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 18, 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. Veteran of the Month, Wiley Cress, Ward 3

PRESENTATION
2. Habitat for Humanity - Garfield Green Project Update

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 – 42

Open Public Comment – Items 3 – 33
Close Public Comment

CONSENT ITEMS – Items 3 – 33

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

Approve Minutes
3. Approve Minutes for the September 5, 2017 Regular Council meeting.

Vacations of Right-Of-Way Set for Hearing (October 16, 2017)
4. No. 17VR007 - A request by Shanon Vasknetz of Baseline Surveying for Rockne Rapp Trust for a Vacation of Right-of-Way for property generally described as being located southeast corner of the intersection of E. Franklin Street and Cherry Avenue.

Alcoholic Beverage License Applications Set for Hearing (October 2, 2017)
5. Justin Christman / 33-7 Worldwide LLC DBA The Man Salon – Rapid City West, 2335 West Main Street #220 for a Retail (on off sale) Malt Beverage License

Public Works Committee Consent Items
6. PW091217-01 – Confirm the Reappointment of Kyle Blada to the Historic Sign Review Committee.
7. PW091217-02 – Confirm the Reappointment of William Waugh and New Appointment of Jim Anderson to the Rapid City Area Air Quality Board.
8. **PW091217-03** – Confirm the Reappointments of John Herr and Karen Bulman and New Appointments of Justin Vangraefschepe (Alternate #1) and Vince Vidal (Alternate #2) to the Planning Commission.

9. **PW091217-04** – Approve Change Order #1F to J & J Asphalt Company for Pavement Rehabilitation E. Madison and Racine, Project No. 17-2362 / CIP No. 50844 for an increase of $16,837.20.

10. **PW091217-05** – Approve Change Order #3F to Reede Construction for Mt. Rushmore Rd Utility Reconstruction - Tower Road to Flormann Street, Project No. 11-1926 / CIP No. 50840 for a decrease of $31,133.71.

11. **PW091217-06** – Approve Change Order #1F to Underground Construction, LLC. For Windslow Drive Drainage and Nebraska Street Sanitary Sewer Improvements, Project No. 16-2337 / CIP No. 50975 for an increase of $30,435.56.

12. **PW091217-07** – Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and HDR Engineering, Inc for Professional Services for Water Reclamation Facility (WRF) Arc Flash Analysis, Project No. 17-2404 / CIP No. 51180 in the amount of $44,960.00.

13. **PW091217-08** – Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and Pennington County for City Project No. 17-2375 / CIP No. 50437.

14. **PW091217-09** – Authorize Mayor and Finance Officer to Sign an Agreement Concerning Transfer of Sanitary Sewer System Between Terracotta Estates Homeowners Association and City of Rapid City.

15. **PW091217-10** – Acceptance of Infrastructure for Good Samaritan Skilled Nursing Facility – Public Water Main - DEV16-1299.

16. **PW091217-11** – Approve Request from Rapid City Regional Hospital, Inc. for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 along Mount Rushmore Road and Catron Boulevard, for the property located at 1635 Caregiver Circle – Lot A, Block 2, Buffalo Ridge Subdivision, Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota.

17. **PW091217-12** – Approve Request from Hagg Brothers, LLC. for a Variance to Waive the Requirement to Install Sidewalk per City Ordinance 12.08.060 Along US Hwy 16 / Mount Rushmore Road for a proposed commercial building on the corner of US Hwy 16 and Moon Meadows Drive.

18. **PW091217-14** – Authorize staff to advertise for bids for Golf Cart Fleet Lease, estimated cost $50,000.00 per year.

19. **PW091217-13** – Authorize staff to advertise for bids for Meadowbrook Golf Course Veritable Turbine Variable Speed Drive Pumping Station, Project PR17-6162, approximate cost $150,000.00.

20. **PW091217-16** – Acknowledge Report on 5th Street and Main Street Intersection Safety Improvements – informational item only.

**Legal & Finance Committee Consent Items**

21. **LF091317-09** – Confirm the Reappointments of Jerry Schmidt and Erik Braun and the New Appointments of Chance Whelchel, Trevor Johnson and Jon Machacek to the Downtown Business Improvement District (BID) Board

22. **LF091317-11** – Confirm the Reappointment of Merton B. Tice, Jr. and the New Appointment of Shad Storm to the Human Relations Commission

23. **LF091317-10** – Authorize Staff to Apply and Accept if Awarded the 2017 JAG Grant in the Amount of $92,618 to be Evenly Split Between RCPD and the Pennington County Sheriff’s Office

24. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Lois Besmer (RSVP+), Larry Oswald (RSVP+), Dorothy D. Thompson (RSVP+)

25. **LF091317-07** – Approve Resolution No. 2017-083A a Resolution Fixing Time and Place for Hearing on Assessment Roll for Cleanup of Miscellaneous Property
26. LF091317-05 – Authorize Mayor and Finance Officer to Sign FY2016 Community Development Block Grant Contract with Rapid City Supportive Housing, Inc. (Nonprofit affiliate of Accessible Spaces, Inc.)

27. LF091317-06 – Authorize Mayor to Sign the Environmental Review and Findings of No Significant Impact and Notice of Intent to Request for Release of Funds and Certificate Form for the Property Located at 248 Curtis Street

28. LF091317-12 – Authorize Mayor and Finance Officer to Sign Resolution 2017-084 a Resolution to Declare Real Property Located at 103 East Anamosa Street as Surplus and Authorize Disposal According to Law.

29. LF091317-08 – Deny Greg Riley - Request for Refund of Abatement Fee in the Amount of $140.00 for Property Located at 4789 Summer Set Drive.

Community Planning & Development Services Department Consent Items

30. LF091317-13 – Authorize Mayor and Finance Officer to Sign the State of South Dakota Agreement/Letter of Agreement with the Department of Environment and Natural Resources for the Air Quality Program

31. LF091317-02 – Authorize Mayor and Finance Officer to Sign Amendment #1 to the State of South Dakota Historic Preservation Allocation Award (SD 17-027) Between the State of South Dakota and the Rapid City Historic Preservation Commission

32. 17TP015 – Authorize Mayor and Finance Officer to Sign Amendment 2017-02 of the 2017 Unified Planning Work Program

Bid Award Consent Items

33. No. CC091817-02.1 - Approve award of total bid for Rapid City Landfill Cell 17 Final Cover, Project No. 16-2364 opened on September 12, 2017 to the lowest responsible bidder, Foothills Contracting, Inc. in the amount of $805,143.15.

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 34 – 42

Open Public Comment – Items 34 - 42

Close Public Comment

Ordinances

34. LF083017-07 – Second Reading and Recommendation of Ordinance No. 6189 Regarding Supplemental Appropriation #3 for 2017. Recommendation: Approve


36. LF083017-09 – Approve Second Reading and Recommendation of Ordinance No. 6195 an Ordinance to Change the Allocation of the Revenue Raised by the Retail Occupational Sales and Service Tax by Amending Section 3.16.060 and Section 3.16.090 of the Rapid City Municipal Code. Recommendation: Approve 4-1 with Lewis voting no

37. No. 17RZ024 - First Reading, Ordinance 6191, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions for Dakota Hills Trailer Sales, LLC for a Rezoning from Park Forest to Low Density Residential for property generally described as being located at 6061 Covenant Drive Recommendation: Approve
Community Planning & Development Services Department Items
38. No. 17PL090 - A request by KTM Design Solutions, Inc for Yasmeen Dream, LLC for a Preliminary Subdivision Plan for proposed Lots 2 thru 27 of Block 5, Lots 1R, 2-8 of Block 6 of Orchard Meadows, generally described as being located south of S.D. Highway 44 and east of Elk Vale Road.
Recommendation: Approve with stipulations

Legal & Finance Committee Items (NONE)

Public Works Committee Items
39. PW091217-15 – Approve the Appeal of Denied Exception Request from Daene Boomsma to allow connection to an existing non-conforming water service stub that runs parallel in the ROW, in front of an adjacent lot for a new single family house. (City File 17EX153).
Recommendation: Motion carried to approve the appeal by a vote of 3-2, with Nordstrom and Drew opposed.

CIP Committee Items (NONE)

Other Board, Commission & Committee Items (NONE)

Bids (NONE)

Alcoholic Beverage License Applications (NONE)

Mayor’s Items (NONE)

Council Items & Liaison Reports
40. LF091317-03 – Acknowledge Human Relations Commission Semi-Annual Update
Recommendation: Send to Council without Recommendation
41. LF091317-14 – Steve Laurenti – Resolution of Support for an Initiated Measure to put the CPI Property Tax Increase on the Ballot for Rapid City Voters
Recommendation: Send to Council without Recommendation

Staff Items
42. CC091817-04.1 - Presentation of Mayor’s Written Objection Specifically to the RSVP line item in Ordinance No. 6194 FY2018 Appropriation Ordinance and Consideration of the Mayor’s Line Item Veto

PUBLIC HEARING ITEMS – Items 43 – 50

Open Public Hearing - Items 43 – 50

Close Public Hearing - Items 43 – 50

CONSENT PUBLIC HEARING ITEMS – Item 43 – 49

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

43. LF083017-10 – Authorize Mayor and Finance Officer to Sign Lease Agreement Between the City of Rapid City and Black Hills Visitor Information Corporation. (This item was continued from the September 5, 2017 City Council meeting.)
Community Planning & Development Services Department Items (NONE)

Alcohol Licenses
44. Maverik, Inc. DBA Maverik, Inc. #552, 1624 Haines Avenue for a Retail (on-off sale) Wine license
(Continued from the August 7, 2017 Council meeting)
45. Dakota Slice LLC DBA Blaze Pizza, 515 Mt View Rd for a Retail (on-off sale) Malt Beverage License
46. Dakota Slice LLC DBA Blaze Pizza, 515 Mt View Rd for a Retail (on-off sale Wine License
47. Frankie’s LLC DBA Thirsty’s, 819 Main St for a Retail (on-off sale) Malt Beverage License
48. NAJA Shrine Temple DBA Rapid City Shrine Ctr., for a SPECIAL EVENT On-Sale Dealer License
for an Event Scheduled for October 14, 2017 at 4091 Sturgis Road

Assessment Rolls
49. LF091317-04 – Approve Resolution No. 2017-071B a Resolution Levying Assessment for
Cleanup of Miscellaneous Property

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Item 50
50. No. 17UR017 - Appeal of Planning Commission’s decision on a request by Renner Associates,
LLC for David Eliason for a Conditional use Permit to allow a sexually oriented business in the
General Commercial District for property generally described as being located at 1141 Deadwood
Avenue, Suite 7
Recommendation: Appeal of Planning Commission’s decision to approve.

BILLS
51. No. CC091817-01 – Bill List for September 18, 2017

ADJOURN