

PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota

September 4, 2007

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at the City/School Administration Center in Rapid City, South Dakota on Tuesday, September 4, 2007 at 7:00 P.M.

The following members were present: Mayor Alan Hanks and the following Alderpersons: Lloyd LaCroix, Tom Johnson, Deb Hadcock, Bill Okrepkie, Malcom Chapman, Ron Weifenbach, Ron Kroeger, and Sam Kooiker; and the following Alderpersons arrived during the course of the meeting: Bob Hurlbut; and the following were absent: Karen Olson.

Staff members present included Finance Officer Jim Preston, City Attorney Jason Green, Growth Management Director Marcia Elkins, Public Works Director Dirk Jablonski, Fire Chief Gary Shepherd, Police Chief Steve Allender, and Administrative Coordinator Jackie Gerry.

PUBLIC HEARING ITEMS – Items 73 - 112

NON-CONSENT PUBLIC HEARING ITEMS – Items 105 - 112

The Mayor presented No. 07TI009, a request by Dream Design International, Inc. for Zandstra Real Estate Holdings for a **Resolution Creating Tax Increment District** on Tract 1 of the E1/2 of Section 16 less Elks Country Estates and the SW1/4 of Section 16 less Plum Creek Subdivision, all located in Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and the N1/2N1/2NE1/4NW1/4 and the N1/2N1/2NW1/4NE1/4 and the E1/2NE1/4, all located in Section 21, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located south and west of Elks Country Estates and east of Elk Vale Road. For discussion, the following resolution was introduced, read, and LaCroix moved its adoption:

**RESOLUTION CREATING TAX INCREMENT DISTRICT NUMBER SIXTY FIVE,
AS SUBMITTED BY THE RAPID CITY PLANNING COMMISSION**

WHEREAS the property within the following described District meets the qualifications and criteria set forth in SDCL 11-9; and,

WHEREAS the Council of the City of Rapid City finds that the aggregated assessed value of taxable property in this District, plus the assessed values of all other districts currently in effect, does not exceed ten percent (10%) of the total assessed value of taxable property in the City of Rapid City; and,

WHEREAS the Council finds that:

(1) Not less than twenty-five percent (25%), by area, of the real property within the district is a blighted area as defined in SDCL 11-9-9 through 11-9-11; and,

(2) The improvement of the area is likely to significantly enhance the value substantially on all of the other real property in the district.

NOW, THEREFORE, BE IT RESOLVED by the City of Rapid City that the real property legally described as:

Tract 1 of the E1/2 of Section 16 less Elks Country Estates and the SW1/4 of Section 16 less Plum Creek Subdivision, all located in Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and the N1/2N1/2NE1/4NW1/4 and the N1/2N1/2NW1/4NE1/4 and the E1/2NE1/4, all located in Section 21, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota

is hereby designated as Tax Increment District Number 65.

Dated this 4th day of September, 2007.

CITY OF RAPID CITY
ATTEST: s/ Alan Hanks, Mayor
s/ James F. Preston
Finance Officer

(SEAL)

The motion for the adoption of the foregoing resolution was second by Okrepkie. Alderman Hadcock indicated her opposition to the Tax Increment District; pointed out that there is a second access from Jolly Lane to Old Folsom Road through the Elks Meadows subdivision; and suggested those elements -- irrigation, storm sewer, underground utilities, and drainage are the costs of the developer. Hadcock reminded everyone that the \$1.4 Million from the South Dakota Department of Transportation and \$700,000 IDPF loan from the City, paid to the developer, was to have been applied to the secondary access. Alderman Johnson indicated that this is an economic development Tax Increment District; and explained when it originally came forward, the Council approved the district and it was later dissolved. He indicated that this area needs a Tax Increment District, pointing out that thousand of developable acreage remain landlocked and have not added any additional income to the community. Johnson pointed out that the current temporary secondary access is a hazard and the 10 – 15 minute response time for emergency vehicles is unacceptable. He reminded everyone that the Council adopted a major street plan that identifies the locations and classification of any road to be built. Hani Shafai, Dream Design International, responding to a question from Alderman Okrepkie, explained that

the approval of Tax Increment District and signing of the developer's agreement will dictate exactly the time in which the owners or developers will prepare the project to construct Minnesota Street. Shafai estimated that it could possibly take two years to design, bid, and construct the grading and drainage. Upon a roll call vote, the following voted AYE: Hurlbut, Okrepkie, Weifenbach, Kroeger, LaCroix, and Johnson; NO: Hadcock, Chapman, and Kooiker; whereupon said resolution was declared duly passed and adopted.