-07 – Approve Resolution No. 2017-033 a Resolution Authorizing the Finance Officer to Reimburse Pennington County Out of the City’s Vision Account for the Cost of a Stall Barn at the Central States Fair Campus Pursuant to the Recommendation of the Vision Citizen’s Committee

Community Planning & Development Services Department Consent Items (NONE)

Bid Award Consent Items

36. No. CC050117-02.1 – Approve award of Total Bid for Meade/Hawthorne DBDP Element 48, Project No. 15-2306 / CIP No. 50758 opened on April 25, 2017 to the lowest responsible bidder Underground Construction, LLC, in the amount of \$321,800.30.
37. No. CC050117-02.2 – Approve award of total Base bid plus Alt 1 and Alt 2 Bid for Jolly Lane Overlay – Pavement Rehabilitation Project, Project No. 17-2359 / CIP No. 50844 opened on April 25, 2017 to the lowest responsible bidder Western Construction, Inc., in the amount of \$235,514.25.
38. No. CC050117-02.3 - Approve award of Total Bid for WRF Potable Water Improvements, Project No. 15-2266 / CIP No. 51079 opened on April 25, 2017 to the lowest responsible bidder R.C.S. Construction, Inc., in the amount of \$739,295.00.
39. No. CC050117-02.4 - Approve award of Total bid of \$149,932 on a new roll off collection truck, opened April 25, 2017, to Eddie’s Truck Center/Northern Truck Equipment Corp.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 40 – 97

Open Public Comment – Items 40 - 97
Close Public Comment

Ordinances

40. No. 17RZ010 - First Reading, Ordinance 6168, 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 Waste Connections, Inc. for a Rezoning from General Commercial District to Light Industrial District for property located at 2510 E. St. Patrick Street.
Recommendation: Approve in conjunction with Initial Planned Development – File #17PD014
41. LF042617-04 – First Reading, Ordinance No. 6178, An Ordinance to Update Campaign Finance Disclosure Requirements by Amending Chapter 2.32 of the Rapid City Municipal Code.
Recommendation: Approve
42. LF042617-05 – First Reading, Ordinance No. 6179, An Ordinance to Update References to the Convention and Visitors Bureau Related to Business Improvement District No. 1 by Amending Chapter 3.24 of the Rapid City Municipal Code.
Recommendation: Approve

Community Planning & Development Services Department Items

43. No. 17PL026 - A request by Fisk Land Surveying and Consulting Engineers, Inc for Rick Bentley of Ferdinand Dirt LLC for a Preliminary Subdivision Plan for proposed Lot E of Lot 5 of North 80 Subdivision, generally described as being located south of the western terminus of Bentley Lane.
Recommendation: Approve with Stipulations
44. No. 17PL027 - A request by Sperlich Consulting, Inc for Kent and Cynthia Guthrie for a Preliminary Subdivision Plan for proposed Lots 1A and 1B of Block 2 of Skyline Pines Subdivision, generally described as being located southeast of the intersection of Skyline Drive and Pevans Parkway.
Recommendation: Deny
45. No. 17PL028 - A request by KTM Design Solutions, Inc for DKEA, LLC for a Preliminary Subdivision Plan for proposed Lots 13 thru 14 of Block 2 and Lots 9 thru 22 of Block 3 of Red Rock Village Subdivision, generally described as being located lying along Lahinch Street.
Recommendation: Approve with Stipulations

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

46. No. CIP042117-00 – Acknowledge Capital Improvement Programs Committee Monthly Update for February 2017
47. No. CIP042117-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, CSAC)
48. No. CIP042117-04 – Approve Capital Plan for Fire Vehicles
49. No. CIP042117-05 – Approve Capital Plan for Parks & Recreation
50. No. CIP042117-06 – Approve Capital Plan for Information Technology
51. No. CIP042117-01 – Approve Financial Reports (Contingency, DCA Charges, Matching Grants, Penn Co Loan)
52. No. CIP042117-02 – Approve Capital Plan for Streets, Drainage, MIP Projects
53. No. CIP042117-07 – Approve \$200,000 in CIP grant match funds for West Memorial Park Improvements and up to an additional \$25,000 for a proposed 2017 Stearns Grant Application

Other Board, Commission & Committee Items (NONE)

Alcoholic Beverage License Applications Reissuance – Items 54-97**2017-2018 Retail (on-off sale) Malt Beverage License Renewals NO Video Lottery**

54. Chrisbro LLC dba Hampton Inn, 1720 Rapp Street for a Retail (on off sale) Malt Beverage License
55. Pure Bliss LLC dba A Perfect 10 Nail & Beauty Bar, 36 E Stumer Rd Suite 118 for a Retail (on off sale) Malt Beverage License
56. Pure Bliss LLC dba A Perfect 10, 1109 W Omaha Suite B for a Retail (on off sale) Malt Beverage License
57. Pure Bliss LLC dba A Perfect 10, 1745 Eglin Street Suite 770 for a Retail (on off sale) Malt Beverage License
58. Ichiban LLP dba Ichiban, 1109 W Omaha Street Suite A for a Retail (on off sale) Malt Beverage License
59. Unique Ink Promos Inc. dba Unique Ink Promos Inc, 3300 Deadwood Ave North for a Retail (on off sale) Malt Beverage License
60. Z'Mariks LLC dba Noodle Café, 2335 W Main Street #110 for a Retail (on off sale) Malt Beverage License
61. Deadwood Outfitter Inc dba Deadwood Outfitter, 2820 Harley Drive for a Retail (on off sale) Malt Beverage License
62. D & S Time Square Inc. dba Breakroom Billiards, 355 11th Street for a Retail (on off sale) Malt Beverage License
63. CCW LLC dba HuHot Mongolian Grill, 1745 Eglin Street Suite 990 for a Retail (on off sale) Malt Beverage License
64. Rapid City / BH Lodging LLC DBA Cambria Suites, 3333 Outfitters Rd for a Retail (on off sale) Malt Beverage License

2017-2018 Retail (on-off sale) Malt Beverage License Renewals With Video Lottery

65. Colonial House Inc. dba Colonial House, 2315 Mt Rushmore Rd for Retail (on off sale) Malt Beverage License
66. Wyngard Pot-O-Gold Casino Inc. dba Pot-O-Gold Casino II, 530 Cambell St Suite 1A for Retail (on off sale) Malt Beverage License
67. Wyngard Pot O Gold Casino Inc. dba Lucky D's Casino, 1330 E St Patrick Street for Retail (on off sale) Malt Beverage License
68. Wyngard Pot O Gold Casino Inc. dba Pot-O-Gold Casino, 530 Cambell St Suite 1 for a Retail (on off sale) Malt Beverage License
69. Wyngard Pot O Gold Casino Inc. dba Lucky D's Casino II, 1330 E St Patrick Street #2 for a Retail (on off sale) Malt Beverage License
70. Cimarron Casino Inc. dba Royal Casino I, 2530 W Main Street #1 for a Retail (on off sale) Malt Beverage License
71. Cimarron Casino Inc. dba Royal Casino II, 2530 W Main Street Suite 2 for a Retail (on off sale) Malt Beverage License
72. Cimarron Casino Inc. dba Lucky 7's Casino I, 705 Indiana St, Suite A for a Retail (on off sale) Malt Beverage License
73. Cimarron Casino Inc. dba Lucky 7's Casino II, 705 Indiana St, Suite B for a Retail (on off sale) Malt Beverage License
74. Cimarron Casino Inc. dba Lucky 7's Casino III, 705 Indiana St, Suite C for a Retail (on off sale) Malt Beverage License
75. Bach Investment Inc. dba Hideaway Casino, 1575 N. LaCrosse Street Suite D for a Retail (on off sale) Malt Beverage License
76. Robert W Johnson dba Canyon Lake Pub & Casino, 4116 Jackson Blvd for a Retail (on off sale) Malt Beverage License
77. United Food Inc. dba Toby's Casino South, 710 Cleveland Street for a Retail (on off sale) Malt Beverage License

78. United Foods Inc. dba Toby's Casino Too, 714 Cleveland Street for a Retail (on off sale) Malt Beverage License
79. CCKT, Inc. dba King of Hearts Casino, 2820 W Main Street Suite B for a Retail (on off sale) Malt Beverage License
80. CCKT, Inc. dba King of Hearts Two, 2820 W Main Street Suite A for a Retail (on off sale) Malt Beverage License
81. CCKT, Inc. dba Queen of Hearts Casino II, 316 East Blvd Street Suite 110 for a Retail (on off sale) Malt Beverage License
82. CCKT, Inc. dba Queen of Hearts Casino, 316 East Blvd Street Suite 100 for a Retail (on off sale) Malt Beverage License
83. Pilot Travel Centers LLC dba Pilot Travel Center #918, 2783 Deadwood Ave for a Retail (on off sale) Malt Beverage License

2017-2018 Package (off sale) Malt Beverage License Renewals

84. Jim Buchli dba Rushmore Sinclair, 2420 Mt Rushmore Rd, for Package (off sale) Malt Beverage License
85. MG Oil Company dba Corner Pantry #4, 901 East North Street for Package (off sale) Malt Beverage License
86. Bob's Amoco Inc. dba Bobs Amoco, 721 Mt Rushmore Rd for Package (off sale) Malt Beverage License
87. MG Oil Company dba Corner Pantry #5, 601 Mountain View for Package (off sale) Malt Beverage License
88. MG Oil Company dba Corner Pantry #8, 302 E North Street for Package (off sale) Malt Beverage License
89. MG Oil Company dba Corner Pantry #9, 1220 E St Patrick Street for Package (off sale) Malt Beverage License
90. MG Oil Company dba Corner Pantry #10, 1818 Mt Rushmore Rd for Package (off sale) Malt Beverage License
91. MG Oil Company dba Corner Pantry #13, 310 E Fairmont Blvd for Package (off sale) Malt Beverage License
92. MG Oil Company dba Corner Pantry #14, 501 Deadwood Ave for Package (off sale) Malt Beverage License
93. MG Oil Company dba Corner Pantry – LaCrosse, 2130 LaCrosse Street for Package (off sale) Malt Beverage License
94. Wal-mart Stores Inc. dba Wal-mart Supercenter #1604, 1200 N LaCrosse Street for Package (off sale) Malt Beverage License
95. Nash Finch Company dba Family Thrift Center #253, 1516 E St Patrick Street for Package (off sale) Malt Beverage License

2017-2018 Package (off sale) Malt Beverage and SD Farm Wine License Renewals

96. Pilot Travel Centers LLC dba Pilot Travel Center #918, 2783 Deadwood Ave, for Package (off sale) Malt Beverage and SD Farm Wine License
97. Recreational Adventures Co. dba KOA Kampground, 3010 E Highway 44, for Package (off sale) Malt Beverage and SD Farm Wine License

Mayor's Items (NONE)

Council Items & Liaison Reports (NONE)

Staff Items (NONE)

PUBLIC HEARING ITEMS – Items 98 – 102

Open Public Hearing - Items 98 – 102 [Public Hearing Remains Open]

CONTINUED PUBLIC HEARING CONSENT ITEMS – Item 98

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

Continue the following items until May 15, 2017:

- 98. No. 17TI001 - A request by Doyle Estes and Kathy Johnson for DTH, LLC for a Resolution approving Revision #2 Project Plan Reallocating Project Costs for Tax Increment District No. 54 for property generally described as being located north of Mall Drive and west of Haines Avenue.

END OF CONTINUED PUBLIC HEARINGS CONSENT ITEMS

Close Public Hearing - Items 98 – 102

CONSENT PUBLIC HEARING ITEMS – Item 99 – 102

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

Community Planning & Development Services Department Items (NONE)

Alcohol Licenses

- 99. Main Street Square for a SPECIAL EVENT Malt Beverage and Wine License for an Event Scheduled for May 6, 2017 at Main Street Square, 526 Main Street
- 100. Rushmore German Club for a SPECIAL EVENT Malt Beverage and Wine License for an Event Scheduled for August 18, 2017 through August 27, 2017, at Central States Fairgrounds, 800 San Francisco Street
- 101. United Food Inc. DBA Toby’s Casino, 720 E North Street, Suite 100 for a Retail (on-off sale) Malt Beverage License TRANSFER from United Food Inc. DBA Toby’s Casino, 720 E North Street
- 102. United Food Inc. DBA Toby’s Casino, 720 E North Street, Suite 110 for a Retail (on-off sale) Malt Beverage License with Video Lottery from Carolyn’s Casino, Inc. DBA Carolyn’s Casino Inc., 355 11th Street

Assessment Rolls (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – (NONE)

BILLS

- 103. No. CC050117-01 – Bill List for May 1, 2017

ADJOURN