

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., Tuesday, February 20, 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

1. Veteran of the Month, George Wallace

PRESENTATION

2. Energy Study on the CSAC building – SDSM&T Students

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 3 – 38

Open Public Comment – Items 3 – 25 (3-minute time limit per speaker)

Close Public Comment

CONSENT ITEMS – Items 3 – 25

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

Approve Minutes

3. Approve Minutes for the February 5, 2018 Regular Council meeting.

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

Alcoholic Beverage License Applications Set for Hearing (March 5, 2018)

4. Naja Shrine Temple for a SPECIAL EVENT On-Sale Dealer License for an Event Scheduled for March 17, 2018 at Rapid City Shrine Center, 4091 Sturgis Rd
5. Rapid City Extended Stay Inc. DBA Staybridge Suites Rapid City Rushmore, 1314 Luna Avenue for a Retail (on-off sale) Wine License and a Retail (on-off sale) Malt Beverage License

Public Works Committee Consent Items

6. PW021318-01 – Approve Change Order 2 to R.C.S. Construction, Inc. for E. Idaho, E. Nevada, Ivy Ave Street and Utility Reconstruction and Meade/Hawthorne Drainage Element 221 Improvements, Project No. 15-2253 / CIP 5421.3.1B for an increase of \$6,856.90.

7. PW021318-02 – Authorize Staff to Advertise for Bids for Alley South of Kansas City Street Between 4th Street and 2nd Street Sanitary Sewer Improvements, Project No. 16-2338 / CIP No. 50827. Estimated Cost: \$450,000.00.
8. PW021318-03 – Authorize Mayor and Finance Officer to Sign Amendment No. 2 to the Professional Services Agreement Between the City of Rapid City and Ferber Engineering Company for Sturgis Road Area Utility Reconstruction and Extension, Project No. 11-2001 / CIP No. 50824, in the amount of \$5,242.50.
9. PW021318-04 – Authorize Mayor and Finance Officer to Sign an Agreement for Construction of Street Extension, a Covenant Agreement Concerning East North Street Right Of Way, and a Waiver and Release of Future Taking Claims between the City of Rapid City and Dakota Heartland, Inc.
10. PW021318-05 – Authorize Mayor and Finance Officer to Sign Amendment No. 1 to Professional Services Agreement Between the City of Rapid City and Ferber Engineering Company, Inc. for Catron Boulevard Widening Project, Project No. 16-2343 / CIP No. 51115 in the amount of \$25,405.00.
11. PW021318-07 – Authorize Staff to Purchase One (1) new Current model year Utility Roller, purchase on NJPA contract #032515-CAT. Estimated Cost: \$26,690.00.
12. PW021318-10 – Authorize Staff to Purchase One (1) new Current model year Kubota Utility Vehicle, purchase on NJPA contract # 021815-KBA, 042815-KBA. Estimated Cost: \$21,087.12.
13. PW021318-11 – Authorize Staff to Purchase a 2018 RAM 1500 Tradesman, 4x4, Regular Cab, Long Box (8ft.) Truck from Liberty Superstores with matching State Bid Pricing in the amount of \$23,725.00.
14. PW021318-08 – Authorize Mayor and Finance Officer to Sign Amendment No. 1 to the Professional Services Agreement Between the City of Rapid City and FMG Engineering for the Solid Waste Landfill Cell 18 Design to include design and installation of four additional groundwater-monitoring wells, Project No. 16-2371 in the amount of \$9,969.51.
15. PW021318-09 – Authorize Mayor and Finance Officer to Sign a Professional Services Agreement Between the City of Rapid City and FMG Engineering for Phase 2 Construction Management of Cell 18, Project No. 16-2371 in the amount of \$260,550.00.

Legal & Finance Committee Consent Items

16. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Jena Finch (Library), Ethan Parsons (Library)
17. LF021418-01 – Approve Resolution No. 2018-012 a Resolution to Update Change Funds
18. LF021418-02 – Approve Resolution No. 2018-013A a Resolution Fixing Time and Place for Hearing on Assessment Roll for Cleanup of Miscellaneous Property
19. LF021418-03 – Approve Resolution No. 2018-014 a Resolution Declaring Miscellaneous Personal Property Surplus
20. LF021418-04 – Approve Request for Property Tax Abatement as Follows: St. Therese Church, 2017, \$846.01; St. Therese Church, 2017, \$1,081.10 [Total for Rapid City: \$1,927.11]
21. LF021418-06 – Approve Request for Property Tax Abatement as Follows: John Feuerbacher, 2017, \$1,368.34; [Total for Rapid City: \$1,368.34]
22. LF021418-07 – Approve Resolution No. 2018-016 Creating New Positions of RSVP Manager, Senior Human Resources Generalist and Solid Waste Electrician
23. LF021418-05 – Approve the Appeal (option 1, as recommended by staff) of the Denial for Alterations to the Historic Structure Located at 430 Main Street Pursuant to SDCL 1-19A-11.1 and RCMC 17.54.080 (17CM007).

CIP Committee Consent Items (NONE)

Community Planning & Development Services Department Consent Items (NONE)

Bid Award Consent Items

24. CC022018-02.2 – Approve award of Total Bid for Sturgis Road Area Utility Reconstruction, Project No. 11-2001 / CIP No. 50824 opened on February 13, 2018 to the lowest responsible bidder, Site Works Specialist, Inc. in the amount of \$1,573,728.98.
25. CC022018-02.3 – Authorize Mayor and Finance Director to sign contract with Foothills Contracting, Inc., for construction of Cell 18 Liner and Leachate Collection Project at the Rapid City Landfill. – SW2016-003. \$4,556,944.19

END OF CONSENT ITEMS

NON-CONSENT ITEMS – Items 26 – 38

Open Public Comment – Items 26 – 38 (3-minute time limit per speaker)

Close Public Comment

Ordinances

26. LF013118-04 – Second 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
27. No. 18RZ002 - First Reading, Ordinance 6227, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by TSP, Inc. for South Dakota School of Mines and Technology Foundation for a Rezoning from High Density Residential District to Office Commercial District for property generally described as being located at 324 E. Kansas City Street, 613 Birch Avenue and 615 Birch Avenue.
Recommendation: Approve
28. 18OA001 – First Reading, Ordinance No. 6228, An Ordinance Amendment to Title 17 of the Rapid City Municipal Code by adding Chapter 17.66, Urban Commercial District
Recommendation: Approve
29. 18OA002 – Reading of Ordinance No. 6229 an Ordinance to Include Definitions for the Urban Commercial District by Amending Section 17.04 of the Rapid City Municipal Code.
Recommendation: Approve
30. 18OA003 – First Reading of Ordinance No. 6230 an Ordinance Amendment to Title 17 of the Rapid City Municipal Code by amending Chapter 17.06.
Recommendation: Approve
31. 18OA004 – First Reading of Ordinance No. 6231 an Ordinance to Amend Section 17.50.050 of the Rapid City Municipal Code to Allow for Administrative Dissolution of Planned Developments.
Recommendation: Approve
32. 18OA005 – First Reading of Ordinance No. 6232 an Ordinance Amendment to Modify Section 17.50.070 of the Rapid City Municipal Code.
Recommendation: Approve
33. 18OA006 – First Reading of Ordinance No. 6233 an Ordinance to Amend the Sign Code to Incorporate On-Premises Signage Rules for the Urban Commercial District by Amending Section 17.50.100 of the Rapid City Municipal Code.
Recommendation: Approve
34. 18OA007 – First Reading of Ordinance No. 6234 an Ordinance to Establish Parking Requirements for the Urban Commercial District by Amending Section 17.50.270 of the Rapid City Municipal Code.
Recommendation: Approve
35. 18OA008 – First Reading of Ordinance No. 6235 an Ordinance to Amend Landscape Regulations to Incorporate the New Urban Commercial District by Amending Section 17.50.300 of the Rapid City Municipal Code.
Recommendation: Approve

- 36. 18OA009 – First Reading of Ordinance No. 6236 an Ordinance to Amend Chapter 12.08 of the Rapid City Municipal Code to Accommodate Goals for Pedestrian Oriented Streets in the Urban Commercial District.
Recommendation: Approve
- 37. 18OA010 – First Reading of Ordinance No. 6237 an Ordinance to Amend Section 12.12.110 of the Rapid City Municipal Code to Authorize the City to Maintain Parkways in Downtown Areas.
Recommendation: Approve

Public Works Committee Items (NONE)

Legal & Finance Committee Items (NONE)

CIP Committee Items (NONE)

Community Planning & Development Services Department Items (NONE)

Other Board, Commission & Committee Items (NONE)

Bid Awards

- 38. CC022018-02.1 – Approve award of total bid for Catron Boulevard Widening Project, Project No. 16-2343 / CIP No. 51115 opened on February 13, 2018 to the lowest responsible bidder, Western Construction, Inc. in the amount of \$1,518,356.50. (Note: The amount of work required to be done by Contractor has been reduced from 50% to 40% for this Project.)

Alcoholic Beverage License Applications (NONE)

Mayor’s Items (NONE)

Council Items & Liaison Reports (NONE)

Staff Items (NONE)

Appeals (NONE)

PUBLIC HEARING ITEMS – Items 39 – 63

Open Public Hearing (comment) - Items 39–63 (3-minute time limit per speaker)
[Public Hearing Remains Open]

Close Public Hearing (comment) - Items 39 – 63

CONSENT PUBLIC HEARING ITEMS – Items 39 – 58

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

Community Planning & Development Services Department Items (NONE)

Alcohol Licenses

- 39. 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

40. 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
41. 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
42. 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
43. 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

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

44. PW021318-12 – Approve Lease Agreement Between the City of Rapid City and Black Hills Lacrosse for field space at the Star of the West Sports Complex, and authorize the Mayor and Finance Officer to sign the Lease Agreement.
45. PW021318-13 – Approve Lease Agreement Between the City of Rapid City and Black Hills Pony League for Jamie Johnson and Horace Mann Baseball Fields, and authorize the Mayor and Finance Officer to sign the Lease Agreement.
46. PW021318-14 – Approve Lease Agreement Between the City of Rapid City and Black Hills Sports for Fitzgerald Stadium, and authorize the Mayor and Finance Officer to sign the Lease Agreement.
47. PW021318-15 – Approve Lease Agreement Between the City of Rapid City and Canyon Lake Little League for the baseball facility located on 32nd Street, and authorize the Mayor and Finance Officer to sign the Lease Agreement.
48. PW021318-16 – Approve Lease Agreement Between the City of Rapid City and the Church Softball League for Whitehead Fields, and authorize the Mayor and Finance Officer to sign the Lease Agreement.
49. PW021318-17 – Approve Lease Agreement Between the City of Rapid City and Harney Little League for baseball fields in Robbinsdale Park, and authorize the Mayor and Finance Officer to sign the Lease Agreement.
50. PW021318-18 – Approve Lease Agreement Between the City of Rapid City and Post 320 Baseball, Inc. for Pete Lien Field, and authorize the Mayor and Finance Officer to sign the Lease Agreement.
51. PW021318-19 – Approve Lease Agreement Between the City of Rapid City and Post 22 Girls Softball League for softball fields located off Cambell Street, and authorize the Mayor and Finance Officer to sign the Lease Agreement.
52. PW021318-20 – Approve Lease Agreement Between the City of Rapid City and Rapid City BMX for the BMX facility in Robbinsdale Park, and authorize the Mayor and Finance Officer to sign the Lease Agreement.
53. PW021318-21 – Approve Lease Agreement Between the City of Rapid City and Rapid City High School Baseball for McKeague Field, and authorize the Mayor and Finance Officer to sign the Lease Agreement.
54. PW021318-22 – Approve Lease Agreement Between the City of Rapid City and Rapid City Softball Association for Star of the West Sports Complex, and authorize the Mayor and Finance Officer to sign the Lease Agreement.
55. PW021318-23 – Approve Lease Agreement Between the City of Rapid City and Rapid City Girls Junior Olympic Amateur Softball Association for Parkview Softball Complex, and authorize the Mayor and Finance Officer to sign the Lease Agreement.
56. PW021318-24 – Approve Lease Agreement Between the City of Rapid City and Rushmore Little League for Rushmore Little League baseball complex, and authorize the Mayor and Finance Officer to sign the Lease Agreement.

- 57. PW021318-25 – Approve Lease Agreement Between the City of Rapid City and Timberline Little League for baseball fields at Timberline Little League complex, and authorize the Mayor and Finance Officer to sign the Lease Agreement.
- 58. PW021318-06 – Authorize Mayor and Finance Officer to Sign an Agreement Between the City of Rapid City and Gerhardt and Elizabeth Heck for Exchange of Property.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 59 - 63

- 59. No. 17RZ036 - Second 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
- 60. No. 17RZ037 - Second 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
- 61. No. 17RZ038 - Second 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
- 62. No. 17RZ039 - Second 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
- 63. 17OA003 – Second 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

BILLS

- 64. No. CC022018-01 – Bill List for February 20, 2018

ADJOURN