

PROCEEDINGS OF THE CITY COUNCIL  
Rapid City, South Dakota

January 17, 2012

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, January 17, 2012 at 6:30 P.M.

The following members were present: Mayor Sam Kooiker and the following Alderpersons: Ritchie Nordstrom, Jordan Mason, Charity Doyle, Ron Sasso, Dave Davis, Bonny Petersen, John B. Roberts, Gary Brown and Jerry Wright; and the following Alderpersons arrived during the course of the meeting: None; and the following were absent: Steve Laurenti.

Staff members present included: Finance Officer Pauline Sumption, City Attorney Joel Landeen, Public Works Director Terry Wolterstorff, Community Planning and Development Services Director Brett Limbaugh, Police Captain Doug Thrash, Fire Chief Mike Maltaverne, Parks & Recreation Director Jerry Cole, Community Resources Director Jeff Barbier and Administrative Coordinator Sharlene Mitchell

**NON-CONSENT PUBLIC HEARING ITEMS**

Motion was made by Brown, second by Roberts and carried to Authorize the Mayor and Finance Officer to sign the waiver of right to protest a future assessment for the installation of water along Cherry Avenue and additional pavement along East St. Francis Street as they abut Tract A of NW1/4 of the NE1/4 located in Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at the current southern terminus of Limelight Lane. (11SV022)

Motion was made by Brown, second by Roberts and carried to Approve (No. 11SV002) a request by Britton Engineering and Land Surveying, Inc. for John Roberts Trust for a **Variance to the Subdivision Regulations to waive the requirement to install water along Cherry Avenue, to construct a minimum 26 foot wide paved surface along East St. Francis Street and to dedicate 17 additional feet of right-of-way along East St. Patrick Street as per Chapter 16.16 of the Rapid City Municipal Code** with the following stipulations: 1. Prior to approval by the City Council, the applicant shall sign a waiver of right to protest any future assessments for the street improvements; 2. Prior to submittal of a Final Plat application, the applicant shall enter into a Covenant Agreement securing the commitment to dedicate 17 additional feet of right-of-way along East St. Patrick Street and to remove the existing encroaching buildings should the property be further subdivided, redeveloped or if necessitated by corridor growth; and, 3. Prior to submittal of a Preliminary Plat application, the plat document shall be revised to dedicate a usable access easement for the existing manhole located on proposed Lot 1 and to **Deny a Variance to the Subdivision Regulations to waive the requirement to install sidewalk along Cherry Avenue and a sidewalk along the north side of East St. Francis Street** for proposed Lot 1 and Lot 2 of John Roberts Subdivision, legally described as Tract A of NW1/4 of the NE1/4 located in Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at the southwest corner of the intersection of East Saint Patrick Street and Cherry Avenue