

**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, March 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**

1. Employee Recognition, Tim Beshara

**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 – 43

**Open Public Comment** – Items 2 – 34 (3-minute time limit per speaker)  
**Close Public Comment**

**CONSENT ITEMS** – Items 2 – 34

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

***Approve Minutes***

2. Approve Minutes for the February 20, 2018 Regular Council meeting.
3. Approve Minutes for the February 26, 2018 Special Council meeting.
4. Approve Minutes for the February 27, 2018 Special Council meeting.

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

***Alcoholic Beverage License Applications Set for Hearing (March 19, 2018)***

5. Eni Tulistiya DBA Hana Restaurant, 3550 Sturgis Rd for a Retail (on-off sale) Malt Beverage License and Retail (on-off sale) Wine License TRANSFER from Hana Corp. DBA Hana, 3550 Sturgis Rd
6. Rapid City Chamber of Commerce DBA Rapid City Chamber of Commerce for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine license for an event scheduled for April 10, 2018 at Black Hills Corporation / Black Hills Energy, 7001 Mt. Rushmore Road
7. Rapid City Chamber of Commerce DBA Rapid City Chamber of Commerce for a SPECIAL EVENT Off-Sale Package Wine and Off-Sale Package Malt Beverage license for an event scheduled for April 28, 2018 at Best Western Ramkota, 2111 N. LaCrosse Street
8. Special Olympics South Dakota DBA Special Olympics South Dakota for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine license for an event scheduled for April 7, 2018 at Black Hills Harley Davidson, 2820 Harley Drive

**Public Works Committee Consent Items**

9. PW022718-01 – Approve Change Order #4F to Scull Construction Services for Fire Station 5 Improvements, Project No.12-2073 / CIP No. 51158 for an increase of \$1,126.51.
10. PW022718-02 – Approve Change Order 2F to Muth Electric, Inc. for Elk Vale Road & Minnesota Street Traffic Signal Improvements, Project No. 16-2352 / CIP No. 51047 for a decrease of \$7,153.55.
11. PW022718-03 – Authorize Staff to Advertise for Bids for 2018 Street Patching, Project No. 17-2411 / CIP No. 50844. Estimated Cost: \$300,000.00.
12. PW022718-04 – Authorize Mayor and Finance Officer to Sign an Agreement between the City of Rapid City and FMG Engineering for Professional Engineering Services for Perrine and Unnamed Tributary Drainage Basin Design Plans (DBDPs) Amendments – Phase 1, Project No. 18-2430 / CIP No. 51189.1 in the amount of \$46,918.00.
13. PW022718-05 – Authorize Mayor and Finance Officer to Sign Letting Authorization, Utilities Certification, and Right-of-Way Certification for City Project No. 14-2170 / CIP No. 50866, State Projects NH 0044(00)45 PCN 0515 and P 1774(00)06 PCN 02SF.
14. PW022718-06 – Approve Acceptance of Infrastructure for Haines Avenue Water and Sewer Extension, Muth Properties - DEV17-1356.
15. PW022718-07 – Authorize Staff to Purchase one (1) 2018 Dodge Ram 1500 4x4 Extended Cab Short Box Pickup. Liberty Superstore will honor the state bid #17149.
16. 18TP002 – Acknowledge the 2017 traffic Count Book.
17. 18TP006 – Acknowledge the 1-90 Exit 61 to Exit 67 Corridor Study Final Report.
18. PW022718-10 – Authorize Mayor and Finance Officer to Sign Midco Business Service Orders for increase in bandwidth to improve internet access at the following locations: 1901 Mt. View Road (Cemetery Office) - \$260/month; 515 West Boulevard (Parks and Rec Office) - \$280/month; and 625 Jackson Boulevard (Meadowbrook Golf Course) - \$275/month.
19. PW022718-11 – Authorize Staff to Advertise for Bids for Parks Parking Lots Improvements, Project PR18-2408.

**Legal & Finance Committee Consent Items**

20. LF022818-06 – Approve Resolution No. 2018-021 a Resolution Supporting the Principles of the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW).
21. Acknowledge the Following Volunteers for Worker's Compensation Purposes: Jami Carpenter (Parks & Recreation), Demetrius Ross (RSVP+)
22. LF022818-01 – Acknowledge December 2017 Sales Tax Report
23. LF022818-02 – Approve Resolution No. 2018-017A a Resolution Fixing Time and Place for Hearing on Assessment Roll for Sidewalk Repairs SWK16-2344
24. LF022818-03 – Acknowledge January 2018 General Fund Cash Balance Report
25. LF022818-07 – Acknowledge FY2017 Annual Financial Report
26. LF022818-04 – Approve Resolution No. 2018-018 Creating New Positions of Civic Center Scheduling Coordinator, Civic Center Technician Assistant, and Assistant Public Works Director
27. 18TP010 – Authorize Mayor and Finance Officer to Sign the Professional Services Agreement with KLJ, Inc. for the East Rapid City Traffic and Corridor Analysis Study in an Amount not to Exceed \$183,066.05

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

28. No. CC030518-02.1 – Award Current Model Year Tandem Dump Truck for the Water Department / Utility Maintenance Division to Eddie's Truck Sales/Northern Truck Equipment in the amount of \$141,898.00 as the bidder with no deviations to the specifications.

29. No. CC030518-02.2 – Award Current Model Year Tandem Dump Truck for the Water Reclamation / Storm Drainage Division to Eddie’s Truck Sales/Sanitation Products in the amount of \$145,863.00 as the bidder with no deviations to the specifications.
30. No. CC030518-02.3 – Approve award of total bid for E Saint James and Cherry – Pavement Rehabilitation Project, Project No. 17-2417 / CIP No. 50549 opened on February 27, 2018 to the lowest responsible bidder J&J Asphalt Company, in the amount of \$238,521.00.
31. No. CC030518-02.4 – Approve award of Total Bid, contingent on South Dakota State DENR concurrence and approval, for East Rapid City Water Expansion Mesa View Estates Subdivision, Radar Hill Road and Morris Lane Water Extensions Project , Project No. 14-2198 / CIP No. 50964.F opened on February 27, 2018 to the lowest responsible bidder, Highmark, Inc. in the amount of \$720,384.82
32. No. CC030518-02.5 – Approve award of Total Bid for Omaha Trunk Sewer Replacement First Street to Maple Avenue, Project No. 17-2423 / CIP No. 50878.1 opened on February 27, 2018 to the lowest responsible bidder Highmark, Inc., in the amount of \$1,099,467.12.
33. No. CC030518-02.6 – Approve award of total bid for Concrete Repair Project - Sheridan Lake Road, Project No. 17-2422 / CIP No. 50445 opened on February 27, 2018 to the lowest responsible bidder, Tru Form Construction, Inc. in the amount of \$277,318.00.
34. No. CC030518-02.7 – Approve award of total bid for Soo San Drive – Pavement Rehabilitation Project, Project No. 17-2415 / CIP No. 50798 opened on February 27, 2018 to the lowest responsible bidder Simon Contractors of SD, Inc., in the amount of \$214,371.47.

END OF CONSENT ITEMS

**NON-CONSENT ITEMS** – Items 35 – 43

**Open Public Comment** – Items 35 – 43 (3-minute time limit per speaker)

**Close Public Comment**

**Ordinances**

35. 18OA009 – Second 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**
36. 18OA010 – Second 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**
37. No. 18RZ001 - First Reading, Ordinance 6226, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by Dana Forman of KLJ for South Dakota Game Fish and Parks for a Rezoning from Low Density Residential District to Public District for property generally described as being located northwest of the intersection of Knutson Lane and Sturgis Road.  
**Recommendation: Approve**
38. No. 18RZ003 - First Reading, Ordinance 6238, 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 General Commercial District to Urban Commercial District for property generally described as being located east of 4th Street to South Dakota School of Mines Campus, south of railroad tracks north of Kansas City Street.  
**Recommendation: Approve**
39. No. 18RZ004 - First Reading, Ordinance 6239, 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 High Density Residential District to Urban Commercial District for property generally described as being located south of East St. Joseph Street between Maple Avenue and Birch Avenue.  
**Recommendation: Approve**

40. No. 18RZ005 - First Reading, Ordinance 6240, 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 Light Industrial District to Urban Commercial District for property generally described as being located north of Main Street between East Boulevard and Maple Avenue.

**Recommendation: Approve**

41. LF022818-05 – First Reading, Ordinance 6225, an Ordinance to Amend Provisions Concerning Appeals to the Building Board of Appeals by Amending Sections 15.04.120 and 15.04.130 of the Rapid City Municipal Code.

**Recommendation: Approve**

**Public Works Committee Items**

42. PW022718-08 – Appeal of Denied Exception Request from Prairie Valley Development Company, LLC to Waive the Requirement to Construct Curb, Gutter, Sidewalk and Street Light Conduit in Receda, Abelia and Mondo Streets (City File 18EX016), one Exception denied by staff out of two total Exceptions submitted for the project.

**Recommendation: Deny 3-2 with Modrick and Salamun opposed**

**Legal & Finance Committee Items (NONE)**

**CIP Committee Items (NONE)**

**Community Planning & Development Services Department Items**

43. No. 18PL003 - A request by FMG Engineering for Peco Kid LLC for a Preliminary Subdivision Plan for proposed Lots A and B of Lot 3 of Tract C of Rushmore Center, generally described as being located east of Luna Avenue, south of Rushmore Crossing.

**Recommendation: Approve with Stipulations**

**Other Board, Commission & Committee Items (NONE)**

**Bid Awards (NONE)**

**Alcoholic Beverage License Applications (NONE)**

- Reissuance*
- Special Event*

**Mayor’s Items (NONE)**

**Council Items & Liaison Reports (NONE)**

- Reconsideration Notices*
- Motion for Delivery of Items from Committee*

**Staff Items (NONE)**

**Appeals (NONE)**

- Planning Commission Appeals*
- License Appeals*
- Sign Code Appeals*
- Other Appeals Heard by the Council*

**PUBLIC HEARING ITEMS** – Items 44 – 56

**Open Public Hearing (comment)** - Items 44 –56 (3-minute time limit per speaker)

Close Public Hearing (comment) - Items 44 – 56CONSENT PUBLIC HEARING ITEMS – Items 44 – 45Remove Items from the “Consent Public Hearing Items” and Vote on Remaining Consent Items**Community Planning & Development Services Department Items (NONE)****Alcohol Licenses**

44. 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
45. 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

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

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 46 – 56

46. No. CC030518-04.1 – Acknowledge Presentation and Public Hearing for SRF Application pertaining to the “East Rapid City Water System Expansion”  
**Recommendation: Acknowledge**
47. No. PW022718-09 – Approve Resolution No. 2018-022 A Resolution Authorizing an Application for Financial Assistance, Authorizing the Execution and Submittal of the Application, and Designating an Authorized Representative to Certify and Sign Payment Requests. East Rapid City Water Expansion, Project No. 13-2107 / CIP No. 50964.  
**Recommendation: Send to Council without Recommendation**
48. No. 18RZ002 - Second 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**
49. 18OA001 – Second 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**
50. 18OA002 – Second 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**
51. 18OA003 – Second Reading of Ordinance No. 6230 an Ordinance Amendment to Title 17 of the Rapid City Municipal Code by amending Chapter 17.06.  
**Recommendation: Approve**
52. 18OA004 – Second 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**
53. 18OA005 – Second Reading of Ordinance No. 6232 an Ordinance Amendment to Modify Section 17.50.070 of the Rapid City Municipal Code.  
**Recommendation: Approve**

- 54. 18OA006 – Second 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**
- 55. 18OA007 – Second 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**
- 56. 18OA008 – Second 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**

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

**BILLS**

- 57. No. CC030518-01 – Bill List for March 5, 2018

**ADJOURN**