

located along the east lot line shall be renamed and the plat document shall be revised to show the approved street name; 6. Prior to submittal of a Final Plat application, the plat document shall be revised to show "Anamosa Street" as "E. Anamosa Street"; 7. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid; 8. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and, 9. The approved Preliminary Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.

Motion was made by Kooiker and seconded to approve (No. 09SE003) A request by Hills Alive Festival for a **Special Exception to the Flood Area Construction Regulations to allow temporary structures in the floodway** on Tract 20 less Lot H1 of the Rapid City Greenway Tract, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located north of Omaha Street between North Mount Rushmore Road and Fifth Street in Memorial Park with the following stipulations: 1. That the event will be stopped and the structures removed if ordered by the Police Chief, Fire Chief, Mayor, Emergency Management Director or the Public Works Director; and, 2. That the structures for the event be removed that evening after the event has ceased. Kathy Cook, a representative from Hills Alive, confirmed that they are aware of the stipulations. Motion carried.


Legal & Finance Committee Items

Motion was made by Kooiker and seconded to (No. LF051309-28) Confirm appointment of Mike Kenton, Aaron Costello and Pat Tlustos to the Consultant Oversight Committee. Responding to a question raised by Costello, Green clarified that he does not need to abstain from voting on this item. Mayor Hanks said as soon as the committee members are appointed they will meet within a week, and he explained that Alderman Costello will still serve until at least July 1, 2009 if his opponent should win the upcoming election. Motion carried.

Public Works Committee Items

Motion was made by Kroeger and seconded to recommend that City Council withdraw the order to install sidewalks on that portion of E Saint Patrick Street described as follows: Lots 1-8; Lot 16; Lots 9-12 Revised; Hansen Heights, Sec 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota. Green stated that it is his opinion that the process was appropriately followed by the City as notice was given to property owners, and at this time, sidewalks have not been installed. Kooiker said this has been an issue for a while, and this is an opportunity for the Council to address this matter. If it is going to be delayed, he said it should only be done for a short period of time to allow for development plans to be brought forward.

Substitute motion was made by Kooiker and seconded to stay the order to install sidewalks until December 31, 2009 to allow for the development plans to be brought forward and start installation on January 1, 2010 weather permitting. Olson indicated that both sides of the street should have adequate walkways, and LaCroix said that there are many other areas of town that need sidewalks too. He also suggested pedestrian friendly walkways and said there are other options to consider, such as bike lanes. Kroeger said Mr. Hanson contacted him several months ago about the issue. He said he does not see a need for a sidewalk on that side of the street. Costello agreed that there are several areas that need sidewalks and is in favor of an effort to install sidewalks there and ADA accessible curbs on the other side of the street. Okrepkie said right now the sidewalks would not connect to anything, and he felt it would be more appropriate to put in a sidewalk as the development happens. Green clarified that the effect of the motion would be to stay the City's application of the process until December 31, 2009. If this motion passes, the issue should come before the council before December 31, 2009, and if a suitable



plan is presented, the installment could be stayed to allow the plan to be implemented. Green said the additional action for an assessment would take place after the sidewalks are installed. Olson asked to see a map of the proposed sidewalks, but due to technical issues, a map could not be presented. Okrepkie stated his concern that the sidewalks will go in as opposed to having the development naturally progress, and Mayor Hanks indicated that they can stay the action to a specific date if the developer submits a plan. Costello pointed out that there are several buildings in the area, and this property is a noticeable gap. Mayor Hanks clarified where the sidewalks were ordered in, and Kroeger said if the entire area is not required to put in sidewalks then he is not interested in forcing this property owner to put them in. Upon roll call vote, the following voted AYE: Costello, Hadcock, Martinson, Weifenbach, Chapman, Kooiker, Olson; NO: Kroeger, LaCroix and Okrepkie. Motion carried.

Bids

The following companies submitted bids for (No. CC051809-02) One (1) New Current Model Year Articulating Motor Grader for the Solid Waste Division opened on May 12, 2009: RDO Equipment Co., Sheehan Mack Sales and Equipment, Inc., and Butler Machinery Co. Staff reviewed the bids and recommends bid award to Sheehan Mack Sales and Equipment, Inc. Motion was made, seconded and carried to approve the bid award to the lowest responsible bidder meeting specifications, Sheehan Mack Sales and Equipment, Inc., for a total contract amount of \$207,950.00 without the trade-in.

Mayor's Items

Motion was made by Kooiker, second by Hadcock, to set a special Council meeting for July 27, 2009 at 6:30 p.m. in Council Chambers to hear presentations for the parking ramp. Chapman asked if it would be expected that they have financing in place, and Mayor Hanks said that, until the design group has a commitment from the City, he would expect they will only have soft commitments. Chapman also mentioned some Council members already have commitments for that date. Weifenbach reminded the Council that one group requested 90 to 120 days to prepare for their presentation.

Substitute motion was made by Weifenbach, second by Chapman, to set the meeting for August 24, 2009. LaCroix said he cannot commit to a date yet as he is not sure of his work schedule during that time. He said it is important that everyone can be there. Hadcock suggested forming a committee as she felt that would be a fair and more efficient process. Elkins explained the process that was used last time proposals were taken and said the process took approximately 4 to 6 weeks.

Second substitute motion was made by Olson and seconded to issue an RFP, appoint a task force and ask the task force to come back with recommendations no later than July 22, 2009. Elkins confirmed that the previous RFP can be revised with new dates. Chapman spoke about the goal of the task force and Council, and he briefly discussed tax credits. Martinson stated her support for the motion as it is a good middle ground. Okrepkie said it is not in the best interests of Council or community to create a task force because some Council members will be out of the loop. He indicated it will be easier, quicker and more effective to have the entire Council involved. Kooiker pointed out that this motion would cause presentations to happen in the next few weeks, and this will not allow enough time. If a task force is created, he would like to make sure the meetings are open to the public, minutes kept and meetings recorded. Responding to Weifenbach, Schlimgen stated that he would prefer to present to the entire Council, and Weifenbach said it is important to allow at least 90 days if they want to include Mr. Schlimgen in the process. LaCroix said we can do this in 30 days. He said we need to pick a project and decide on the preferred project before the businesses look for financing. Chapman said he is comfortable with Council leadership and Mayor sitting down to iron out the process, and Hadcock said she did not see a problem with the process last time. Weifenbach mentioned that Mayor Hanks gave the presenters ground rules at the last meeting so that the project can be moved forward.

Question was called by Olson. Upon vote being taken, motion failed.