

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, June 5, 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. Employee Recognition, Joleen Ollerich
2. Employee Recognition, William Potter

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

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 – 66

Open Public Comment – Items 3 – 56

Close Public Comment

CONSENT ITEMS – Items 3 – 56

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

Approve Minutes

3. Approve Minutes for the May 15, 2017 Regular Council meeting.

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

Alcoholic Beverage License Applications Set for Hearing (June 19, 2017)

4. Rapid City Chamber of Commerce for a SPECIAL EVENT On-Sale Malt Beverage and Wine license for an Event scheduled for July 11, 2017 at First Interstate Bank, 333 W Blvd Ste. 100
5. Rapid City Chamber of Commerce for a SPECIAL EVENT On-Sale Malt Beverage and Wine license for an Event scheduled for September 12, 2017 at LifeScape, 7110 Jordan Drive
6. Rapid City Chamber of Commerce for a SPECIAL EVENT On-Sale Malt Beverage and Wine license for an Event scheduled for October 10, 2017 at Rapid City Public Library, 610 Quincy St.
7. American Legion Post 22 for a SPECIAL EVENT On-Sale Malt Beverage license for an Event scheduled for June 28, 2017 to July 4, 2017 at Post 22 Baseball Field Parking Lot, 2900 Jackson Blvd

8. Naja Shrine Temple for a SPECIAL EVENT On-Sale Dealer license for an Event scheduled for July 1, 2017 at Rapid City Shrine Center, 4091 Sturgis Rd
9. Naja Shrine Temple for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine license for an Event scheduled for July 7, 2017 at Rapid City Shrine Center, 4091 Sturgis Rd
10. Stephen Field DBA Stop & Sip, 2200 N Maple Ave Suite C26 for a Retail (on-off sale) Malt Beverage & SD Farm Wine license
11. Sheree Schriver DBA Jambon Deux(2), 516 7th Street for a Retail (on-off sale) Malt Beverage License and a Retail (on-off sale) Wine License

Public Works Committee Consent Items

12. PW053017-01 – Confirm the Appointment of Brenna Moloney to the Historic Preservation Commission.
13. PW053017-02 – Confirm the Appointment of Brenna Moloney to the Historic Sign Review Committee.
14. PW053017-03 – Approve Change Order #3F to Simon Contractors DBA Hills Materials for Saint Andrew St. & Saint Charles St. Sanitary Sewer and Water Reconstruction, Project No. 14-2168 / CIP No. 50959 for a decrease of \$5,411.44.
15. PW053017-04 – Approve Change Order #1F to Lind-Exco for South Truck Route DBDP Element 203, Project No. 14-2207 / CIP No. 51031 for a decrease of \$11,129.10.
16. PW053017-05 – Approve Change Order #1F to Tru-Form Construction for Drainage Improvements Alley in Block 18 - North Rapid Subdivision & Block 3 - Mallridge Subdivision 2, Project No. 16-2328 / CIP No. 51116 for an increase of \$136.76.
17. PW053017-06 – Authorize Staff to Advertise for Bids for East Rapid City Water Expansion Anderson Road Water Main Extension, Project No. 14-2194 / CIP No. 50964.B. Estimated Cost: \$850,000.00.
18. PW053017-07 – Authorize Mayor and Finance Officer to Sign Construction Professional Services agreement between City of Rapid City and American Engineering and Environmental Services, Inc.(AE2S) for Meade/Hawthorne DBDP - Element 48, Project No. 15-2306 / CIP 50758, in the amount of \$56,668.00.
19. PW053017-09 – Authorize Mayor and Finance Officer to Sign Agreement between the City of Rapid City and FMG Inc. for Construction Testing Services for Fire Station #5 Improvements, Project No. 2073 / CIP No. 51158, in the amount of \$3,968.00.
20. PW053017-10 – Authorize Mayor and Finance Officer to Sign Covenant Agreement between the City and DOECK, LLC for future Construction of Improvements to Chalkstone Drive.
21. PW053017-11 – Authorize Mayor and Finance Officer to Sign Covenant Agreement Between the City of Rapid City, Hagg Brothers, LLC, and Orthopedic Land Company, LLC Regarding Ownership and Maintenance of Storm Water Detention Pond.
22. PW053017-12 – Authorize Mayor and Finance Officer to Sign Agreement between the City of Rapid City and HDR Engineering, Inc. for La Crosse Street Interchange Utility Improvements, Project No. 16-2318 / CIP No. 51108, in the amount of \$101,741.00.
23. PW053017-13 – Authorize Lowering the Percentage of Work that the General Contractor Must Perform from 50% to 35% for the WRF Process Reliability Improvements, Project No. 16-2342 / CIP No. 51141.
24. PW053017-14 – Authorize the Green Valley Sanitary District to connect to the Rapid City wastewater system contingent upon a formal Sanitary Sewer Service Agreement.
25. PW053017-15 – Authorize Mayor and Finance Officer to Sign an amended agreement between the Rapid City Solid Waste Division and FMG Inc. changes in scope to the Cell 17 Landfill Cap project, in the amount of \$15,540.00.
26. PW053017-16 – Authorize Staff to Purchase Terex CBI 6800 wood debris grinder system using the National Joint Powers Alliance through Theco, Inc. St. Michael, MN. Estimated Cost: \$816,186.67.
27. PW053017-17 – Authorize staff to solicit proposals for Cold and Hot Drink Services for the Ice Arena, Swimming Pools and Executive Golf Course.

28. PW053017-08 – Approve the Agreement Allowing the City of Rapid City to Provide Water Service to Certain Property Within Rapid Valley Sanitary District.
29. PW053017-18 – Approve Request from Black Hills Home Builders Association for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 Along West Chicago Street and to install sidewalks along Vale Street for the property located at 3121 West Chicago Street.

Legal & Finance Committee Consent Items

30. LF053117-04 – Approve Change Order for Purchase of Fire Apparatus
31. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Austin Helgert, Edward Thomas
32. LF053117-01 – Approve Resolution No. 2017-037A a Resolution Fixing Time and Place for Hearing on Assessment Roll for a Business Improvement District 2017
33. LF053117-03 – Acknowledge April 2017 General Fund Cash Balance Report.
34. LF053117-05 – Approve Resolution No. 2017-041 a Resolution Declaring Miscellaneous Personal Property Surplus
35. LF053117-06 – Approve Resolution No. 2017-040 a Resolution to Update Change Funds
36. LF053117-02 – Authorize Mayor to Sign the Emergency Solutions Grants Program – Local Government Certification for Pennington County Health & Human Services Approval Form.
37. LF053117-11 – Approve Renewal of Midco Service Agreements
38. LF053117-07 – Approve Resolution No. 2017-042 a Resolution Revising the Order of Business for City Council Meetings
39. LF053117-10 – Acknowledge Summary Presentation of Landfill Gas Production and Future Beneficial Reuse.

Community Planning & Development Services Department Consent Items (NONE)

CIP Committee Consent Items

40. No. CIP051917-00 – Acknowledge Capital Improvement Programs Committee Monthly Update for April 2017
41. No. CIP051917-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, CSAC)
42. No. CIP051917-04 – Approve Capital Plan for Fire Vehicles
43. No. CIP051917-05 – Approve Capital Plan for Parks & Recreation
44. No. CIP051917-06 – Approve Capital Plan for Information Technology
45. No. CIP051917-01 – Approve Financial Reports (Contingency, DCA Charges, Matching Grants, Penn Co Loan)
46. No. CIP051917-02 – Approve Capital Plan for Streets, Drainage, MIP Projects
47. No. CIP051917-07 – Approve reallocation of \$65,000 in CIP - Government Buildings from Swim Center Improvements to Ice Arena Rooftop HVAC unit replacement
48. No. CIP051917-08 – Approve Updated 5-year CIP Plan
49. No. CIP051917-09 – Approve Updated 5-year Government Facilities Plan

Bid Award Consent Items

50. No. CC060517-02.1 – Approve award of total bid for East Madison Street and Racine Street – Pavement Rehabilitation Project, Project No. 17-2362 / CIP No. 50844 opened on May 30, 2017 to the lowest responsible bidder, J&J Asphalt in the amount of \$209,322.50
51. No. CC060517-02.2 – Approve award of total bid for Big Sky Subdivision Street Rehabilitation, Project No. 17-2380 / CIP No. 51160 opened on May 30, 2017 to the lowest responsible bidder Hills Materials Company, in the amount of \$674,448.75.
52. No. CC060517-02.3 – Approve award of Total Bid, contingent on South Dakota State DENR concurrence and approval, for East Rapid City Water Expansion Valley View and Radar Hill Road

- North Extensions Project, Project No. 14-2197 / CIP No. 50964.E opened on May 30, 2017 to the lowest responsible bidder, Mainline Contracting, Inc. in the amount of \$1,033,623.20
53. No. CC060517-02.4 – Approve award of total bid for Limestone Gravel opened on May 30, 2017 to the lowest responsible bidder, Hills Materials Company, in the amount of \$52,105.00.
54. No. CC060517-02.5 – Approve award of total bid for Ready Mix Concrete opened on May 30, 2017 to the lowest responsible bidder, Pete Lien & Sons, Inc., in the amount of \$79,756.25.
55. No. CC060517-02.6 – Approve award of total bid for Hot Mixed Asphaltic Concrete opened on May 30, 2017 to the lowest responsible bidder, Hills Materials Company, in the amount of \$133,600.00.
56. No. CC060517-02.7 – Approve award of total bid for Utility Cut Portland Concrete Replacement opened on May 30, 2017 to the lowest responsible bidder, Brewer Construction, in the amount of \$110,725.00.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 57 – 66

Open Public Comment – Items 57 – 66

Close Public Comment

Ordinances

57. No. 17RZ015 - First Reading, Ordinance 6175, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Gianni Georgas for a Rezoning from General Agricultural District to Low Density Residential District II for property generally described as being located southeast of the intersection of Overview Lane and Nugget Gulch Drive. (This item was continued from the May 15, 2017 City Council meeting.)
Recommendation: Approve in conjunction with Appealed Initial Planned Development #17PD015
58. LF051017-03 – Approve Second Reading and Recommendation of Ordinance No. 6181 Regarding Supplemental Appropriation #2 for 2017.
Recommendation: Approve
59. LF053117-09 – First Reading, Ordinance No. 6180, An Ordinance to Update the Life Safety Loan Program Funding and Process by Amending Chapter 3.28 of the Rapid City Municipal Code.
Recommendation: Approve
60. No. 17RZ018 - First Reading, Ordinance 6182, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Mike Van Loan for a Rezoning from Flood Hazard to Low Density Residential District for property generally described as being located west of West South Dakota Highway 44.
Recommendation: Approve
61. No. 17RZ019 - First Reading, Ordinance 6183, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by City of Rapid City for a Rezoning from No Use District to Low Density Residential District for property generally described as being located east of Elk Vale Road, north of Twilight Drive, west of Reservoir Road, south of Homestead Street.
Recommendation: Approve
62. No. 17RZ020 - First Reading, Ordinance 6184, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Selador Ranches, Inc. for a Rezoning from General Agricultural District to Low Density Residential District for property generally described as being located west of Prestwick Road.
Recommendation: Approve

Community Planning & Development Services Department Items

- 63. No. 17PL037 - A request by KTM Design Solutions, Inc. for Yanni Georgas for a Preliminary Subdivision Plan for proposed Lot A, B, C and D of Stoney Creek South No. 2 Subdivision, generally described as being located southeast of the intersection of Overview Lane and Nugget Gulch Road. (This item was continued from the May 15, 2017 City Council Meeting.)
Recommendation: Approve with Stipulations

Legal & Finance Committee Items

- 64. LF053117-12 – Approve Final Community Development Block Grant (CDBG) FY2016 Reallocation of Contingency Funds and FY2017 Allocations.
Recommendation: Approve with Wright, Modrick and Roberts voting yes and Laurenti and Scott voting no.

Public Works Committee Items (NONE)

CIP Committee Items (NONE)

Bids (NONE)

Alcoholic Beverage License Applications Reissuance – Item 65

2017-2018 Retail (on-off sale) Malt Beverage License Renewals NO Video Lottery

- 65. City of Rapid City dba Executive Golf Course, 1136 Executive Drive for a Retail (on off sale) Malt Beverage License

Mayor’s Items (NONE)

Council Items & Liaison Reports

- 66. LF053117-08 – John Roberts - Proposed Ordinance Dedicating a Percentage of the Vision Fund to Infrastructure Improvements by Amending Section 3.16.090 of the Rapid City Municipal Code.
Recommendation: Motion to table with Wright, Modrick and Scott voting yes and Laurenti and Roberts voting no.

Staff Items (NONE)

PUBLIC HEARING ITEMS – Items 67 – 85

Open Public Hearing - Items 67 –85

Close Public Hearing - Items 67 – 85

CONSENT PUBLIC HEARING ITEMS – Item 67 – 77

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

Community Planning & Development Services Department Items

- 67. No. 17VR001 – Approve 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.

Alcohol Licenses

- 68. Naja Shrine Temple for a SPECIAL EVENT On-Sale Dealer License for an Event Scheduled for June 16, 2017 at Rapid City Shrine Center, 4091 Sturgis Road

69. Deano's Casino Inc. DBA Deano's Casino Inc., 903 E North Street Ste. A for a Retail (on-off sale) Malt Beverage TRANSFER from MG Oil Company DBA Haines Ave Casino, 1735 Haines Ave
70. Stephen P Feild DBA Stop and Sip, 2200 N Maple Ave C26 for a Retail (on-off sale) Wine License TRANSFER and a Package (off sale) Malt Beverage & SD Farm Wine License TRANSFER from Dakota T&R, DBA Dakota Best Wine and Gifts, 2200 N Maple Ave Ste. 242
71. Rapid City Chamber of Commerce for a SPECIAL EVENT On-Sale Malt Beverage and Wine License for an Event Scheduled for June 13, 2017 at The Village at Skyline Pines, 1050 Fairmont Blvd
72. Rapid City Chamber of Commerce for a SPECIAL EVENT On-Sale Malt Beverage and Wine License for an Event Scheduled for June 20, 2017 at Black Hills State University – Rapid City, 4300 Cheyenne Blvd
73. City of Rapid City for a SPECIAL EVENT On-Sale Malt Beverage License for an Event Scheduled for June 17, 2017 at Executive Golf Course, 200 Founders Park

2017-2018 Alcohol Beverage License Renewals

74. Shooters Inc. dba Shooters, 2424 W Main Street for a Retail (on off sale) Malt Beverage License
75. Shooters Inc. dba Shooters Wood Fire Grill (Inactive) 2424 W Main Street for a Retail (on off sale) Malt Beverage License
76. Moyle Petroleum Co. dba Common Cents – Sheridan Lake Rd #105, 2808 Sheridan Lake Rd for a Package (off sale) Malt Beverage License
77. Piesanos Pacchia Inc. dba Piesano's Pacchia, 3618 Canyon Lake Drive #121 for a Retail (on off sale) Malt Beverage License

Assessment Rolls (NONE)

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 78 – 85

78. No. 17TI001 – Approve a request by Doyle Estes and Kathy Johnson for DTH, LLC for Resolution 2017-019 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. (This item was continued from the May 15, 2017 City Council meeting.)
Recommendation: Approve with Wright, Modrick and Roberts voting yes, Laurenti and Scott voting no.
79. No. 17TI002 – Approve Resolution No. 2017-030 a Resolution Creating the Village on Monroe Tax Increment District and a Resolution Approving the Project Plan for Property Generally Described as 612 Dilger Avenue.
Recommendation: Approve with Wright, Modrick, Roberts and Scott voting yes and Laurenti voting no.
80. No. 17RZ013 - Second Reading, Ordinance 6173, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Mandi Schmierer for Penny Lind for a Rezoning from Office Commercial District to General Commercial District for property generally described as being located southwest of the intersection of Neal Street and Bernice Street.
Recommendation: Approve in conjunction with Planned Development Designation - File #17PD016
81. No. 17RZ014 - Second Reading, Ordinance 6174, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for DKEA, LLC for a Rezoning from General Agricultural District to Low Density Residential District I for property generally described as being located north of the intersection of Bethpage Drive and Prestwick Road.
Recommendation: Approve

82. No. 17RZ016 - Second Reading, Ordinance 6176, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Citcra LLC for a Rezoning from No Use District to Low Density Residential District II for property generally described as being located north of the current terminus of Kyle Street.
Recommendation: Approve in conjunction with Annexation - File #17AN004
83. No. 17RZ017 - Second Reading, Ordinance 6177, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for Selador Ranches, Inc. for a Rezoning from No Use District to Low Density Residential District for property generally described as being located west of the northern most section of Prestwick Road.
Recommendation: Approve in conjunction with Annexation - File #17AN003
84. No. 17OA001 – Second Reading, Ordinance No. 6112, An Ordinance to Amend Provisions Concerning Zoning Applications by the City by Amending Section 17.54.040 of the Rapid City Municipal Code.
Recommendation: Approve
85. No. 17PD015 – Appeal of Planning Commission’s decision on a request by KTM Design Solutions, Inc. for Yanni Georgas for an Initial Planned Development Overlay to allow a townhome development for property generally described as being located southeast of the intersection of Overview Lane and Nugget Gulch Drive.
Recommendation: Appeal of Planning Commission’s decision to approve in conjunction with associated Rezone – File #17RZ015

BILLS

86. No. CC060517-01 – Bill List for June 5, 2017

ADJOURN