

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, February 5, 2018**

ROLL CALL AND DETERMINATION OF QUORUM

INVOCATION (You are welcome to participate, but not required)

PLEDGE OF ALLEGIANCE

ADOPTION OF AGENDA

AWARDS AND RECOGNITIONS (NONE)

PRESENTATION

1. Budget Survey Presentation – Budget Analyst, Sean Kurbanov

GENERAL PUBLIC COMMENT (3-minute time limit per speaker)

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 2 – 77

Open Public Comment – Items 2 – 68 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 2 – 68

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

Approve Minutes

2. Approve Minutes for the January 16, 2018 Regular Council meeting.

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

Alcoholic Beverage License Applications Set for Hearing (February 20, 2018)

3. Ana Line Enterprises LLC DBA Sabor A Mexico, 208 E North Street for a Retail (on-off sale) Malt Beverage & SD Farm Wine License TRANSFER from Sergio & Ana Line Munoz, DBA Sabor A Mexico, 208 E North Street
4. Fuji Asian Restaurant Inc. DBA Fuji Asian Restaurant Inc., 2200 N Maple Ave Unit 478 for a Retail (on-off sale) Malt Beverage and a Retail (on-off sale) Wine License TRANSFER from Mall Fuji Corp. DBA Fuji Sushi & Saki Bar, 2200 N Maple Ave, Rushmore Mall, #478
5. Working Against Violence Inc. (WAVI) for a SPECIAL EVENT Off-Sale Package Wine Dealer License for an Event scheduled for April 14, 2018 at Best Western Ramkota Hotel, 2111 N LaCrosse Street
6. Dakota Point Brewing, LLC DBA Dakota Point Brewing, LLC, 405 Canal Street, Suite 1200 for a Retail (on-off sale) Malt Beverage License and a Retail (on-off sale) Wine License

- 6A. Working Against Violence Inc. (WAVI) for a SPECIAL EVENT Malt Beverage and Wine License for an Event scheduled for February 25, 2018 at Sol Yoga, 611 ½ Main Street

Public Works Committee Consent Items

7. PW013018-01 – Confirm the Reappointment of Karen Gundersen Olson and New Appointments of Thomas Whillock, Dr. Brett Lawlor, and Lynn Paulson to the Parks and Recreation Advisory Board.
8. PW013018-02 – Approve Change Order #1F to Hills Materials Company for Big Sky Subdivision Street Rehabilitation, Project No. 17-2380 / CIP No. 51160 for an increase of \$2,467.29.
9. PW013018-03 – Authorize Staff to Advertise for Bids for Concrete Repair Project – Sheridan Lake Road, Project No. 17-2422 / CIP No. 50445. Estimated Cost: \$475,000.00.
10. PW013018-04 – Authorize Staff to Advertise for Bids for Pavement Rehabilitation Project – Soo San Drive, Project No. 17-2415 / CIP No. 50798. Estimated Cost: \$290,000.00.
11. PW013018-05 – Authorize Staff to Advertise for Bids for Pavement Rehabilitation Project – E Saint James Street and Cherry Ave, Project No. 17-2417 / CIP No. 50549. Estimated Cost: \$250,000.00.
12. PW013018-06 – 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: \$870,000.00.
13. PW013018-07 – Authorize Staff to Advertise for Bids for East Rapid City Water Expansion – Mesa View Estates Subdivision, Radar Hill Road and Morris Lane Water Extensions, Project No. 14-2198 / CIP No. 50964.F. Estimated Cost: \$1,150,000.00.
14. PW013018-08 – Authorize Mayor and Finance Officer to Sign a Bridge Improvement Grant Agreement with South Dakota Department of Transportation for Cambell Street Box Culvert Outlet Repair, Project No. 15-2313 / CIP No. 51035.
15. PW013018-09 – Authorize Mayor and Finance Officer to Sign a Bridge Improvement Grant Agreement with South Dakota Department of Transportation for Cherry Avenue Bridge Repair, Project No. 16-2368 / CIP No. 51140.
16. PW013018-10 – Authorize Mayor and Finance Officer to Sign a Bridge Improvement Grant Agreement with South Dakota Department of Transportation for 12th Street Bridge Repair, Project No. 16-2367 / CIP No. 51139.
17. PW013018-11 – Authorize Mayor and Finance Officer to Sign a Joint Funding Agreement between U.S. Department of Interior, U.S. Geological Survey and City of Rapid City for 2018 Water Resource Investigations for operation and maintenance of selected gaging stations and for hydrologic investigations including hydrogeologic data collection and analysis, applications of groundwater-flow modeling, storm-water monitoring, and evaluation of selenium and other trace elements.
18. PW013018-12 – Authorize Mayor and Finance Officer to Sign an Agreement Between Montana-Dakota Utilities Co and The City of Rapid City for Water Main Encroachment in Underground Pipeline Utility Easement.
19. PW013018-13 – Authorize Mayor and Finance Officer to Sign a Memorandum of Understanding Between the City of Rapid City and Pennington County Regarding National Pollutant Discharge Elimination System Municipal Separate Storm Sewer System and Storm Water Management Plan Implementation.
20. PW013018-14 – Authorize Mayor and Finance Officer to Sign Resolution 2018-009, A Resolution to Declare Property Located at the Southwest Corner of Anamosa and Maple Street Surplus and Appoint Freeholders to Appraise the Property for Sale.
21. PW013018-15 – Approve Final Assessment Role For the 2016 Assessed Sidewalk Improvement Project; Project No. 16-2344.
22. PW013018-16 – Approve Request for Stormwater Drainage Utility Fee Abatement from Delaware Land Holdings LLC., 6303 Mount Rushmore Rd., Tax ID 43168, in the amount of \$1,498.22 (2018).

23. PW013018-17 – Authorize Public Works Director to Sign a Professional Services Agreement Amendment between the City of Rapid City and FMG Engineering for 2017 Citywide Geotechnical Construction Materials & QA/QC Services, Project No. 16-2369 / CIP No. 50637 in the amount of \$2,779.79.
24. PW013018-18 – Set Hearing date for SRF Application for funding pertaining to the “East Rapid City Water Expansion Project”.
25. PW013018-19 – Authorize Staff to Advertise for Bids for Two (2) new Dial-A-Ride vehicles to replace 2012 Eldorado vehicles which have exceeded their useful life. Funding is 80% Federal Transit Administration (FTA) and 20% local general fund.
26. PW013018-20 – Approve Contract Renewal with Rehrig Pacific Company for 65 & 95 Gallon Automated Garbage Collection Containers for one year.
27. PW013018-21 – Approve Contract Renewal with Rehrig Pacific Company for 35 Gallon Automated Garbage Collection Containers for one year.
28. PW013018-22 – Authorize Staff to Advertise for Bids for One (1) new Current Model Year Dump Truck for Utility Maintenance. Estimated Cost: \$130,000.00.
29. PW013018-23 – Authorize Staff to Advertise for Bids for One (1) Current Model Year Tandem Dump Truck. Estimated Cost: \$130,000.00.
30. PW013018-24 – Authorize Staff to Purchase a 2018 Ford Super Duty DRW XL 4wd Supercab 192” WB 84” CA with Curbtender Quantum 6 Cubic Yard Capacity Rear Load Garbage Packer Body, additional Ignition Key and CD Service Manual from National Auto Fleet Group NJPA Pricing for a total price of \$96,109.00.
31. PW013018-25 – Authorize Staff to Purchase a 2018 Groundsmaster 7210D with a 12 Volt Power Pak, GM7210 Polar Trac Kit, Polar Trac Cab and MB V Plow from Midwest Turf & Irrigation with National IPA Pricing for a total price of \$43,297.00.
32. PW013018-26 – Authorize Staff to Purchase Two (2) 2018 RAM Tradesman, 4x4, Regular Cab, Long Box (8ft.) Trucks from Liberty Superstores with matching State Bid Pricing in the amount of \$26,435.00 each for a total amount of \$52,870.00.
33. PW013018-27 – Authorize Mayor and Finance Officer to Sign Resolution No. 2018-007, A Resolution of Intent to Enter into Leases of Land with the following organizations for Rapid City Recreation Facilities, Pursuant to SDCL 9-12-5.2: Black Hills Lacrosse Association – Star of the West Fields, Black Hills Pony League – Jamie Johnson & Horace Mann Baseball Fields, Black Hills Sports – Fitzgerald Stadium, Rapid City BMX – BMX Facility, Canyon Lake Little League – Baseball Facility, Rapid City Church Softball League – Whitehead Fields, Harney Little League – Baseball Facility, Post 22 Girls Softball League – Softball Facility, Post 320 Baseball, Inc. – Pete Lien Field, Rapid City High School Baseball – McKeague Field, Rapid City Softball Association – Star of the West Softball Facility, RC Girls Junior Olympic Amateur Softball Assoc. – Parkview Softball Facility, Rushmore Little League, Inc. – Baseball Facility, Timberline Little League, Inc. – Baseball Facility.
34. PW013018-28 – Acknowledge Report on Importance of Standardized Materials for Residential Water Service Lines within the Public Right of Way.
35. PW013018-29 – Deny Appeal of Exception Request from Renner and Associates to Waive the Requirements of Standard Specification Section 8.2, A, 4 and allow the use of HDPE pipe in lieu of K Copper for residential water services within the street right-of-way.
36. 18TP004 – Authorize staff to advertise the Request for Proposals for the Coordinated Public Transit – Human Services Transportation Plan.
37. PW013018-30 – Authorize Mayor and Finance Officer to Sign Resolution 2018-010, A Resolution of Intent to Enter into Real Estate Exchange Agreement with Gerhardt and Elizabeth Heck Pursuant to SDCL 9-27-34.1.
38. PW013018-31 – Authorize Mayor and Finance Officer to Sign Resolution 2018-011, A Resolution to Declare Property Located Near Radar Hill Road and Morris Lane Surplus and Appoint Freeholders to Appraise the Property for Sale.

Legal & Finance Committee Consent Items

39. LF013118-10 – Approve the New Appointments of Eric Zimmer and Hayley Brooks to the Museum Alliance of Rapid City (MARC) Board
40. LF013118-06 – Approve Special Event Application for Annual RCPD Cruiser Car Show
41. LF013118-13 – Authorize Staff to Purchase Nine Vehicles Off State Bid from Liberty Dodge to Replace Aging Vehicles in the Police Department Fleet for the Total Amount of \$248,455.00
42. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Connie Hobbs (RSVP+), Barbara Annan (Library), Kim D’Hont (Library), Nathalie Holberg (Library), Stacey Scholten (Library), Father Andrezej Wyrostek (Police Department), Lauren Eccarius (Police Department)
43. LF013118-01 – Approve Resolution No. 2018-004 a Resolution Declaring Miscellaneous Personal Property Surplus
44. LF013118-02 – Approve Resolution No. 2018-005 a Resolution Removing the Rapid City Special Assessment on Airport Addition, Block 31, S78.5’ of W98.5’, Less Lot H-1
45. LF013118-03 – Approve FY2018 Allied Arts Funding Allocation for Community Investments (Arts & Humanities)
46. LF013118-08 – Acknowledge December 2017 General Fund Cash Balance Report
47. LF013118-09 – Approve Request for Property Tax Abatement as Follows: Owen Hawkins, 2017, \$786.78; City of Rapid City, 2017, \$213.20 [Total for Rapid City: \$999.98]
48. LF013118-11 – Authorize Mayor and Chief of Police to Sign the 2018 Federal Equitable Sharing Agreement
49. LF013118-12 – Approve Resolution No. 2018-006 a Resolution Establishing 2018 Encumbrances
50. LF013118-14 – Approve Resolution No. 2018-008, a Resolution Declaring Certain Real Property Located Along Promise Road Surplus and Appointing Freeholders to Appraise the Property Prior to Sale
51. LF013118-05 – Approve FY2017 Community Development Block Grant Contract with Youth and Family Services
52. 18TP005 – Authorize Mayor and Finance Officer to Sign Consent to Assignment of Contract for the Digital GIS Base Map Development Services from Fugro Geospatial, Inc. to Fugro USA Land, Inc.
53. LF013118-07 – Approve Purchase of 2018 Dodge Durango for Risk Management Off State Bid from Liberty Superstore in the Amount of \$27,826.00
54. LF013118-17 – Approve Amended City DOT Drug/Alcohol Testing Policy to Reflect New DOT Opioid Testing Requirements
55. LF013118-16 – Acknowledge Ratify Agreement for Assignment of Proceeds of Real Estate Sales by Red Rock Development Company, LLC, to the City of Rapid City
56. LF013118-18 – Approve Authorize Mayor and Finance Officer to Sign Municipal Advisor Agreement with Dougherty & Co. in Regard to the Rushmore Plaza Civic Center Barnett Arena Project.

CIP Committee Consent Items

57. CIP011918-00 – Acknowledge Capital Improvement Programs Committee Monthly Update for October 2017
58. CIP011918-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, CSAC)
59. CIP011918-04 – Approve Capital Plan for Fire Vehicles
60. CIP011918-05 – Approve Capital Plan for Parks & Recreation
61. CIP011918-06 – Approve Capital Plan for Information Technology
62. CIP011918-07 – Acknowledge CIP Policy Reminder
63. CIP011918-01 – Acknowledge Financial Reports (Contingency, DCA Charges, Matching Grants, Penn Co Loan)
64. CIP011918-02 – Approve Capital Plan for Streets, Drainage, MIP Projects
65. CIP011918-08 – Acknowledge Developer Deferred Projects

Community Planning & Development Services Department Consent Items (NONE)**Bid Award Consent Items**

66. No. CC011618-02.2 – Approve award of Total Bid for Tandem Axle Dump Truck with Slide in Sander and Plow to Boyer Trucks, opened on January 9, 2108, in the amount of \$187,860.00 less \$26,768.00 for trade in of 2005 Sterling Dump Truck with Sander for a total of 161,092.00. (This item was continued from the January 16, 2018 City Council meeting.)
67. No. CC011618-02.3 – Approve award of Total Bid for Single Axle Medium-Duty 4X4 Sander with Plow to Boyer Trucks, opened on January 9, 2108, in the amount of \$161,920.00 less \$26,675.00 for trade in of 2003 Freightliner FL80/Monroe Sander for a total of \$137,245.00. (This item was continued from the January 16, 2018 City Council meeting.)
68. No. CC020518-02.1 – Approve award of total base bid for Well 12/Stoney Creek HVAC Improvements, Project No. 17-2403 / CIP No. 51181 opened on January 30, 2018, to the lowest responsible bidder, Tessier's Inc. in the amount of \$82,718.00

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 69 – 77

Open Public Comment – Items 69 – 77 (3-minute time limit per speaker)

Close Public Comment

Ordinances

69. LF011018-07 – Second Reading, Ordinance No. 6221, An Ordinance Regarding Supplemental Appropriation #1 for 2018.
Recommendation: Approve
70. No. 17RZ036 - First Reading, Ordinance 6217, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for DTH, LLC for a Rezoning from Low Density Residential District to Medium Density Residential District for property generally described as being located southwest of the intersection of Degeest Drive and Big Sky Drive.
Recommendation: Approve
71. No. 17RZ037 - First Reading, Ordinance 6218, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Margaret Grosse Hyatt for a Rezoning from Light Industrial District to General Commercial District for property generally described as being located southeast corner of the intersection of Dyess Avenue and E. Mall Drive
Recommendation: Approve
72. No. 17RZ038 - First Reading, Ordinance 6219, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for Stoneridge LLC for a Rezoning from Low Density Residential District to General Commercial District for property generally describes a being located northwest of the intersection of Parkview Drive and 5th Street.
Recommendation: Approve in conjunction with Planned Development 17PD057
73. No. 17RZ039 - First Reading, Ordinance 6222, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc for ZCO Incorporated for a Rezoning from General Agricultural District to Light Industrial District for property generally described as being located at the intersection of Marlin Drive and Bernelli Drive.
Recommendation: Approve
74. 17OA003 – First Reading, Ordinance No. 6220, An Ordinance Amendment to Clarify Uses in Residential Districts by Amending Title 17 of the Rapid City Municipal Code.
Recommendation: Approve

- 75. LF013118-04 – First Reading, Ordinance No. 6224, An Ordinance Repealing Chapter 1.08 of the Rapid City Municipal Code Relating to Wards and Precincts and Adopting a New Revised Chapter 1.08 of the Rapid City Municipal Code.
Recommendation: Approve

Public Works Committee Items

- 76. PW112817-17 – Appeal of Denied Exception Request from KTM Design Solutions on Behalf of Dean Hamm to waive the requirement to construct sewer main along Muirfield Drive (City File 17EX197), the only exception denied by Staff out of four total exceptions submitted for the project.
Recommendation: Send to Council without Recommendation

Legal & Finance Committee Items (NONE)

CIP Committee Items (NONE)

Community Planning & Development Services Department Items (NONE)

Other Board, Commission & Committee Items (NONE)

Bid Awards (NONE)

Alcoholic Beverage License Applications (NONE)

Mayor’s Items (NONE)

Council Items & Liaison Reports

- 77. LF013118-15 – Acknowledge Human Relations Commission – Semi-Annual Update
Recommendation: Send to Council without recommendation.

Staff Items (NONE)

Appeals (NONE)

PUBLIC HEARING ITEMS – Items 78 – 79

Open Public Comment - Items 78 – 79 (3-minute time limit per speaker)

Close Public Comment - Items 78 – 79

CONSENT PUBLIC HEARING ITEMS – Item 78 – 79

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

Community Planning & Development Services Department Items (NONE)

Alcohol Licenses

- 78. Essence of Coffee DBA Essence of Coffee, 5509 Bendt Drive, Suite 305 for a Retail (on-off sale) Malt Beverage License and Retail (on-off sale) Wine License TRANSFER from LMN LLC DBA Pure Bean SW, 5509 Bendt Drive Suite 305
- 79. Knights of Columbus Council #8844 for a SPECIAL EVENT Malt Beverage and On Sale Wine for an event scheduled for February 9, 2018 at Blessed Sacrament Church, 4500 Jackson Blvd

Assessment Rolls (NONE)

Other Items Requiring Public Hearings (NONE)

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – (NONE)

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

BILLS

80. No. CC020518-01 – Bill List for February 5, 2018

ADJOURN