

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota
June 18, 2001

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 Monday, June 18, 2001 at 7:00 P.M.

Mayor Jerry Munson, Finance Officer Jim Preston, and the following Alderpersons were present: Tom Johnson, Alan Hanks, Babe Steinburg, Tom Murphy, Bill Waugh, Martha Rodriguez, Ron Kroeger, Ray Hadley and Rick Kriebel; the following arrived during the course of the meeting: None; and the following were absent: Mel Dreyer.

Motion was made by Hanks, seconded by Hadley and carried to **approve the minutes** of June 4 and June 13, 2001.

Bid Openings

The following bids for **Arrowhead Drainage Channel Improvements** Project DR00-961 were opened on June 14, 2001:

1)	Hills Materials Company (bond submitted)	\$95,920.00
2)	RCS Construction (bond submitted)	\$58,647.20
3)	Mainline Contracting (bond submitted)	\$65,502.75
4)	Site Work Specialists (bond submitted)	\$60,103.95
5)	Morris Construction Co. (bond submitted)	\$50,773.50
6)	Shovelhead Excavating (bond submitted)	\$65,068.50
7)	Corner Construction (bond submitted)	\$66,701.10

Staff has reviewed the bids and recommends award to Morris Construction. Motion was made by Steinburg, seconded by Murphy and carried to award the bid for DR00-961 to Morris Construction Company, the lowest responsible bidder meeting specifications, based on their low unit prices bid, for a total contract amount of \$50,773.50.

The following bids for **Parks Parking Lots Overlay Project** PR01-1043 were opened on June 14, 2001:

1)	Simon Contractors (bond submitted)	\$48,820.40
2)	J&J Asphalt Company (bond submitted)	\$49,067.40
3)	Hills Materials Company (bond submitted)	\$38,985.00

Staff has reviewed the bids and recommends award to Hills Materials Company. Motion was made by Steinburg, seconded by Waugh and carried to award the bid for PR01-1043 to Hills Materials Company, the lowest responsible bidder meeting specifications, based on their low unit prices bid, for a total contract amount of \$38,985.

The following bids for **Third Street Reconstruction Project** ST01-1082 were opened on June 14, 2001:

1)	Mainline Contracting (bond submitted)	\$198,570.87
2)	Hills Materials Company (bond submitted)	\$189,134.40
3)	Heavy Constructors (bond submitted)	\$220,990.00
4)	Simon Contractors (bond submitted)	\$208,288.70

Staff has reviewed the bids and recommends award to Hills Materials Company. Motion was made by Steinburg, seconded by Waugh and carried to award the bid for ST01-1082 to Hills

Materials Company, the lowest responsible bidder meeting specifications, based on their low unit prices bid, for a total contract amount of \$189,134.40.

Staff reported that no bids were received to purchase and Move Off Site the Existing Structure (More commonly known as the **Meadowbrook Golf Course Clubhouse**) located at 3625 Jackson Boulevard, Rapid City, South Dakota. Staff will work to find solutions to moving this structure. Motion was made by Hadley, seconded by Steinburg and carried to table this item.

The following bids for One New Current Year Model Storm Sewer Cleaning Combination **Jet/Vacuum Machine** were opened at 2:30:

1)	Municipal Pipe & Tool (bond submitted)	
	Base bid	\$209,886.00
	Trade-In	<u>-25,000.00</u>
	Net Bid	\$184,886.00
2)	Sheehan Mack Sales (bond submitted)	
	Base bid	\$202,488.00
	Trade-In	<u>-15,000.00</u>
	Net Bid	\$187,488.00
3)	Sanitation Products (check submitted)	
	Base bid	\$233,368.82
	Trade-In	<u>-40,000.00</u>
	Net Bid	\$193,368.82

Motion was made by Steinburg, seconded by Hadley and carried to refer these bids to the Public Works Committee for review and recommendation.

The next item before the Council was a bid award for **Wildwood Street & Utilities Construction** Project WSS00-943. Public Works Director Dan Bjerke explained that bids for this project were opened on June 1, 2001. The low bidder was Hills Materials Company in the amount of \$1,778,916.21. Staff has had several meetings with the contractor to try and find a way to change the scope of the project in an attempt to lower the cost. This project is part of the system that will supply water to the new Red Rock Subdivision in the southwest part of Rapid City. Several issues have come to light that are making the project more difficult. The street is not located totally in the right-of-way in some places and there has been interest expressed by some property owners for sewer service. There has also been interest in water service on Una Del Drive. In working with the consultant on the project along with the other utilities located in the right-of-way, we will have to address drainage issues and reconstruct the entire street. As a result, the cost of the project is more than the preliminary estimate of \$1,080,000. Bjerke explained that staff has reviewed the priority of projects to be constructed in the next two or three years in an attempt to find additional funding for this project. Project Manager Stacy Titus reviewed with the Council the projects that will be delayed so that this project can be funded. Titus added that staff has estimated that \$200,000 will be coming back to the City in the form of sewer connection fees; \$25,000 in water assessments; \$25,000 water connection fees; and \$60,000 in oversize connection fees from Red Rock Subdivision for a total of approximately \$300,000. Bjerke added that there will be a ground storage reservoir constructed in the southwest part of Red Rock Subdivision. The developers of that subdivision will be donating the land for the reservoir. There will also be a pump station located along Catron Boulevard that will provide water to the new pressure system that will serve Carriage Hills. Currently Carriage Hills is served from a constant pressure booster station and anytime there is a power outage, they are out of water. This project will provide a constant fire fighting water supply for this area of the community. Staff recommended that the bid be awarded at this time. The City Attorneys Office has reviewed this issue and has no

objections. Hanks expressed concern about moving projects back to find funding for this project. It was noted that this issue has not been presented to the CIP Committee for review. Hanks asked that staff review with the Council the changes that will be made in the priorities for street projects. Motion was made by Hanks, seconded by Hadley and carried to continue this item until the end of the agenda so that staff can present additional information.

Aldersperson Items/Liaison Reports

Hadley stated that as a result of recent errors in reporting City Council business by the news media, he would like to see all special City Council meetings video taped and shown on cable television. Motion was made by Hadley, seconded by Johnson and carried to direct staff that all special council meetings be video taped.

Kriebel stated that he was contacted by an individual who is interested in securing transportation for veterans who may want to attend the World War II Memorial Dedication in Pierre in September of this year. Kriebel stated that he doesn't know how many individuals would need transportation, but he feels this would be a good project for the City to sponsor. He requested that staff look into this project.

Alcoholic Beverage License Applications

The Mayor presented No. 01UR024, a request by Dream Design International for a **Use On Review to allow an on-sale liquor establishment** on Lots D-G of Lot 1 less Lot H and less highway right-of-way, Section 3, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 609 Mountain View Road. Motion was made by Hadley and seconded by Murphy to approve the requested Use on Review, with the following stipulations: 1) Prior to issuance of a Certificate of Occupancy, the two approaches closest to the intersection, one on Mountain View Street and one on West Main Street shall be eliminated; 2) That prior to issuance of a Certificate of Occupancy, all fire codes must be complied with; 3) That a Building Permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy; 4) The Use on Review approval shall expire if the use is not undertaken and completed within two years of the date of approval by the City Council, or if the use as approved has ceased for a period of two years; 5) Prior to issuance of a Building Permit a complete sign package shall be submitted for review and approval; and, 6) Prior to City Council approval, the applicant shall provide a separate legal description for the on-sale liquor establishment and the Use On Review shall be approved only for that premise. Hani Shafai of Dream Design International stated that his clients object to Stipulation No. 1 which would require that two approaches to this property be closed. He requested that the Use on Review be approved without this stipulation. Waugh asked why the City wants these approaches closed. Public Works Director Dan Bjerke explained that the City has approved the Approach Plan that was developed by the State for access management. Whenever the owner or use on a property changes, the approaches are reviewed for compliance to the Approach Plan. There was discussion on the approaches to this property and all other properties in this area. Waugh stated that he feels it would be difficult to operate the gas service at this location if these two approaches were closed. Substitute motion was made by Kriebel and seconded by Johnson to approve the requested Use on Review, with the stipulations listed above, excluding Stipulation No. 1. Upon vote being taken, the motion carried unanimously.

This was the time set for hearing on the application of MG Oil Company dba **BP Casino**, 609 Mt. View Road, Suite C-1, for an On-Off Sale Malt Beverage License Transfer (location only). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of MG Oil Company dba **BP Casino**, 609 Mt. View Road, Suite C-1, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Burnell and Ann Lutz dba **Gas Plus**, 1903 North Maple Avenue, for an Off-Sale Malt Beverage License Transfer (from Gerald Lutz). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Burnell and Ann Lutz dba **Gas Plus**, 1903 North Maple Avenue, for an Off-Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Merle Bach dba **The Hideaway**, 1575 LaCrosse Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Black Hills Sports, Inc. dba **Fitzgerald Stadium**, Canyon Lake Drive, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Central States Fair, Inc. dba **Central States Fair**, 800 San Francisco Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Mini Mart, Inc. dba **Mini Mart No. 447**, 1601 N. Haines Avenue, for an Off-Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Mini Mart, Inc. dba **Mini Mart No. 451**, 4260 Canyon Lake Drive, for an Off-Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Mini Mart, Inc. dba **Mini Mart No. 443**, 3106 W. Main Street, for an Off-Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Mini Mart, Inc. dba **Mini Mart No. 444**, 1627 Mt. Rushmore Road for an Off-Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Black Hills Amateur Baseball, **McKeague Field**, for an On-Off Sale Malt Beverage License Renewal (No Video Lottery). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Hotel Management Company dba **Alex Johnson Hotel**, 523 Sixth Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Gary Bloomberg dba **Gold Rush Casino**, 1141 Deadwood Avenue, for an On-Off Sale Malt Beverage License Renewal. Upon

motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Loveletta Gibson dba **Lovey's Outer Limits**, 10140 Pierre Lane, for an On-Off Sale Malt Beverage License Renewal (No Video Lottery). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of MG Oil Company dba **Warehouse Bar & Casino**, 200 E. Main Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of MG Oil Company dba **Haines Avenue Smoke Shop**, 2601 N. Haines Avenue, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of MG Oil Company dba **Amoco Food Shop No. 8**, 302 E. North Street, for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of MG Oil Company dba **Amoco Food Shop No. 9**, Jct. 79 & St. Patrick Street, for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of MG Oil Company dba **Amoco Food Shop No. 10**, 1818 Mt. Rushmore Road, for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of MG Oil Company dba **East North Casino**, 230 E. North Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of MG Oil Company dba **East St. Patrick Casino**, 1226 E. St. Patrick Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of MG Oil Company dba **Haines Avenue Casino**, 1735 Haines Avenue, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of MG Oil Company dba **LaCrosse Street Casino No. 1**, 720 N. LaCrosse Street, Suite A, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of MG Oil Company dba **LaCrosse Street Casino No. 2**, 720 N. LaCrosse Street, for an On-Off Sale Malt Beverage License

Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of MG Oil Company dba **Rushmore Casino**, 1808 Mt. Rushmore Road, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Fuel Food Mart, Inc. dba **Amoco Food Shop No. 4**, 901 E. North Street, for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Fuel Food Mart, Inc. dba **Amoco Food Shop No. 5**, 601 Mt. View Road, for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of China Buffet Express, Inc. dba **China Buffet**, 740 Mt. View Road, for an On-Off Sale Malt Beverage License Renewal (No Video Lottery). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Charles & Holly Bossen dba **The Berry Patch Campground**, 1860 E. North Street, for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Faryat, Inc. dba **Botticelli's Ristorante Italiano**, 523 Main Street, for an On-Off Sale Malt Beverage License Renewal (No Video Lottery). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Robert Johnson, dba **Canyon Lake Pub & Casino**, 4116 Jackson Blvd., for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of James L. Wilcox dba **Smiley's House of Pizza**, 510 St. Joseph Street, for an On-Off Sale Malt Beverage License Renewal (No Video Lottery). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Harbry Enterprises, Inc. dba **Buck-N-Gator**, 4095 Sturgis Road, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Robert L. Stiehl dba **Circle S Convenience Market**, 310 E. Fairmont Blvd., for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Robin & Judy, Inc. (inactive), 712 St. Joseph Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Jumble, Inc. dba **Uncle Sam's West**, 2730 West Main Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Kittens, Inc. dba **Uncle Sam's East**, 1122 E. North Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Uncle Sam's Inc. dba **Uncle Sam's Casino & Eatery**, 2110 Jackson Boulevard for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Rapid City **Elks Lodge**, No. 1187, 3333 E. 39th Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Nash Finch Company dba **Family Thrift Center No. 253**, 1516 E. St. Patrick Street, for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Black Hills Food Services, Inc. dba **Fuddruckers**, 2106 N. Maple Avenue, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of S&Y, Inc. dba **The Golden Phoenix**, 2421 W. Main Street, for an On-Off Sale Malt Beverage License Renewal (No Video Lottery). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Holway's Hideaway Investments, Inc. dba **VB's Hideaway Pub**, 1028 E. North Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of GF Pizza, Inc. dba **Godfather's Pizza**, 110 Cambell Street, for an On-Off Sale Malt Beverage License Renewal (No Video Lottery). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Shooters, Inc. dba **Shooters**, 2424 W. Main Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Moyle Petroleum Company dba **Common Cents Food Store**, 1909 LaCrosse Street, for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Moyle Petroleum Company dba **Common Cents Food Store**, 2606 Mt. Rushmore Road, for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Moyle Petroleum Company dba **Common Cents Food Store**, 1129 W. Omaha Street, for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Moyle Petroleum Company dba **North Street Smoke Shop**, 634 E. North Street, for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Moyle Petroleum Company dba **Common Cents No. 107**, 4128 Canyon Lake Drive, for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Kusler's Conoco, Inc. dba **Kusler's Conoco**, 701 E. St. Patrick Street, for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Superpumper, Inc. dba **Superpumper No. 16**, 3275 S. Highway 79, for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Superpumper, Inc. dba **Superpumper No. 27**, 2215 Haines Avenue, for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Howe's Oil Company, Inc. dba **Windmill Truck Stop**, 2783 Deadwood Avenue, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of I-90 Truck Haven Service, Inc. dba **Windmill Restaurant**, 2803 Deadwood Avenue, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of H&B, Inc. dba **The Hall Inn**, 214 E. St. Joe Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Shotgun Willies, Inc. dba **Shotgun Willies**, 2808 W. Main Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Keith L. Fox dba **Rodeway Inn**, 2208 Mt. Rushmore Road, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Dakota Fresh-Mex, LLC dba **Qdoba Mexican Grill**, 741 Mt. View Road, for an On-Off Sale Malt Beverage License Renewal (No Video Lottery). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Keith & Dorla Brink dba **Carini's Italian Food**, 324 St. Joe Street, for an On-Off Sale Malt Beverage License Renewal (No Video Lottery). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Flannery Oil, Inc. dba **Corner Pantry**, 501 Deadwood Avenue, for an Off Sale Malt Beverage License Transfer (from Shannon Capital, Inc.). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Flannery Oil, Inc. dba **Corner Pantry**, 501 Deadwood Avenue, for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Karen Johnson-Pochardt dba **Once Upon a Vine**, 507-513 Sixth Street, for an On-Off Sale Malt Beverage License Renewal (No Video Lottery). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Harold's Prime Rib, Inc. dba **Queen of Hearts Casino**, 316 East Boulevard, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Mai T. Goodsell dba **Saigon Restaurant**, 221 East North Street, for an On-Off Sale Malt Beverage License Renewal (No Video Lottery). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Four Diamonds, Inc. dba **Gramps Café & Catering**, 103 E. Omaha Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of High Plains Securities, Inc. dba **The Reef**, 504 Mt. Rushmore Road, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of WR Rapid City Ventures, LP dba **Oakleaf Beer Garden**, 2211 N. LaCrosse Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of SSDH, Inc. dba **Sam's Too**, 2110 ½ Jackson Boulevard, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Dan Trieu Ly **Golden Fortune**, 1204 E. North Street, for an On-Off Sale Malt Beverage License Renewal (No Video Lottery). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Mae Jean Adams dba **The Corn Exchange**, 727 Main Street, for an On-Off Sale Malt Beverage License Renewal (No Video

Lottery). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Thomas McCarty dba **The Marble Club**, 2315 ½ Mt. Rushmore Road, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of I-90 Amoco, Inc. dba **I-90 Standard**, 2213 N. LaCrosse Street, for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Guang Huan Huang dba **Hunan Chinese Restaurant**, 1720 Mt. Rushmore Road, for an On-Off Sale Malt Beverage License Renewal (No Video Lottery). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Lybeck's Twenty-First Century, Inc. dba **Shenanigan's Casino**, 3788 East Highway 44, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of United Food, Inc. dba **Toby's Casino South**, 710 Cleveland Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of United Food, Inc. dba **Toby's Casino**, 720 E. North Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of The Retired Enlisted Association dba **Northgate Bingo**, 906 E. Philadelphia Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of CCKT, Inc. dba **Lucky Annie's**, 2425 Mt. Rushmore Road, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Dos Ermonas dba **LaCosta Mexican Restaurant**, 603 Omaha Street, for an On-Off Sale Malt Beverage License Renewal (No Video Lottery). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Colonial House, Inc. dba **Colonial House Restaurant**, 2501 Mt. Rushmore Road, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Cenex Petroleum, Inc. dba **Cenex Convenience Store No. 030**, 1160 LaCrosse Street, for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Cenex Petroleum, Inc. dba **Cenex Convenience Store No. 032**, 850 E. North Street, for an Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of NPC International, Inc. dba **Pizza Hut No. 2777**, 2005 Mt. Rushmore Road, for an On-Off Sale Malt Beverage License Renewal (No Video Lottery). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of NPC International, Inc. dba **Pizza Hut No. 2776**, 2604 W. Main Street, for an On-Off Sale Malt Beverage License Renewal (No Video Lottery). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of NPC International, Inc. dba **Pizza Hut No. 2778**, 705 E. North Street, for an On-Off Sale Malt Beverage License Renewal (No Video Lottery). Upon motion made by Hadley, seconded by Johnson and carried, the Council approved the application.

This was the time set for hearing on the application of Safeway Stores 46, Inc. dba **Safeway Store No. 1554**, 730 Mt. View Road, for an Off Sale Malt Beverage License Renewal. Johnson abstained from discussion or voting on this item. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of Safeway Stores 46, Inc. dba **Safeway Store No. 581**, 2120 Mt. Rushmore Road, for an Off Sale Malt Beverage License Renewal. Johnson abstained from discussion or voting on this item. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of Omaha Players Company dba **Happy Jacks-Omaha**, 1117 West Omaha Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of Jenco, Inc. dba **Happy Jacks**, 909 E. St. Patrick Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of Jenco, Inc. dba **Happy Jacks – Cambell Street**, 1601 Cambell Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of Jenco, Inc. dba **Happy Jacks West**, 1925 West Main Street, Suite 1, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of Jenco, Inc. dba **Happy Jacks – Downtown**, 713 Omaha Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of South Dakota Vending, Inc. dba **Happy Jacks, Too**, 909 St. Patrick Street, for an On-Off Sale Malt Beverage License

Renewal. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of South Dakota Vending, Inc. dba **Happy Jacks Far West**, 1925 W. Main Street, Suite 2, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of Western Dakota Gaming, Inc. dba **Valley Sports Casino**, 1865 South Valley Drive, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of Poker Joe's Inc. dba **Poker Joe's**, 211 Cambell Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of Albertsons, Inc. dba **Albertsons**, 855 Omaha Street, for an Off-Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of Dean'O's Casino, Inc. dba **Dean'O's Casino**, 903 East North Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of WR Rapid City Ventures, LP dba **Oakleaf Beer Garden**, 2211 N. LaCrosse Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of Fat Boy's Inc. dba **Firehouse Brewing Company**, 610 Main Street, for an Off-Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of Nifty Fifties, Inc. dba **Parkway Restaurant**, 312 East Boulevard North, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of Ranch Mart, Inc. dba **Ranch Mart**, 520 Birch Street, for an Off-Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of 2004, Inc. dba **Time Square Casino**, 355 Eleventh Street, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of Artis & Marilyn Holmes dba **Art's Smoke House Barbecue**, 609 Main Street, for an On-Off Sale Malt Beverage License Renewal (No Video Lottery). Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of Mary Jane Freimark dba **The Embers**, 5412 S. Highway 16, for an On-Off Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of B&L, Inc. dba **Boyd's Liquor Mart**, 2001 W. Main Street, for an Off-Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

This was the time set for hearing on the application of B&L, Inc. dba **Boyd's Liquor Mart**, 909 E. St. Patrick Street, for an Off-Sale Malt Beverage License Renewal. Upon motion made by Hadley, seconded by Kriebel and carried, the Council approved the application.

Upon motion made by Hadley, seconded by Kriebel and carried, the Finance Officer was directed to publish notice of hearing on the application of **Rushmore German Club**, Central States Fair, 800 San Francisco Street, for a Special Malt Beverage License to be used from August 17 through August 25, 2001, said hearing to be held on July 2, 2001 at 7:00 P.M.

Other

Motion was made by Hadley, seconded by Kriebel and carried to authorize consumption of alcoholic beverages at **The Journey Museum**, 222 New York Street, on June 25, 2001 and June 30, 2001

Consent Calendar

The following item was removed from the Consent Calendar:

132. No. 01VE006 – Approve with stipulations a Vacation of Drainage and Utility Easement for petitioner CETEC Engineering for RCS Construction on Lot 1 and 2 of Carefree Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located immediately north of 2220 South Eglin.

Motion was made by Kroeger, seconded by Johnson and carried to approve the following items as they appear on the Consent Calendar:

Set for Hearing (July 2, 2001)

115. No. 01PD028 - A request by Sylvia Hills Architecture for Helgeson Development Company, Inc. for a **Major Amendment to a Planned Residential Development** on Lot 1 Revised Revised, Trimble Subdivision, Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 931 and 821 Fox Run Drive.
116. No. 01PD029 - A request by Centerline for Olsen Development Company for a **Planned Development Designation** on property described by metes and bounds beginning at the southeast corner of Tract 2 of Settler's Landing Subdivision, located in SW1/4-SE1/4, Section 19, T2N, R8E, BHM, thence N00°08'27"E 230.00 feet, thence S89°51'33"E 122.88 feet, thence N00°03'24"E 388.20 feet, thence N85°02'35"E 1043.65 feet, thence N00°02'29"W 588.25 feet, thence N89°57'31"E 255.00 feet, thence S00°02'29"E 1157.00 feet, thence through a right hand curve with a delta angle of 90°10'59" and a radius of 159.49 feet, thence N89°51'33"W 1259.15 feet, thence N00°08'27"E 17.00 feet to the Point of Beginning. Said parcel containing 24.5565 acres more or less, located northwest of the intersection of Seger Drive and 143rd Street.
117. No. 01PD030 - A request by Centerline for Olsen Development Company for a **Planned Development Designation** on property described by metes and bounds beginning at the northeast corner of Parcel A Revision No. 1 of Settler's Landing Subdivision located in SW1/4-SE1/4, Section 19, T2N, R8E, BHM, thence N00°03'24"E 1128.65 feet, thence S89°48'30"E 1275.26 feet, thence S00°02'29"E 177.37 feet, thence S89°51'E 17.00 feet, thence S00°02'29"E 639.70 feet, thence S89°57'31"W 255.00 feet, thence S00°02'29"E 588.25 feet, thence S85°02'35"W 1043.65 feet, thence N00°03'24"E, 371.35 feet to the Point of Beginning. Said parcel

- containing 39.3613 acres more or less, located northwest of the intersection of Seger Drive and 143rd Street.
118. No. 01UR029 - A request by Steve and Trisha Nolan for a **Use on Review to allow a day care center in the Low Density Residential Zoning District** on Lot 23 of the NE1/4 NE1/4 of Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 4605 Easy Street.
119. No. 01UR030 - A request by M & K Consulting for Western Wireless Corp. for a **Use On Review to allow a communication tower in the Light Industrial Zoning District** on Lot 1, MDU Subdivision, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at 710 Steele Avenue.
120. No. 01UR031 - A request by Dream Design International for a **Major Amendment to a Use On Review to revise the conditions of approval** on Lot F less Lot F-1, Park Addition No. 2, Section 6 (also in Section 1, T1N, R7E), T1N, R8E, BHM, and Lot A of E of Government Lot 4 and 5, Section 6, T1N, R8E, Rapid City, Pennington County, South Dakota, located at 200 East Main Street.
121. No. 01UR032 - A request by Dream Design International, Inc. for a **Use On Review to allow a utility substation in the Low Density Residential Zoning District** on the NW1/4 NE1/4 of Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located north of the current northern terminus of Muirfield Drive.

Public Works Committee Items

122. PW061301-01 – Approve Change Order No. 03F for SSW00-882, Corral Drive Water and Sanitary Sewer Extension Project to Mainline Contracting, Inc. for an increase of \$207.00.
123. PW061301-02 – Approve Change Order No. 02F for DR99-909, South Robbinsdale Drainage Channel – Parkview to Maple to Mainline Contract, Inc. for an increase of \$909.25.
124. PW061301-03 – Authorize staff to advertise for bids for WRF01-1130, Water Reclamation Facility Expansion – Equipment Procurement of Ultraviolet Disinfecting System.
125. PW061301-04 – Authorize staff to advertise for bids for WRF01-1131, Water Reclamation Facility Expansion – Equipment Procurement of Centrifuges.
126. PW061301-05 – Authorize the Mayor and Finance Officer to sign a Black Hills Power, Inc. Right-Of-Way Permit – OH/UG Corporation for Rapid City Greenway Tract 4 (Meadowbrook Golf Course).
127. PW061301-06 – Authorize the Mayor and Finance Officer to sign a Black Hills Power, Inc. Right-Of-Way Permit – OH/UG Corporation for Rapid City Greenway Tract 27 (Roosevelt Ice Arena).
128. PW061301-07 – Authorize the Mayor and Finance Officer to sign a Professional Service Agreement with Britton Engineering and Land Surveying, Inc. to Design SS01-1080, 38th Street Sanitary Sewer Main Extension Project for an amount not to exceed \$3,650.
129. PW061301-08 – Authorize the Mayor and Finance Officer to sign a Service Agreement with Diesel Machinery, Inc. to Provide Maintenance for Water Reclamation Facility Generators for an amount not to exceed \$1,198 annually.
130. PW061301-09 – Approve Out-Of-The-Dust Funds in the amount of \$3,000 for ST01-1127, Blake's Addition #2, Block 18 Alley (East Blvd. to Maple Ave. between East Chicago and West Street).
131. PW061301-10 – Approve Out-Of-The-Dust Funds in the amount of \$3,000 for ST01-1128, St. Elmo #1 Addition, Block 2 Alley (Mt. Rushmore Rd. to 9th Street between St. Patrick and St. Francis – 1919 Mt. Rushmore Road).
133. Authorize staff to advertise for bids for GC00-1016, Meadowbrook Golf Course Clubhouse.
134. Rescind Council action of January 15, 2001 and authorize the Mayor and Finance Officer to sign a TORO National Support Network Extended Warranty and Service

Agreement for Meadowbrook Golf Course Irrigation Central Controller System for a lump sum of \$7,775.

Legal & Finance Committee

135. LF061301-01 - Approve Event Permit for Rushmore Optimists for parade on July 14, 2001, at 9:30 a.m.
136. LF061301-02 - Approve Joint Resolution Establishing Geographic Information System (GIS) Standard Products and Data Pricing List.
137. 01AN007 - Tyler Knue Subdivision - Approve Petition for Annexation, located west of Mall Ridge.

A RESOLUTION ANNEXING THE WITHIN DESCRIBED TERRITORY

WHEREAS a petition signed by not less than three-fourths of the registered voters and by the owners of not less than three-fourths in value of the within described territory, contiguous to the City of Rapid City, has been filed with the City of Rapid City; and

WHEREAS the City Council of the City of Rapid City deems it for the best interest of the City that the within described territory be included within the corporate limits of the City and annexed thereto;

NOW, THEREFORE BE IT RESOLVED by the City of Rapid City that the following territory, containing 7.539 acres, more or less, is hereby included within the corporate limits of the City and annexed thereto:

A tract of land located in the NW 1/4 of NW 1/4 of Section 24, T2N, R7E, BHM, Pennington County, South Dakota more particularly described as follows: Commencing at a point which is a property corner with LS Cap 6119 which is the northwest corner of Lot 9 of Block One of Tyler Knue Subdivision in NW 1/4 of NW 1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, Thence N00°16'55"E a distance of 77.12', more or less, to a point; Thence N13°44'34"W a distance of 107.66', more or less, to a point; Thence S66°12'08"W a distance of 303.51', more or less, to a point; Thence N89°32'23"W a distance of 279.98', more or less, to a point; Thence N00°27'37"E a distance of 121.67', more or less, to a point; Thence N45°26'14"E a distance of 159.30', more or less, to a point; Thence S44°33'46"E a distance of 12.36', more or less, to a point; Thence southeasterly on a curve to the left with a radius of 226.00' and an arc length of 57.47', more or less, to a point; Thence N45°57'12"E a distance of 54.45', more or less, to a point; Thence southeasterly on a curve to the left with a radius of 174.00' and an arc length of 47.61', more or less, to a point; Thence N14°08'42"E a distance of 198.01', more or less, to a point; Thence N66°41'34"E a distance of 83.60', more or less, to a point; Thence N89°50'49"E a distance of 60.59', more or less, to a point; Thence S89°48'39"E a distance of 205.71', more or less, to a point; Thence N00°18'52"E a distance of 132.00', more or less, to a point; Thence S89°41'08"E a distance of 52.00', more or less, to a point; Thence S00°18'52"W a distance of 119.00', more or less, to a point; Thence S89°41'08"E a distance of 135.00', more or less, to a point; Thence S00°18'52"W a distance of 147.34', more or less, to a point; Thence southeasterly on a curve to the right with a radius of 124.00' and an arc length of 71.73', more or less, to a point; Thence southeasterly on a curve to the left with a radius of 176.00' and an arc length of 68.03', more or less, to a point; Thence S00°16'55"W a distance of 249.47', more or less, to a Property Corner with LS Cap 4225 which is the NE corner of Lot 18 of Block 3 of Tyler Knue Subdivision; Thence N89°43'05"W a distance of 135.00', more or less, along the north property line of Lot 18 of Block 3 of Tyler Knue Subdivision, to a Property Corner with LS Cap 6119 which is the NW corner of Lot 18 of Block 3 of Tyler Knue Subdivision; Thence N89°43'05"W a distance of 52.00', more or less, to a Property Corner with LS Cap 6119 which is the NE corner of Lot 9 of

Block 1 of Tyler Knue Subdivision; Thence N89°43'05"W a distance of 170.00' along the north property line of Lot 9 of Block 1 of Tyler Knue Subdivision, more or less, to the Point of Beginning

Dated this 18th day of June, 2001.

ATTEST:
s/ James F. Preston
Finance Officer
(SEAL)

CITY OF RAPID CITY
s/ Jerry Munson, Mayor

- 138. LF061301-03 - Approve Resolution Declaring Property Surplus, Establishing Its Fair Market Value, Setting the Terms of Sale, and Authorizing its Sale.

WHEREAS the following described property is no longer needed or useful for municipal purposes of the City of Rapid City.

NOW, THEREFORE, BE IT RESOLVED by the City of Rapid City that the following described real property is hereby declared surplus:

Lots One (1) and Two (2), Block Twelve (12) of Blake's Addition, Rapid City, Pennington County, South Dakota

BE IT FURTHER RESOLVED that Ron Kroeger, Tom Murphy and Bonnie Hughes, real property owners of the City of Rapid City, are hereby appointed to appraise the fair market value for said property.

BE IT FURTHER RESOLVED that the City of Rapid City may dispose of these parcels of land to the highest bidder for cash; and

BE IT FURTHER RESOLVED that the City Finance Officer and all other officers and employees of the City of Rapid City are hereby authorized and directed to proceed with the sale of said property pursuant to SDCL 6-13.

Dated this 18th day of June, 2001.

ATTEST:
s/ James F. Preston
Finance Officer
(SEAL)

CITY OF RAPID CITY
s/ Jerry Munson, Mayor

- 139. LF061301-04 - Approve Health Care Plan Stop Loss Coverage Renewal.
- 140. LF061301-05 - Authorize Mayor and Finance Officer to Sign Agreement with Martin Jurisch & Associates for the City's annual auction to be held on Saturday, July 14, 2001.
- 141. LF061301-06 - Approve Resolution Declaring Property Surplus.

RESOLUTION DECLARING PROPERTY SURPLUS

WHEREAS the below-described property is no longer necessary, useful or suitable for municipal purposes

NOW, THEREFORE, BE IT RESOLVED that the following property be declared surplus and disposed of according to state statutes, including disposal, sale or trade-in on new equipment:

Library

Panasonic fax machine, Inv. No. 14441
HP Rugged Writer printer, Inv. No. 15136
3-3 drawer legal wooden file cabinets

Landfill Division

1985 Nissan King Cab Pickup, SN JN6ND06S0FW006547
1986 Mazda B2000 Pickup, SN JM2UF3113G0631453
Sharp Copier, Inv. No. 12520
Tec MA128 Cash Register, Inv. No. 9191
Canon Electric Typewriter, Inv. No. 8220
IBM Wide Carriage Printer, Inv. No. 13139
HP Desk Jet 500 Printer, Inv. No. 13410 (Parts only)
Regal Keyboard, SN J962005021
Key Tronic Keyboard, SN J962409660
DFI Personal Computer, Inv. No. 18272
DTK Computer, Inv. No. 14739
Loop Computer Monitor, Inv. No. 13280
Loop Computer Monitor, SN TC9203975
ADC Color Monitor, SN NDD73104599
Regal Computer Monitor, SN ACD61004508
ADC Color Monitor, SN TP31500591
HP Laser Jet Printer, Inv. No. 18670
HP Desk Jet Printer, Inv. No. 18371
HP Desk Jet Printer, SN SG63A1HON5
Regal Personal Computer, Inv. No. 17618
Regal Computer Monitor, SN P34GCOSP
Regal Computer Keyboard, SN B044D475
Regal Computer Keyboard, SN 12502042
Regal Computer Keyboard, SN 80752237
Modular desk unit – scalehouse, Inv. No. 14965

Recreation

Hollow Log Slide, Inv. No. 13005
Slide for Pool, Inv. No. 13021
Air Pack, Inv. No. 8253
Air Pack, Inv. No. 8497
Air Pack, Inv. No. 8498
Air Pack, Inv. No. 8499
Ladder from Roosevelt Pool, Inv. No. 0021
Concourse – Roosevelt Pool, Inv. No. 0084
Piping – Roosevelt Pool, Inv. No. 0086
Toilet Partitions – Roosevelt Pool, Inv. No. 0092

Parks Division

1976 Snowco Trailer, Inv. No. 1877
Snapper Tiller, Inv. No. 9551
Cushman Truck (#27), Inv. No. 1472
Dodge Crew Cab (#5), Inv. No. 1450
Roosevelt Picnic Shelter, Inv. No. 0068
Wooden Playground – OSBI, Inv. No. 0003
Jacobsen Mower with cab & broom attachment, Inv. No., 12124

1983 Datsun King Cab Pickup, SN 0505
1975 Case Backhoe, Inv. No. 7944
1970 Cushman Three-wheel Hauler, Inv. No. 0619

Water Division

Datatech Computer, Inv. No. 5282
Franklin Motor, Inv. No. 5017
Lawnboy Mower, Inv. No. 5279
Wallace & Tiernan Chlorinator

Water Billing

1989 Chevrolet Celebrity, SN 1G1AW51R4K6221154
HP Monitor, Inv. No. 14714
Express PC color monitor, Inv. No. 15167

Human Resources

Monitor, Inv. No. 15365

Golf Course

Cash Register, Inv. No. 09922
Lanier Copy Machine, Inv. No. 14137
IBM Pro Printer, Inv. No. 13610
John Deere Greensmower, Inv. No. 19275
John Deere Greensmower, Inv. No. 19276
John Deere Greensmower, Inv. No. 19277
Attachments for John Deere Greensmowers
Cushman Model Topdresser, Inv. No. 4165
Cushman Aerifying Drum, Inv. No. 6636
Toro Outfront Mower, Inv. No. 0500

Building Inspection

Office Jet HP Copier, Inv. No. 15389
Lanier Tape Recorder, Inv. No. 13225

Water Reclamation Division

TV trailer, Inv. No. 0714
HP Laser Jet Printer, Inv. No. 5280
Precision Drying Oven, Inv. No. 9810
HP Laser Jet Printer, Inv. No. 12190
Cub Cadet Mower, Inv. No. 14903
HP Laser Jet Printer, Inv. No. 15191
Corn Chopper, Inv. No. 17744
Silage Wagon, Inv. No. 17745
Deskjet color printer, Inv. No. 17754
Gateway Computer system, Inv. No. 15332

Street Division

GE Mobile Radio, Inv. No. 9644
GE Two-way Radio, Inv. No. 9642
1968 Dodge D-500 Crew Cab (cab & chassis only), SN 581892010
1987 Chevy 4x4 ½ Ton Pickup, SN 153984
1965 C350B Hyster Steel Faced Roller, SN B-8903461V
1982 Root RB8 Snow Blower, SN 19217
1990 Mustang Steel Faced Roller, SN 9003221
1986 Ford F350 with utility body, SN 54446

GE Mobile Radio, Inv. No. 9644
 GE two-way Radio, Inv. No. 9642
 1986 GMC S-15 Sierra, SN 8515083

Community Development

Gateway Pentium Computer, Inv. No. 15307

Engineering Division

Gateway Computer, Inv. No. 5380
 Computer, Inv. No. 17110
 Midland two-way radio, Inv. No. 9423
 HP Deskjet Printer, Inv. No. 13347
 Metal Tripod, Inv. No. 7554
 Ferro-Track Metal Locator, Inv. No. 10022
 Lietz Autolevel B-4, Inv. No. 7555
 Metal Tripod, Inv. No. 7527
 Lietz SDR20 Data Pack, Inv. No. 7534

Fire Department

Trailer (Old Dive Team's), Inv. No. 349281
 1990 Chevy Corsica, SN 182021
 1976 Ford P/U 4X4, SN 8615
 1983 Cushman Mower, SN 546165 (Bad Differential)
 6-Drawer Wood Desk
 6-Drawer Metal Desk
 3-Drawer Metal Desk w/ Credenza
 Wood Computer Hutch
 Wood Printer Stand on Casters
 GE Electric Range
 Lincoln Arc Welder, 225 AMP, SN 6304101
 Westinghouse Air Compressor
 (7) 4-Channel Maxon portable Radios w/ chargers
 Bearcat Scanner, SN 277465
 Nokia Cell Phone, bag style
 (2) AT&T Answering Machines, SN92056G/920122M
 Powerhouse Computer, Inv. No. 14341
 Gateway P4D-66, Inv. No. 15236
 Gateway P5-120, Inv. No. 15326
 Gateway Baby AT, Inv. No. 17648
 Gateway 2000, Inv. No. 15306
 KDS Monitor, SN 692159435
 IBM Monitor, SN 212423HM889
 Vivitron Gateway 2000, SN 70199494
 MAG Innovision Monitor, SN M156H2011705
 Viewsonic 4 Monitor, SN 1310632989
 IBM Monitor, SN 23-LNK45
 Samtron Monitor
 Panasonic Printer KXP 1124, SN1HMBCCF99454
 HP Deskjet 500, SN 3220A53293
 Panasonic Printer KXP 1124I, SN 2KKBCFO4066
 IBM Printer, Inv. No. 14301
 HP Deskjet 500C, Inv. No. 15053
 Panasonic Printer KXP 1124I, SN 2KKBCF0814
 KVM Server Switch Unit, Inv. No. 17664
 Wyse Winterm Terminal, Inv. No. 19573
 Bridge HP28674

Iomega Zip Drive, SN VO2549194K

Police Department

Pro 500 Laptop Computers, :Inv. Nos. 16618, 16620, 16621
 Sens 800 Laptop Computers, Inv. Nos. 16529, 16530, 16531, 16532, 16533,
 16535, 16536, 16538
 Compaq PC
 Computer K6-2
 Computer Pentium
 Old Novel Server Case, Inv. No. 18788
 Epson Printer, Inv. No. 16496
 Epson 640 Printer
 HP 694C
 Scanmaker V310, SN 78s0803594
 Powerhouse Computer case, Inv. No. 14559
 1995 Ford Crown Victoria, SN 143288

Cemetery

1984 Dodge Dump Truck, Inv. No. 1401

BE IT FURTHER RESOLVED that the Mayor and Finance Officer may do all acts necessary to dispose of this property according to state law.

Dated this 18th day of June, 2001.

ATTEST:
 s/ James F. Preston
 Finance Officer
 (SEAL)

CITY OF RAPID CITY
 s/ Jerry Munson, Mayor

142. Approve the following abatement: Barbara Gales, 2001, \$109.14.
143. Approve the following licenses: Plumbing Apprentice: Chadwick Raverty; Plumber: Shane Devine; Residential Contractor: EXTREME Contracting, Chad D. Gollnick; Security Business: Security One Systems, Leslie Ann Colombe.
144. LF061301-09 - Approve Contract Amendment with Dak-Soft for additional services (training and newsletter) - E-Government.
145. LF061301-10 - Authorize Mayor and Finance Officer to sign the year 2001-02 Certified Local Government Grant Application and Associated Federal Assurances (Historic Preservation Commission).
- 145A. Authorize Mayor and Finance Officer to sign a letter to the State Office of History requesting a time extension from June 30, 2001, to August 31, 2001, for completion of projects as set forth in the year 2000-2001 **CLG grant agreement**.
146. Eliminate the Informational Committee meetings which are held on the second Monday of each month and cover the informational items normally put on that agenda at the Public Works and Legal and Finance committee meetings.
147. LF061301-11 - Approve appointment of Jeff Holgate and Katherine Langefeld to the Rapid City Historic Preservation Commission.
148. LF061301-12 - Approve appointment of Dave Davis to the Rushmore Plaza Civic Center Board.
149. LF061301-13 - Approve appointment of Jim Muellenberg and Don Dubej to the Electrical Board.
150. Approve appointment of Jason Green as Assistant City Attorney I.
151. Approve appointment of John Herr to the Zoning Board of Adjustment.

Raffle

151A. Acknowledge notification of **Raffle** to be sponsored by Youth & Family Services, beginning July 2, 2001; drawing to be held on August 6, 2001.

End of Consent Calendar

The next item discussed by the Council was No. 01VE006, an application for a Vacation of Drainage and Utility Easement by CETEC Engineering for RCS Construction on Lot 1 and 2 of Carefree Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located immediately north of 2220 South Eglin. Motion was made by Hadley, seconded by Steinburg and carried to continue this item until July 2, 2001.

Public Hearings

The next item before the Council was No. CC061801-01, a Resolution Levying Assessment for **Miscellaneous Property Cleanup**. One of the affected property owners requested that this hearing be continued so that he has time to work with staff on this issue. He has been working out of town and has not had an opportunity to investigate this matter. Motion was made by Hadley, seconded by Kroeger and carried to continue this hearing until July 2, 2001.

The Mayor announced the meeting was open for consideration of the Resolution of Necessity for **38th Street Sewer Extension Project** SS01-1080 (No. CC061801-02). Notice of the hearing was published in the Rapid City Journal on June 2 and June 9, 2001. Notices were mailed to the affected property owners on May 23, 2001. No oral or written objections were received. The following Resolution was introduced, read and Hadley moved its adoption:

RESOLUTION OF NECESSITY FOR
38TH STREET SANITARY SEWER EXTENSION
PROJECT NO. SS01-1080

BE IT RESOLVED by the City of Rapid City, South Dakota, as follows:

The City Council hereby declares the necessity of constructing a sanitary sewer main and otherwise improving approximately 500 linear feet of 38th Street as located in the Leisure Acres Addition. The above-referenced project shall be hereafter referred to as 38th Street Sanitary Sewer Extension, Project No. SS01-1080, which shall be deemed a description of the above-referenced improvements.

The general nature of the project is as set forth above. Detailed plans and specifications will be prepared by the City Engineering Division and will be placed on file with the City Finance Officer.

The estimated total cost of the project is \$47,000 of which \$31,387 will be assessed to the benefiting properties. The estimated assessed costs include six percent (6%) engineering fees and five percent (5%) fiscal fees. Interim construction fees are to be determined by the Finance officer and shall be included in the final assessment.

The method of assessment is on the basis of equal benefit.

The recorded ownership and estimated costs for the properties are listed on the attached ownership list.

Dated this 18th day of June, 2001.

ATTEST:

THE CITY COUNCIL
s/ Jerry Munson, Mayor

s/ James F. Preston
Finance Officer
(SEAL)

The motion for adoption of the foregoing Resolution was seconded by Murphy. The following voted AYE: Hanks, Johnson, Murphy, Steinburg, Rodriguez, Waugh, Kroeger, Hadley and Kriebel; NO: None, whereupon said Resolution was declared duly passed and adopted.

The Mayor announced that the meeting was open for consideration of the Resolution of Necessity for **42nd Street Sanitary Sewer Extension Project** SS01-1050 (No. CC061801-03). Notice of the hearing was published in the Rapid City Journal on June 2 and June 9, 2001. Notices were mailed to the affected property owners on May 23, 2001. No oral or written objections were received. The following Resolution was introduced, read and Hadley moved its adoption:

RESOLUTION OF NECESSITY FOR
42ND STREET SANITARY SEWER EXTENSION
PROJECT NO. SS01-1050

BE IT RESOLVED by the City of Rapid City, South Dakota, as follows:

The City Council hereby declares the necessity of extending a sanitary sewer main up 42nd Street from West Omaha to just north of the south property line of Lot 9 (219 42nd Street). The project will consist of approximately 270 l.f. of 8" PVC Sanitary Sewer Main, 2 Manholes and 4 service connections.

The above-referenced project shall be hereafter referred to as 42nd Street Sanitary Sewer Extension, Project No. SS01-1050, which shall be deemed a description of the above-referenced improvements.

The general nature of the project is as set forth above. Detailed plans and specifications will be prepared by the City Engineering Division and will be placed on file with the City Finance Officer.

The estimated total cost of the project is \$25,000 of which \$16,695 will be assessed to the benefiting properties. The estimated assessed costs include consultant services for design, six percent (6%) engineering fees and five percent (5%) fiscal fees. Interim construction fees are to be determined by the Finance Officer and shall be included in the final assessment.

The method of assessment is on the basis of equal benefit.

The recorded ownership and estimated costs for the properties are listed on the attached ownership list.

Dated this 18th day of June, 2001.

ATTEST:
s/ James F. Preston
Finance Officer
(SEAL)

THE CITY COUNCIL
s/ Jerry Munson, Mayor

The motion for adoption of the foregoing Resolution was seconded by Murphy. The following voted AYE: Hanks, Johnson, Murphy, Steinburg, Rodriguez, Waugh, Kroeger, Hadley and Kriebel; NO: None, whereupon said Resolution was declared duly passed and adopted.

Planning Department Consent Items

155. No. 99PL120 – Approve the request by Gary Renner for Larry Teuber for a **Preliminary and Final Plat**, located at the southern terminus of Clarkson Road.

RESOLUTION APPROVING PLAT

WHEREAS a Plat of Lots 1, 2, 3 and 4 of Block 4 of Spring Canyon Estates (formerly Lot 2B & Lot 1 of Block 1 of Spring Canyon Estates and the NE1/4 of the SW1/4) located in the SW1/4 of the NW1/4, the NW1/4 of the SW1/4 and in the NE1/4 of the SW1/4, Section 5, T1S, R7E, BHM, Pennington County, South Dakota, was filed with the Finance Officer for the purpose of examination and approval by the governing body, and

WHEREAS it appears that the system of streets set forth therein conforms with the system of streets of the existing plats of the City, that all provisions of subdivision regulations have been complied with, that all taxes and special assessments upon the property have been fully paid, and that such plat and the survey thereof have been executed according to law.

NOW, THEREFORE, BE IT RESOLVED that the Plat of Lots 1, 2, 3 and 4 of Block 4 of Spring Canyon Estates (formerly Lot 2B & Lot 1 of Block 1 of Spring Canyon Estates and the NE1/4 of the SW1/4) located in the SW1/4 of the NW1/4, the NW1/4 of the SW1/4 and in the NE1/4 of the SW1/4, Section 5, T1S, R7E, BHM, Pennington County, South Dakota, be, and the same is hereby approved and the Finance Officer of Rapid City is hereby authorized to endorse on such plat a copy of this Resolution and certify to its correctness.

Dated at Rapid City, South Dakota, this 18th day of June, 2001.

ATTEST:
s/ James F. Preston
Finance Officer
(SEAL)

CITY OF RAPID CITY
s/ Jerry Munson, Mayor

156. No. 00PL076 - A request by Doug Sperlich for Gary Rasmusson for a **Preliminary and Final Plat** on Lot 26 of Block 23 and Lot 6 of Block 24 of Robbinsdale Addition No. 10 (formerly a portion of Tract A of Robbinsdale Addition No. 10 and a portion of the NE1/4 of the SE1/4 of Section 13) located in the NE1/4 of the SE1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of Maple Avenue and East Minnesota Street. (CONTINUE TO AUGUST 6, 2001)
157. No. 00PL097 - A request by Doug Sperlich for Gary Rasmusson for a **Preliminary and Final Plat** on Lots 15, 16 and 17 of Block 28 of Robbinsdale Addition No. 10 located in the NE1/4 of the SW1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of Annamaria Drive and Alta Vista Drive. (CONTINUE TO JULY 2, 2001)
158. No. 00PL100 - A request by Rick Kahler for South Elm Development LLC for a **Layout, Preliminary and Final Plat** on Lot BR and Lot C of the N1/2 of Government Lot 4 (formerly a portion of Lot B of the N1/2 of Government Lot 4) located in the SW1/4 of the SW1/4 of Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located approximately 1/4 mile south of the intersection of Minnesota Street and Parkview Drive. (CONTINUE TO AUGUST 6, 2001)

159. No. 00PL110 - A request by Renner & Sperlich Engineering for Buescher Frankenberg Assoc. Inc. for a **Preliminary and Final Plat** on Lots A & B of Lot 5R of Meridian Subdivision (formerly Lot 4B and Lot 5R of Meridian Subdivision) located in the SW1/4 of the SE1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of Anamosa Street and LaCrosse Street. (CONTINUE TO JULY 2, 2001)
160. No. 00PL118 - A request by FMG, Inc. for Dean Kelly Construction for a **Final Plat** on Lots 1 through 14 of Sunshine Hills Subdivision and dedicated public right of way shown as Sunshine Trail, Coneflower Lane and Sheridan Lake Road, formerly Lots 1, 2 and 3 of the SE1/4 NE1/4 of Section 21, located in the SE1/4 of the NE1/4 of Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located north of Wildwood Subdivision on the west side of Sheridan Lake Road. (CONTINUE TO JULY 2, 2001)
161. No. 00PL127 - A request by Dream Design, Inc. for Doyle Estes for a **Preliminary & Final Plat** on Tract B of Neff's Subdivision No. 4 located in the unplatted portion of the S1/2 NW1/4 SW1/4 of Section 3, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located north of Race Track Road and Elk Vale Road. (CONTINUE TO JULY 16, 2001)
162. No. 00PL133 - A request by ETS, Inc. for a **Layout Plat** on Lot 1, Lot 2, and Lot 3 of Tract 4 of Bradsky Subdivision No. 2 in the NW1/4 SW1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located on the east of Cambell Street north of East St. James Street. (CONTINUE TO AUGUST 6, 2001)
163. No. 01PL007 - A request by Fisk Engineering for John Skulborstad and Peter Torino for a **Preliminary and Final Plat** on Lot 1 of Lot F-1, Fish Hatchery Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located north of the Cleghorn Fish Hatchery on U.S. Highway 44 West. (DENY WITHOUT PREJUDICE)
164. No. 01PL009 - A request by James Letner for a **Final Plat** on Lots 1 and 2 and dedicated R.O.W. of Debra Subdivision, (formerly Lots B & C of Lot 2 of OutLot 2 of the SE1/4 of the SW1/4 of Section 4, T1N, R7E, BHM and a portion of Debra Drive R.O.W.) located in the SE1/4 of the SW1/4, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of Clifton Street and Debra Drive. (CONTINUE TO AUGUST 6, 2001)
165. No. 01PL013 - A request by G & R, Inc. for a **Final Plat** located at the intersection of Leroy Street and Basswood Street.

RESOLUTION APPROVING PLAT

WHEREAS a Plat of Lots 22 thru 24, Block 6, Lots 9 thru 11, Block 8 and Lots 14 thru 16, Block 9 of Scenic Valley Subdivision, formerly SE1/4 of NE1/4 of Section 10, T1N, R8E, BHM, less Scenic Valley Subdivision and ROW and the balance of Tract A of Scenic Valley Subdivision, all located in SE1/4 NE1/4 and NE1/4 NE1/4. Section 10, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, was filed with the Finance Officer for the purpose of examination and approval by the governing body, and

WHEREAS it appears that the system of streets set forth therein conforms with the system of streets of the existing plats of the City, that all provisions of subdivision regulations have been complied with, that all taxes and special assessments upon the

property have been fully paid, and that such plat and the survey thereof have been executed according to law.

NOW, THEREFORE, BE IT RESOLVED that the Plat of Lots 22 thru 24, Block 6, Lots 9 thru 11, Block 8 and Lots 14 thru 16, Block 9 of Scenic Valley Subdivision, formerly SE1/4 of NE1/4 of Section 10, T1N, R8E, BHM, less Scenic Valley Subdivision and ROW and the balance of Tract A of Scenic Valley Subdivision, all located in SE1/4 NE1/4 and NE1/4 NE1/4. Section 10, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, be, and the same is hereby approved and the Finance Officer of Rapid City is hereby authorized to endorse on such plat a copy of this Resolution and certify to its correctness.

Dated at Rapid City, South Dakota, this 18th day of June, 2001.

ATTEST:
s/ James F. Preston
Finance Officer
(SEAL)

CITY OF RAPID CITY
s/ Jerry Munson, Mayor

166. No. 01PL017 - A request by Renner & Sperlich Engineering for Jim's Plumbing & Heating for a **Layout, Preliminary and Final Plat** on Lot 14A Revised and Lot 14B Revised of Block 1 of Parkridge Village Subdivision No. 2 (formerly Lot 14A & Lot 14B of Block 1 of Parkridge Village Subdivision No. 2) located in the SW1/4 of the NE1/4, Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 3756 and 3758 Olympic Court. (CONTINUE TO JULY 2, 2001)
167. No. 01PL019 - A request by Doug Sperlich for Jeffrey L. Devine for a **Layout Plat** on Lots 1 and 2 of Devine Subdivision (formerly Tract B less Lot H1 of Tract B) located in SW1/4 of the SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at the southeast corner of intersection of Cambell Street and Philadelphia Street. (DENIED)
168. No. 01PL020 - A request by Fisk Land Surveying for Wisdom, Inc. for a **Lot Split** on Lot 1 Revised, Wisdom Subdivision, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at 2321 N. LaCrosse Street. (CONTINUE TO AUGUST 6, 2001)
169. No. 01PL024 - A request by Renner & Sperlich Engineering for Gordon Howie for a **Layout, Preliminary and Final Plat** on Lot A, Block 16, Trailwood Village Subdivision, Section 10, T1N, R8E, BHM, Pennington County, South Dakota, located south of the intersection of Covington Street and O'Brien Street. (CONTINUE TO JULY 2, 2001)
170. No. 01PL025 - A request by Richard E. Huffman for Bill Gikling and Ken Lipp for a **Preliminary and Final Plat** on Lots 10A, 10B and 10C of GLM Subdivision, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at 3110 Eglin Street. (CONTINUE TO JULY 2, 2001)
171. No. 01PL031 - A request by Dream Design International, Inc. for a **Layout Plat** on Proposed Northbrook Village in the SE1/4 SE1/4, Section 13, T2N, R7E, BHM, Pennington County, South Dakota, located one quarter mile east of the intersection of Haines Avenue and Country Road lying north of Country Road. (CONTINUE TO JULY 2, 2001)
172. No. 01PL032 - A request by Renner & Sperlich Engineering for Gordon Howie for a **Preliminary and Final Plat** on Lot B1 of Trailwood Village (formerly a portion of Tract

T of Trailwood Village) located in the E1/2 of the SW1/4 of Section 10, T1N, R8E, BHM, Pennington County, South Dakota, located 300 feet north of the intersection of East Highway 44 and Covington Street. (CONTINUE TO JULY 2, 2001)

173. No. 01PL033 - A request by Renner & Sperlich Engineering for Gustafson Builders for a **Preliminary and Final Plat** on Lot 2 of Old Rodeo Subdivision located in the N1/2 of the SW1/4 of Section 26, T1N, R7E, BHM, Pennington County, South Dakota, located one quarter mile south of South Highway 16 and Catron Boulevard. (CONTINUE TO JULY 2, 2001)
174. No. 01PL038 - A request by Dream Design International for a **Preliminary and Final Plat** on Lot 1 of Lamb Subdivision located in SE1/4 of NE1/4 of Section 15, T1N, R8E, BHM, Pennington County, South Dakota, located at the southwest corner of Reservoir Road and S.D. Highway 44. (CONTINUE TO JULY 2, 2001)
175. No. 01PL039 - A request by Ron & Mary Ann Davis for a **Layout Plat** on Tract F of the NW1/4 of Section 14, T1N, R8E, BHM, Pennington County, South Dakota, located east of the intersection of Reservoir Road and Long View Drive on the south side of Long View Drive. (CONTINUE TO JULY 16, 2001)
176. No. 01PL040 - A request by Gary Renner for Larry Teuber for a **Layout Plat** on Lot A Revised of Block 2 and Lots 1R, 6R and 7R of Block 3 of Spring Canyon Estates (Lot A Revised of Block 2: formerly Lot A of Lot 1 of Revision No. 1 of Block 2 and a portion of Lot B of Lot 1 of Revision No. 1 of Block 2; Lot 1R: formerly Lot 1 of Block 3 and Vacated Right-Of-Way Lot 6R: formerly Lot 6 of Block 3 and a portion of Vacated Right-Of-Way and a portion of Lot B and Lot 1 of Revision No. 1 of Block 2; Lot 7R: formerly Lot 7 of Block 3 and a portion of Vacated Right-Of-Way and a portion of Lot B of Lot 1 of Revision No. 1 of Block 2, all located in Spring Canyon Estates) located in Government Lot 3 and Government Lot 4, Section 5, T1S, R7E, BHM, Pennington County, South Dakota, located approximately 1 and 1/2 miles south of the intersection of Sheridan Lake Road and Clarkson Road. (CONTINUE TO JULY 16, 2001)
177. No. 01PL041 - A request by FMG for William Freytag for a **Final Plat** on Lots 10 through 22 of Block 1, Lots 19 through 23 of Block 3, Lots 1 through 5 of Block 4, Lot 1 of Block 5 of Tyler Knue Subdivision and dedicated public right-of-way all located in NW1/4 NW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located west of Mall Ridge. (CONTINUE TO JULY 2, 2001)
178. No. 01PL042 - A request by Fisk Land Surveying for Builders Preferred for a **Preliminary and Final Plat** on Lots 9 through 24 and Lot 26R in Block 2 of Terracita Highlights Subdivision and dedicated right-of-way located in the S1/2 NE1/4 of Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the current southern terminus of City View Drive. (CONTINUE TO JULY 2, 2001)
179. No. 01PL043 - A request by Fisk Land Surveying for Builders Preferred for a **Lot Split** located southeast of the intersection of City View Drive and Fox Run Drive.

RESOLUTION APPROVING PLAT

WHEREAS a Plat of Lots A, B, C and D of Lot 18 of Block 1 of Terracita Highlights Subdivision, formerly all of Lot 18 of Block 1 of Terracita Highlights Subdivision, located in Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, was filed with the Finance Officer for the purpose of examination and approval by the governing body, and

WHEREAS it appears that the system of streets set forth therein conforms with the system of streets of the existing plats of the City, that all provisions of subdivision regulations have been complied with, that all taxes and special assessments upon the property have been fully paid, and that such plat and the survey thereof have been executed according to law.

NOW, THEREFORE, BE IT RESOLVED, that the Plat of Lots A, B, C and D of Lot 18 of Block 1 of Terracita Highlights Subdivision, formerly all of Lot 18 of Block 1 of Terracita Highlights Subdivision, located in Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, be, and the same is hereby approved and the City Finance Officer is hereby authorized to endorse on such plat a copy of this Resolution and certify to its correctness.

Dated at Rapid City, South Dakota, this 18th day of June, 2001.

ATTEST:
s/ James F. Preston
Finance Officer
(SEAL)

CITY OF RAPID CITY
s/ Jerry Munson, Mayor

- 180. No. 01PL044 - A request by Fisk Land Surveying for Ken Berglund for a **Preliminary and Final Plat** on Lots 1, 2 and 3 of Squirrelly Acres Subdivision located in the NE1/4 SE1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 5501 Berglund Road. (CONTINUE TO JULY 16, 2001)
- 181. No. 01PL045 - A request by Doug Sperlich for Pat Tlustos for a **Preliminary and Final Plat** on Lot 2R of Block 28 of Robbinsdale Addition No. 10 (formerly Lot 2 of Block 28, Lot 2R of Block 17 and a portion of Tract C all in Robbinsdale Addition No. 10) located in the NE1/4 of the SW1/4 and in the SE1/4 of the NW1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the western end of Anamaria Drive. (CONTINUE TO JULY 2, 2001)
- 182. No. 01PL046 - A request by Centerline for Double E, LLC for a **Final Plat** on Lots 1 thru 4 of Block 1; and R.O.W. of Willowbend Road, Willowbend Place, and temporary ingress egress easement located in the N1/2 of the SW1/4 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of Willowbend Road and Willowbend Place. (CONTINUE TO JULY 2, 2001)
- 183. No. 01PL047 - A request by Fisk Land Surveying for Ken Berglund for a **Layout Plat** on Lot 4 of Squirrelly Acres Subdivision located in the NE1/4 SE1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 5501 Berglund Road. (CONTINUE TO JULY 16, 2001)
- 184. No. 01PL048 - A request by Doug Sperlich for Dennis Zandstra for a **Preliminary and Final Plat** on Lot 2R of Block 9 of Elks Country Estates (formerly Lot 2 of Block 9 of Elks Country Estates and a portion of Tract 1 of the E1/2 of Section 16) located in E1/2 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located southeast of the intersection of Willowbend Road and Crosswater Drive. (CONTINUE TO JULY 2, 2001)

END OF PLANNING CONSENT CALENDAR

Planning Department – Hearings

The Mayor presented No. 01CA010, a request by City of Rapid City for an **Amendment to the Comprehensive Plan to change the land use designation on a .60 acre parcel from Agricultural Land Use designation to General Commercial Land Use designation** on Lot C of the NW1/4 SW1/4 less right of way, Section 17, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at 4302 S. Highway 79. Motion was made by Kroeger, seconded by Murphy and carried to approve the Amendment.

The Mayor presented No. 01CA012, a request by Wyss Associates, Inc. for W.E.B. Partners for an **Amendment to the Comprehensive Plan to change the land use designation on a 35.34 acre parcel from Limited Agriculture, Agriculture, Forest to Residential** on the following property: Beginning from a point 597.31 feet at a bearing S 89° 39' 0" East from the SW corner of NW1/4 of SE1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, travel 504.33 feet at a bearing N 62° 30' 29" East, then travel 343.09 feet at a bearing North, then travel 319.54 feet at a bearing N 50° 52' 56" East, then travel 129.80 feet at a bearing North, then travel 482.32 feet at a bearing S 45° E, then travel 178.19 feet along a 230 foot radius curve with a chord bearing S 0° 8' 58" West, then travel 431.35 feet at a bearing S 22° 2' 42" East, then travel 1197.82 feet at a bearing N 89° 39' 0" West to the point of start, containing approximately 11.58 acres, and property described by metes and bounds beginning from a point at SW corner of the NW1/4 of the SE1/4 of Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, travel 588.52 feet at a bearing N 0° 21' 0" East, then travel 10.53 feet at a bearing S 89° 51' 16" East, then travel 77.31 feet along a 126 foot radius LHF curve with a chord bearing S 72° 25' 20" East, then travel 65.70 feet along a 74 foot radius RHF curve with a chord bearing S 80° 16' 49" East, then travel 239.65 feet at a bearing N 10° 42' 7" West, then travel 259.99 feet at a bearing N 0° 21' 0" East, then travel 106.97 feet at a bearing N 34° 54' 43" East, then travel 115.00 feet at a bearing N 5° 14' 58" West, then travel 67.43 feet at a bearing N 9° 59' 31" East, then travel 813.33 feet at a bearing S 89° 39' 0" East, then travel 392.20 feet at a bearing S 0° 21' 0" West, then travel 65.15 feet at a bearing East, then travel 692.59 feet at a bearing South, then travel 504.33 feet at a bearing S 62° 30' 29" West, then travel 597.31 feet at a bearing N 89° 39' 0" West, to the point of start, containing approximately 27.65 acres, located west of the western terminus of Fairmont Boulevard and north of Tower Road. Motion was made by Kroeger, seconded by Murphy and carried to continue this item until July 2, 2001.

The Mayor presented No. 00PD057, a request by SDC, Inc. for a **Major Amendment to a Planned Commercial Development to allow a motel and restaurant** on Tract A Revised, Tract C Revised and Tract D, Walpole Heights Subdivision, Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 2710 Mount Rushmore Road. Motion was made by Kroeger, seconded by Murphy and carried to continue this item until July 2, 2001.

The Mayor presented No. 01PD003, a request by Fisk Engineering for John Skulborstad and Peter Torino for a **Planned Commercial Development - Initial and Final Development Plan** on Lot 1 of Lot F-1, Fish Hatchery Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located north of the Cleghorn Fish Hatchery on U.S. Highway 44 West. Motion was made by Kroeger, seconded by Murphy and carried to deny this item without prejudice.

The Mayor presented No. 01PD012, a request by City of Rapid City for a **Planned Development Designation** on Lot C of NW1/4 SW1/4 less right-of-way, Section 17, T1N, R8E, BHM, Pennington County, South Dakota, located at 4302 S. Highway 79. Motion was made by Kroeger, seconded by Murphy and carried to approve the Planned Development Designation, as requested.

The Mayor presented No. 01PD023, a request by Doug Sperlich for Pat Tlustos for a **Major Amendment to a Planned Commercial Development to increase the boundaries** on Lot 2R of Block 28 of Robbinsdale Addition No. 10 (formerly Lot 2 of Block 28, Lot 2R of Block 17 and a portion of Tract C all in Robbinsdale Addition No. 10) located in the NE1/4 of the SW1/4 and in the SE1/4 of the NW1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the western end of Anamaria Drive. Motion was made by Kroeger, seconded by Murphy and carried to continue this item until July 2, 2001.

The Mayor presented No. 01PD024, a request by Auto Body Crafters, Inc. for a **Major Amendment to a Planned Commercial Development to revise the sign package** on Lot 5, SSJE Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at 1410 Jess Street. Motion was made by Kroeger, seconded by Murphy and carried to approve the Major Amendment with the following stipulations: 1) That no off premise signs shall be allowed on the property; 2) All provisions of the Rapid City Sign Code shall be continually met; and, 3) All previous conditions of approval for the Final Commercial Development Plan #00PD020 shall be continually met with the exception of the following revised sign package: a) A 45 inch X 38 foot back lit awning with 24 inch letters and a 4 foot by 6 foot wall mounted sign shall be allowed on the south side of the building; b) A 4 foot X 6 foot wall mounted sign and 3 foot X 51.5 foot pan channel letters shall be allowed on the west side of the building; and, c) An 8 foot X 10 foot double face pole sign with a minimum ground clearance of 12 feet and a maximum height of 42 feet shall be allowed in the southwest corner of the property. The proposed pole sign shall be located outside of the existing utility easement. The signs shall incorporate the same color design as the structure and shall be lighted.

The Mayor presented No. 01PD025, a request by Rapid City Regional Hospital for a **Planned Commercial Development - Initial and Final Development Plan** on Tract B and Tract AR-1, Regional Hospital Addition, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 353 Fairmont Boulevard and 2908 Fifth Street. Motion was made by Kroeger, seconded by Steinburg and carried to approve the PCD with the following stipulations: 1) Prior to approval of the Initial Commercial Development Plan by the City Council, a revised site plan showing the location of the drainage pipe and the drainage easement along the southern portion of the helicopter port site shall be submitted for review and approval; 2) Prior to approval of the Initial Commercial Development Plan by the City Council, a plan and profile for the extension of the water line shall be submitted for review and approval; 3) Prior to approval of the Initial Commercial Development Plan by the City Council, a plan for the extension of the sewer line shall be submitted for review and approval. In addition, a storm sewer design inlet with an interceptor shall be submitted for review and approval pending the redesign of the proposed fuel storage tank as regulated by Section 8.24.500 of the Municipal Code; 4) Upon issuance of a building permit, Meade-Hawthorne Drainage Basin fees shall be paid; 5) Prior to approval of the Initial Commercial Development Plan by the City Council, the site plan shall be revised to eliminate the outside above-ground fuel storage tanks; or the site plan shall be revised to show the location of the fuel storage tank below ground or within an enclosed structure as regulated by Section 8.24.500 of the Municipal Code; 6) Prior to approval of the Final Commercial Development Plan by the City Council, the site plan shall be revised to show a fire hydrant located at the entrance to the helicopter port site; 7) All applicable Unified Fire Codes and National Fire Protection Agency Standards shall be met; 8) Prior to issuance of a Certificate of Occupancy, fire extinguishers shall be located on site as required by the Fire Department; 9) A building permit shall be obtained prior to any additional construction and a Certificate of Occupancy shall be obtained prior to occupancy; 10) Upon submittal of a building permit, Architect/Engineered stamped plans shall be submitted; 11) An Air Quality Permit shall be obtained prior to any development work or construction in excess of one acre; 12) The Planned Commercial Development shall allow for the expansion of the helicopter port as identified on the site plan. In addition, a mechanic's building and a fuel storage tank, constructed in accordance with all requirements of Section 8.24.500 of the Rapid City Municipal Code, shall be allowed; 13) The

proposed mechanic's building and design of the helicopter port shall conform architecturally to the plans and elevations submitted as part of this Planned Commercial Development; 14) All lighting shall be designed to shine down onto the helicopter port; 15) Any retrofitting of existing infrastructure improvements to accommodate the helicopter port shall be at the sole expense of the developer; 16) The helicopter port shall continually comply with all Federal Aviation Administration regulations; 17) The Planned Commercial Development for the helicopter port expansion shall expire if the use for which it was granted has ceased for a period of 12 months or more, or if the use as approved has not been completed within 12 months of the approval; and, 18) Building permits may be issued for the hospital facility as approved within the Planned Development Designation when the total construction included in all building permits issued are less than twenty percent of the gross square footage of all structures.

The Mayor presented No. 01PD026, a request by Fisk Land Surveying for Ken Berglund for a **Planned Residential Development - Initial Development Plan** on the following property: A tract of land located in the NE1/4 SE1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Beginning at the northeast corner of the Southeast One-Quarter of the previously described property, said point being along the easterly line of Section Twenty-Two and coincident with the ¼ Section Line; Thence, southerly along the Section Line, S 00 degrees, 03 minutes, 25 seconds E, a distance of 836.82 feet; Thence, S 89 degrees, 57 minutes, 28 seconds W, a distance of 299.41 feet; Thence, N 00 degrees, 00 minutes, 00 seconds W, a distance of 187.14 feet; Thence, N 52 degrees, 14 minutes, 07 seconds W, a distance of 214.26 feet; Thence, N 52 degrees, 14 minutes, 07 seconds W, a distance of 41.37 feet; Thence, N 23 degrees, 00 minutes, 00 seconds E, a distance of 100.56 feet; Thence, N 23 degrees, 00 minutes, 00 seconds E, a distance of 432.55 feet to a point on the ¼ Section Line; Thence, easterly along said ¼ Section Line, N 89 degrees, 28 minutes, 31 seconds E, a distance of 259.25 feet; Thence, continuing easterly along said ¼ Section Line, N 89 degrees, 34 minutes, 29 Seconds E, a distance of 33.12 feet to the point of beginning. Said tract of land contains 7.2 acres, more or less, located at 5501 Berglund Road. Motion was made by Kroeger, seconded by Steinburg and carried to deny this item without prejudice.

The Mayor presented No. 01PD027, a request by Fisk Land Surveying for Ken Berglund for a **Planned Residential Development - Initial Development Plan** on the following property: A tract of land located in the NE1/4 SE1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Beginning at the northeast corner of the Southeast One-Quarter of the previously described property, said point being along the easterly line of Section Twenty-Two and coincident with the ¼ Section Line; Thence, westerly along the ¼ Section Line, S 89 degrees, 34 minutes, 29 seconds W, a distance of 33.12 feet; Thence, continuing westerly along the ¼ Section Line, S 89 degrees, 28 minutes, 31 seconds W, a distance of 259.25 feet to the point of beginning; Thence, S 23 degrees, 00 minutes, 00 seconds W, a distance of 432.55 feet; Thence, S 23 degrees, 00 minutes, 00 seconds W, a distance of 100.56 feet; Thence, S 52 degrees, 14 minutes, 07 seconds E, a distance of 41.37 feet; Thence, S 52 degrees, 14 minutes, 07 seconds E, a distance of 214.26 feet; Thence, S 00 degrees, 00 minutes, 00 seconds E, a distance of 187.14 feet; Thence, S 89 degrees, 57 minutes, 28 seconds W, a distance of 1011.07 feet to the 1/16th Section Line; Thence, northerly along said 1/16th Section Line, N 00 degrees, 02 minutes, 18 seconds E, a distance of 234.10 feet; Thence, continuing northerly along said 1/16th Section Line, N 00 degrees, 02 minutes, 18 seconds E, a distance of 548.32 feet; Thence, continuing northerly along said 1/16th Section Line, N 00 degrees, 02 minutes, 18 seconds E, a distance of 43.00 feet to the ¼ Section Line; Thence, easterly along said ¼ Section Line, N 89 degrees, 26 minutes, 06 seconds E, a distance of 621.74 feet; Thence, continuing easterly along said ¼ Section Line, N 89 degrees, 28 minutes, 31 seconds E, a distance of 395.04 feet, to the point of beginning. Said tract of land contains 17.79 acres, more or less, located at 5501 Berglund Road. Motion was made by Kroeger, seconded by Waugh and carried to continue this item until July 16, 2001.

The Mayor presented No. 01SV005, a request by Fisk Engineering for John Skulborstad and Peter Torino for a **Variance to the Subdivision Regulations to waive the requirement for sewer, water, street light conduit and sidewalks** on Lot 1 of Lot F-1, Fish Hatchery Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located north of the Cleghorn Fish Hatchery on U.S. Highway 44 West. Motion was made by Kroeger, seconded by Murphy and carried to deny this item without prejudice.

The Mayor presented No. 01SV009, a request by Fisk Land Surveying for Ken Berglund for a **Variance to the Subdivision Regulations to waive the requirements for paving, curb, gutter, sidewalk, dry sewer and street light conduit** on Lots 1-4 of Squirrely Acres Subdivision located in the NE1/4 SE1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 5501 Berglund Road. Motion was made by Kroeger, seconded by Hanks and carried to continue this item until July 16, 2001.

The Mayor presented No. 01UR020, a request by Lawrence Lynde for a **Use on Review to allow a garage in excess of 1000 square feet** on Lot 8, Block 9, Cloverdale Subdivision, Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at 2210 Hoefer Avenue. Motion was made by Kroeger, seconded by Waugh and carried to continue this item until July 2, 2001.

The Mayor presented No. 01UR021, a request by Moyle Petroleum Company for a **Use On Review to allow a Car Wash in the Neighborhood Commercial Zoning District in accordance with Section 17.20.030I of the Rapid City Municipal Code** on Lot 1 of Sheridan Park Subdivision, Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 2808 Sheridan Lake Road. Motion was made by Kroeger, seconded by Waugh and carried to approve the requested Use on Review, with the following stipulations: 1) That no fill or grading shall be allowed in the major drainage easement located in the northeast corner of the property; 2) A Building Permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy; 3) Prior to City Council approval the required screening fence shall be constructed or surety posted in the amount necessary to cover the cost of the screening fence; and, 4) The Use on Review approval shall expire if the use is not undertaken and completed within two years of the date of approval by the City Council, or if the use as approved has ceased for a period of two years.

The Mayor presented No. 01UR023, a request by Chris Larson for Outback Steakhouse for a **Major Amendment to a Use On Review for an on-sale liquor establishment to allow temporary outdoor seating** on Lot 2 of Tract E of Marshall Heights Subdivision No. 2, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at 665 East Disk Drive. Motion was made by Kroeger, seconded by Rodriguez and carried to continue this item until July 2, 2001.

The Mayor presented No. 01UR025, a request by M & K Consulting for Western Wireless Corp. for a **Use On Review to allow a communication tower in the General Commercial Zoning District** on Lot A, Block 12, Providence Addition, Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 2449 West Chicago. Motion was made by Kroeger, seconded by Waugh and carried to continue this item until July 2, 2001.

The Mayor presented No. 01UR026, a request by M & K Consulting for Western Wireless Corp. for a **Use On Review to allow a communication tower in the General Commercial Zoning District** on Lot 2, Block 9, McMahan Industrial Park No. 2, Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 3060 Haines Avenue - Duffield Construction Shop. Motion was made by Kroeger, seconded by Waugh and carried to continue this item until July 2, 2001.

The Mayor presented No. 01UR027, a request by M & K Consulting for Western Wireless Corp for a **Use On Review to allow a communication tower in the General Agriculture Zoning District** on W1/2 NE1/4, Section 29, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located between St. Martins Drive and Hidden Valley Road west of S.D. Highway 79. Motion was made by Kroeger, seconded by Waugh and carried to continue this item until July 2, 2001.

The Mayor presented No. 01UR028, a request by Joe Mustard for Native American Heritage Association for a **Use On Review to allow a Mission in the Central Business District** on Lots 1-7, Block 96, Original Town of Rapid City, Section T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 405 Saint Joseph Street. Motion was made by Kroeger, seconded by Waugh and carried to continue this item until July 2, 2001.

The Mayor presented No. 01VR001, a request by The Nature Conservancy for a **Vacation of Right-of-way**, located at the western terminus of Clarkson Road. The following Resolution was introduced, read and Kroeger moved its adoption:

RESOLUTION OF VACATION OF RIGHT-OF-WAY

WHEREAS it appears that a portion of the public right of way described as:

that portion of Clarkson Road containing 1.745 acres, more or less, adjacent to Lot 1 of Block 1 of Spring Canyon Estates, located in the NW1/4 of the SW1/4, Section 5, T1S, R7E, as shown in plat filed in steel file and adjacent to Spring Creek Canyon Park of Copper Oaks No. 1 Subdivision, located in the NW1/4 of the SW1/4, Section 5, T1S, R7E, as shown in Plat Book 15 Page 121, Pennington County, South Dakota

is not needed for public purposes,

WHEREAS the owner of said property desires said right of way to be vacated and released,

NOW, THEREFORE, BE IT RESOLVED by the City of Rapid City that this right of way heretofore described, and as shown on Exhibit A attached hereto, be and the same is hereby vacated; and

BE IT FURTHER RESOLVED by the City of Rapid City that the Mayor and Finance Officer are hereby authorized to execute a release of right of way in regard thereto.

Dated this 18th day of June, 2001.

ATTEST:
s/ James F. Preston
Finance Officer
(SEAL)

CITY OF RAPID CITY
s/ Jerry Munson, Mayor

The motion for adoption of the foregoing Resolution was seconded by Waugh. The following voted AYE: Hanks, Johnson, Murphy, Steinburg, Rodrigues, Waugh, Kroeger, Hadley, and Kriebel; NO: None, whereupon said Resolution was declared duly passed and adopted.

Ordinances & Resolutions

The Mayor presented No. 01RZ001, second reading of **Ordinance 3641**, a request by Fisk Engineering for John Skulborstad for a **Rezoning from the Park Forest District to the Office Commercial District** on the following property: a portion of Lot F-1 of Fish Hatchery

Subdivision, located in the N1/2 of the SE1/4 and in the NE1/4 of the SW1/4 of Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Beginning at the northeast corner of Lot F-1 of Fish Hatchery Subdivision; Thence, S 51 degrees 31 minutes 28 seconds W, a distance of 210.39 feet more or less, along the Highway 44 Right-of-Way to a point of curvature; Thence, following the Highway 44 Right-of-Way along a curve to the right, said curve has a radius of 1095.92 feet and a length of 110.78 feet, chord bearing of S 54 degrees 23 minutes 15 seconds W, a chord distance of 110.73 feet more or less; Thence, N 42 degrees 46 minutes 16 seconds W, 268.89 feet more or less to the north line of Lot F-1 of Fish Hatchery Subdivision; Thence, S 89 degrees 44 minutes 15 seconds E, 437.33 feet more or less, along the north line of Lot F-1 to the point of beginning. Said tract of land contains 1.00 Acres, more or less, located west of the intersection of Jackson Boulevard and Chapel Lane. Motion was made by Hadley, seconded by Murphy and carried to deny this ordinance without prejudice.

The Mayor announced the meeting was open for hearing on No. 01RZ008, **Ordinance 3655**, a request by City of Rapid City for a **Rezoning from No Use District to General Commercial District** on Lot C of NW1/4 SW1/4 less right-of-way, Section 17, T1N, R8E, BHM, Pennington County, South Dakota, located at 4302 S. Highway 79. Notice of hearing was published in the Rapid City Journal on April 21 and April 28, 2001. Ordinance 3655, having had the first reading on April 16, 2001, it was moved by Hadley and seconded by Murphy that the title be read the second time. The following voted AYE: Hanks, Johnson, Murphy, Steinburg, Rodriguez, Waugh, Kroeger, Hadley and Kriebel; NO: None, whereupon the Mayor declared the motion passed and Ordinance 3655 was declared duly passed upon its second reading.

Ordinance 3671 (No. 01OA005) entitled An Ordinance Amending Section 17.22.020(D) of Chapter 17.22 of the Rapid City Municipal Code by Adding a New Subsection 13 to Allow Indoor Storage of Class III(B) Combustible Liquids as a Use Permitted in the Light Industrial Zoning District, having passed the first reading on June 4, 2001, it was moved by Hadley and seconded by Murphy that the title be read the second time. The following voted AYE: Hanks, Johnson, Murphy, Steinburg, Rodriguez, Waugh, Kroeger, Hadley and Kriebel; NO: None, whereupon the Mayor declared the motion passed and Ordinance 3671 was declared duly passed upon its second reading.

Ordinance 3676 (LF061301-07) entitled An Ordinance Amending Section 12.20.020 of the Rapid City Municipal Code by Deleting the Sunset Provision Relating to Certain Signs and Facilities to be Placed Upon Certain Sidewalks under Certain Conditions When Authorized by the City Council, was introduced. Upon motion made by Hadley, seconded by Murphy and carried, Ordinance 3676 was placed upon its first reading and the title was fully and distinctly read, and second reading set for Monday, July 2, 2001.

The Mayor announced the meeting was open for hearing on **Ordinance 3677** (No. 01RZ023) a request by Doug Sperlich for Pat Tlustos for a **Rezoning from Low Density Residential District to Office Commercial District** on the following property: A portion of Tract C of Robbinsdale Addition No. 10 located in the NE1/4 of NE1/4 of SW1/4, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at the corner of Lot 2 of Block 28 of Robbinsdale Addition No. 10, common with the northeasterly corner of Lot 3 of Block 28 of Robbinsdale No. 10, said point being an angle point of said Tract C of Robbinsdale Addition No. 10, and the Point of Beginning; Thence, first course: N73°18'00"E, along the boundary common to said Tract C, and said Lot 2 of Block 28, a distance of 125.00 feet; Thence, second course: N03°34'00"E, along the boundary common to said Tract C, and said Lot 2 of Block 28, a distance of 66.68 feet, to the corner common to said Lot 2 of Block 28, said Tract C, and Lot 2R of Block 17 of Robbinsdale Addition No. 10; Thence, third course: N44°15'12"E, along the boundary common to said Lot 2R of Block 17, and said Tract C, a distance of 136.45 feet, to the corner common to said Lot 2R of Block 17, Lot 1R of Block 17, and said Tract C; Thence, fourth course: S36°32'40"E,

along the boundary common to said Tract C, and said Lot 1R of Block 17, a distance of 75.98 feet; Thence, fifth course: S44°15'12"W, a distance of 200.49 feet; Thence, sixth course: S73°18'00"W, a distance of 149.57 feet to a point on the boundary common to said Lot 3 of Block 28, and said Tract C; Thence, seventh course: N21°40'00"E, along the boundary common to said Lot 3 of Block 28, and said Tract C, a distance of 51.02 feet to the corner common to said Lot 3 of Block 28, and said Lot 2 of Block 28, and the Point of Beginning; Said Parcel contains 18,367 square feet or 0.422 acres more or less, located at the western end of Anamaria Drive. Motion was made by Hadley, seconded by Murphy and carried to continue this item until July 2, 2001.

The Mayor presented No. 01RZ024, second reading of **Ordinance 3678**, a request by Fisk Land Surveying for Ken Berglund for a **Rezoning from General Agriculture District to Park Forest District** on the following property: A tract of land located in NE1/4 SE1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Beginning at the northeast corner of the Southeast One-Quarter of the previously described property, said point being along the easterly line of Section Twenty-Two and coincident with the ¼ Section Line; Thence, westerly along the ¼ Section Line, S 89 degrees, 34 minutes, 29 seconds W, a distance of 33.12 feet; Thence, continuing westerly along the ¼ Section Line, S 89 degrees, 28 minutes, 31 seconds W, a distance of 259.25 feet to the point of beginning; Thence, S 23 degrees, 00 minutes, 00 seconds W, a distance of 432.55 feet; Thence, S 23 degrees, 00 minutes, 00 seconds W, a distance of 100.56 feet; Thence, S 52 degrees, 14 minutes, 07 seconds E, a distance of 41.37 feet; Thence, S 52 degrees, 14 minutes, 07 seconds E, a distance of 214.26 feet; Thence, S 00 degrees, 00 minutes, 00 seconds E, a distance of 187.14 feet; Thence, S 89 degrees, 57 minutes, 28 seconds W, a distance of 1011.07 feet to the 1/16th Section Line; Thence, northerly along said 1/16th Section Line, N 00 degrees, 02 minutes, 18 seconds E, a distance of 234.10 feet; Thence, continuing northerly along said 1/16th Section Line, N 00 degrees, 02 minutes, 18 seconds E, a distance of 548.32 feet; Thence, continuing northerly along said 1/16th Section Line, N 00 degrees, 02 minutes, 18 seconds E, a distance of 43.00 feet to the ¼ Section Line; Thence, easterly along said ¼ Section Line, N 89 degrees, 26 minutes, 06 seconds E, a distance of 621.74 feet; Thence, continuing easterly along said ¼ Section Line, N 89 degrees, 28 minutes, 31 seconds E, a distance of 395.04 feet, to the point of beginning. Said tract of land contains 17.79 acres, more or less, located at 5501 Berglund Road. Motion was made by Hadley, seconded by Murphy and carried to continue this item until July 16, 2001.

The Mayor presented No. 01RZ025, second reading of **Ordinance 3679**, a request by Fisk Land Surveying for Ken Berglund for a **Rezoning from General Agriculture District to Medium Density Residential District** on the following property: A tract of land located in NE1/4 SE1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Beginning at the northeast corner of the Southeast One-Quarter of the previously described property, said point being along the easterly line of Section Twenty-Two and coincident with the ¼ Section Line; Thence, southerly along the Section Line, S 00 degrees, 03 minutes, 25 seconds E, a distance of 836.82 feet; Thence, S 89 degrees, 57 minutes, 28 seconds W, a distance of 299.41 feet; Thence, N 00 degrees, 00 minutes, 00 seconds W, a distance of 187.14 feet; Thence, N 52 degrees, 14 minutes, 07 seconds W, a distance of 214.26 feet; Thence, N 52 degrees, 14 minutes, 07 seconds W, a distance of 41.37 feet; Thence, N 23 degrees, 00 minutes, 00 seconds E, a distance of 100.56 feet; Thence, N 23 degrees, 00 minutes, 00 seconds E, a distance of 432.55 feet to a point on the ¼ Section Line; Thence, easterly along said ¼ Section Line, N 89 degrees, 28 minutes, 31 seconds E, a distance of 259.25 feet; Thence, continuing easterly along said ¼ Section Line, N 89 degrees, 34 minutes, 29 Seconds E, a distance of 33.12 feet to the point of beginning. Said tract of land contains 7.2 acres, more or less, located at 5501 Berglund Road. Motion was made by Hadley, seconded by Murphy and carried to continue this item until July 16, 2001.

The Mayor announced the meeting was open for hearing on **Ordinance 3680** (No. 01RZ026) a request by FMG for William Freytag for a **Rezoning from No Use District to Low Density Residential-II District** on the following property: A tract of land located in the NW 1/4 of NW 1/4 of Section 24, T2N, R7E, BHM, Pennington County, South Dakota more particularly described as follows: Commencing at a point which is a property corner with LS Cap 6119 which is the northwest corner of Lot 9 of Block One of Tyler Knue Subdivision in NW 1/4 of NW 1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, Thence N00°16'55"E a distance of 77.12', more or less, to a point; Thence N13°44'34"W a distance of 107.66', more or less, to a point; Thence S66°12'08"W a distance of 303.51', more or less, to a point; Thence N89°32'23"W a distance of 279.98', more or less, to a point; Thence N00°27'37"E a distance of 121.67', more or less, to a point; Thence N45°26'14"E a distance of 159.30', more or less, to a point; Thence S44°33'46"E a distance of 12.36', more or less, to a point; Thence southeasterly on a curve to the left with a radius of 226.00' and an arc length of 57.47', more or less, to a point; Thence N45°57'12"E a distance of 54.45', more or less, to a point; Thence southeasterly on a curve to the left with a radius of 174.00' and an arc length of 47.61', more or less, to a point; Thence N14°08'42"E a distance of 198.01', more or less, to a point; Thence N66°41'34"E a distance of 83.60', more or less, to a point; Thence N89°50'49"E a distance of 60.59', more or less, to a point; Thence S89°48'39"E a distance of 205.71', more or less, to a point; Thence N00°18'52"E a distance of 132.00', more or less, to a point; Thence S89°41'08"E a distance of 52.00', more or less, to a point; Thence S00°18'52"W a distance of 119.00', more or less, to a point; Thence S89°41'08"E a distance of 135.00', more or less, to a point; Thence S00°18'52"W a distance of 147.34', more or less, to a point; Thence southeasterly on a curve to the right with a radius of 124.00' and an arc length of 71.73', more or less, to a point; Thence southeasterly on a curve to the left with a radius of 176.00' and an arc length of 68.03', more or less, to a point; Thence S00°16'55"W a distance of 249.47', more or less, to a Property Corner with LS Cap 4225 which is the NE corner of Lot 18 of Block 3 of Tyler Knue Subdivision; Thence N89°43'05"W a distance of 135.00', more or less, along the north property line of Lot 18 of Block 3 of Tyler Knue Subdivision, to a Property Corner with LS Cap 6119 which is the NW corner of Lot 18 of Block 3 of Tyler Knue Subdivision; Thence N89°43'05"W a distance of 52.00', more or less, to a Property Corner with LS Cap 6119 which is the NE corner of Lot 9 of Block 1 of Tyler Knue Subdivision; Thence N89°43'05"W a distance of 170.00' along the north property line of Lot 9 of Block 1 of Tyler Knue Subdivision, more or less, to the Point of Beginning, located west of Mall Ridge. Notice of hearing was published in the Rapid City Journal on June 9 and June 16, 2001. Ordinance 3680, having had the first reading on June 4, 2001, it was moved by Hadley and seconded by Murphy that the title be read the second time. The following voted AYE: Hanks, Johnson, Murphy, Steinburg, Rodriguez, Waugh, Kroeger, Hadley and Kriebel; NO: None, whereupon the Mayor declared the motion passed and read the title of Ordinance 3680 the second time.

The Mayor announced the meeting was open for hearing on No. 01RZ027, second reading, of **Ordinance 3681**, a request by City of Rapid City for a **Rezoning from No Use District to General Agriculture District** on the following property: A tract of land located in the NE1/4 of the SE1/4 and the SE1/4 of the SE1/4, Section 29, T1N, R7E, BHM, Pennington County, South Dakota, more particularly described as follows: Beginning at the Northwest corner of the NE1/4 of the SE1/4, Section 29, T1N, R7E, BHM, Pennington County, South Dakota, thence S0°01'18"W a distance of 233.36 feet along the 1/16 line, to the point of beginning; thence, S11°16'08"E a distance of 329.83 feet; thence, S15°31'41"E a distance of 177.40 feet; thence, along a circular curve to the left with a radius of 1644.56 feet a distance of 292.92 feet, thence, S25°40'52"E a distance of 661.18 feet to the north right-of-way line of Sheridan Lake Road; thence, following the north right-of-way line of Sheridan Lake Road along a circular curve to the left with a radius of 1472.39 feet a distance of 286.48 feet, thence, S70°30'23"W a distance of 238.20 feet; thence, N0°00'27"W a distance of 417.58 feet; thence, N0°01'18"E a distance of 1094.65 feet to the point of beginning. The above described property is located in the NE1/4 of the SE1/4 and the SE1/4 of the SE1/4, Section 29, T1N, R7E, BHM, Pennington County, South Dakota, and contains 7.244 acres, more or

less, located at the northeast corner of the intersection of Muirfield Drive and Sheridan Lake Road. Notice of hearing was published in the Rapid City Journal on June 9 and June 16, 2001. Ordinance 3681, having had the first reading on June 4, 2001, it was moved by Hadley and seconded by Steinburg that the title be read the second time. The following voted AYE: Hanks, Johnson, Murphy, Steinburg, Rodriguez, Waugh, Kroeger, Hadley and Kriebel; NO: None, whereupon the Mayor declared the motion passed and read the title of Ordinance 3681 the second time.

The next item before the Council was No. 01VR001, a request by The Nature Conservancy for a **Vacation of Right-of-way** on that portion of Clarkson Road containing 1.745 acres, more or less, adjacent to Lot 1 of Block 1 of Spring Canyon Estates, located in the NW1/4 of the SW1/4, Section 5, T1S, R7E, as shown in plat filed in steel file and adjacent to Spring Creek Canyon Park of Copper Oaks No. 1 Subdivision, located in the NW1/4 of the SW1/4, Section 5, T1S, R7E, as shown in Plat Book 15 Page 121, Pennington County, South Dakota, located at the western terminus of Clarkson Road. Motion was made by Hadley, seconded by Johnson and carried to table this item because it is a duplicate agenda item.

Ordinance 3683 (No. 01OA004) entitled An Ordinance Amending Chapter 15.40 of the Rapid City Municipal Code by Adding Section 15.40.05, Amending Section 15.40.20 by Adding Subsections 15.40.20(b) and 15.40.20(c), Amending Section 15.40.30 by Adding Subsections 15.40.30(b) and 15.40.30(c) and Amending Section 15.40.40 by Adding Subsections 15.40.40(b) and 15.40.40(c) Pertaining to Retaining Walls and Fences, was introduced. Upon motion made by Hadley, seconded by Hanks and carried, Ordinance 3683 was placed upon its first reading and the title was fully and distinctly read, and second reading set for Monday, July 2, 2001.

Ordinance 3684 (LF061301-14) entitled An Ordinance Amending Section 15.28.20 of Chapter 15.28 of the Rapid City Municipal Code by Adding Murals to Definitions and Adding a New Section 15.28.205 Relating to Murals, was introduced. Upon motion made by Hadley, seconded by Murphy and carried, Ordinance 3684 was placed upon its first reading and the title was fully and distinctly read, and second reading set for Monday, July 2, 2001. The Council accepted Alderman Hank's offer to work with the City Attorney on revisions to the sign code.

Ordinance 3685, (No. 01RZ029) a request by Stan Houston Equipment Co., Inc. for a **Rezoning from General Commercial District to Light Industrial District** on Tract C located in the SE1/4 SW1/4 of Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 1210 Deadwood Avenue, was introduced. Upon motion made by Hadley, seconded by Murphy and carried, Ordinance 3685 was placed upon its first reading and the title was fully and distinctly read. The Finance Officer was authorized and directed to publish notice of hearing thereon, said hearing to be Monday, July 2, 2001 at 7:00 P.M.

Ordinance 3686, (No. 01RZ030) a request by Centerline for Olsen Development Company for a **Rezoning from No Use District to General Commercial District** on the following property, was introduced: Beginning at the southeast corner of Tract 2 of Settler's Landing Subdivision, located in SW1/4-SE1/4, Section 19, T2N, R8E, BHM, thence N00°08'27"E 230.00 feet, thence S89°51'33"E 122.88 feet, thence N00°03'24"E 388.20 feet, thence N85°02'35"E 1043.65 feet, thence N00°02'29"W 588.25 feet, thence N89°57'31"E 255.00 feet, thence S00°02'29"E 1157.00 feet, thence through a right hand curve with a delta angle of 90°10'59" and a radius of 159.49 feet, thence N89°51'33"W 1259.15 feet, thence N00°08'27"E 17.00 feet to the Point of Beginning. Said parcel containing 24.5565 acres more or less, located northwest of the intersection of Seger Drive and 143rd Street. Upon motion made by Hadley, seconded by Murphy and carried, Ordinance 3686 was placed upon its first reading and the title was fully and distinctly read. The Finance Officer was authorized and directed to publish notice of hearing thereon, said hearing to be Monday, July 2, 2001 at 7:00 P.M.

Ordinance 3687, (No. 01RZ031) a request by Centerline for Olsen Development Company for a **Rezoning from No Use District to Office Commercial District** on the following property, was introduced: Beginning at the northeast corner of Parcel A Revision No. 1 of Settler's Landing Subdivision located in SW1/4-SE1/4, Section 19, T2N, R8E, BHM, thence N00°03'24"E 1128.65 feet, thence S89°48'30"E 1275.26 feet, thence S00°02'29"E 177.37 feet, thence S89°51'E 17.00 feet, thence S00°02'29"E 639.70 feet, thence S89°57'31"W 255.00 feet, thence S00°02'29"E 588.25 feet, thence S85°02'35"W 1043.65 feet, thence N00°03'24"E, 371.35 feet to the Point of Beginning. Said parcel containing 39.3613 acres more or less, located northwest of the intersection of Seger Drive and 143rd Street. Upon motion made by Hadley, seconded by Murphy and carried, Ordinance 3687 was placed upon its first reading and the title was fully and distinctly read. The Finance Officer was authorized and directed to publish notice of hearing thereon, said hearing to be Monday, July 2, 2001 at 7:00 P.M.

Ordinance 3688 (No. CC061801-05) entitled An Ordinance Amending Section 8.08.020, Section 8.08.030, Section 8.08.060, Section 8.08.065, Section 8.08.070, Section 8.08.080, Section 8.08.090, Section 8.08.100, Section 8.08.110, Section 8.08.120, Section 8.08.130, Section 8.08.140, Section 8.08.150, Section 8.08.160, Section 8.08.170, Section 8.08.180, Section 8.08.190, Section 8.08.200, Section 8.08.210, Section 8.08.220, Section 8.08.230, Section 8.08.240, Section 8.08.250, Section 8.08.260, Section 8.08.270, Section 8.08.275, and Section 8.08.280 and Repealing Section 8.08.050 OF Chapter 8.08 of the Rapid City Municipal Code Relating to Garbage and Refuse, was introduced. Upon motion made by Hadley, seconded by Murphy and carried, Ordinance 3688 was placed upon its first reading and the title was fully and distinctly read, and second reading set for Monday, July 2, 2001.

Legal & Finance Committee Items

Motion was made by Hadley, seconded by Murphy and carried to approve the request to reconsider approval of Rezoning No. 01RZ010 and PDD No. 01PD013. Motion was made by Johnson, seconded by Steinburg and carried to deny without prejudice Rezoning No. 01RZ010 and Planned Development Designation No. 01PD013.

Motion was made by Hanks, seconded by Johnson and carried to table the request from American Business Women's Association for permission to sell bottled water and iced tea in the public right of way during parades.

Special Items and Items from Visitors

Scott Mellendorf appeared before the Council to appeal the Police Department's recommendation to deny his application for a Private Security License. He explained that there was a misunderstanding on the application about what information was needed. Also, he thought charges for obstruction of justice were dropped, not just lowered to a lesser offense. Mellendorf stated that he had no intention of misleading anyone relative to the application. Police Chief Tieszen explained that incident with the obstruction charge and stated that he has a problem with how the applicant dealt with law enforcement officers. He recommended that the license not be approved. Motion was made by Johnson, seconded by Waugh and carried to deny the security license application for Scott Mellendorf.

The next item before the Council was a request by Curtis Aby to appeal the decision of the Police Department to deny an application for a Security License. Chief Tieszen explained that he has been in contact with Mr. Aby who has submitted additional documentation on issues the Police Department had with his application. Tieszen stated that he has agreed to issue the license and this item can be tabled by the Council. Motion was made by Hadley, seconded by Johnson and carried to table this item.

Finance Officer

The next item discussed by the Council was a proposed Resolution amending the 2012 Plan. Preston submitted a spreadsheet showing all the projects being considered. The lowest fund balance occurs in FY 2005 and assumes that all projects are done in the timeline shown on the spreadsheet. Motion was made by Johnson and seconded by Murphy to approve the Resolution. Discussion continued on the projects being considered. Johnson amended his motion by placing \$3.5 million for the Dahl Expansion project in FY2005 and eliminate any allocation in FY2004. The Resolution being considered, as amended, is as follows:

A RESOLUTION AMENDING THE PLAN FOR PROJECTS AND PROGRAMS TO BE FUNDED FROM THE RAPID CITY ECONOMIC DEVELOPMENT AND CIVIC IMPROVEMENTS FUND

WHEREAS on the 17th day of April, 2000, the City of Rapid City adopted a resolution entitled "A Resolution Adopting a Plan for Projects to be Funded from the Rapid City Economic Development and Civic Improvements Fund;" and

WHEREAS the Council has determined to make the following amendments to said plan;

NOW, THEREFORE, BE IT RESOLVED by the City of Rapid City that the Rapid City Economic Development and Civic Improvements Plan as adopted by the City on April 17, 2000, be amended by adding thereto the following:

1. Funding for Infrastructure Development is deleted from the Plan for the years 2001, 2002, 2003, 2004, and 2005, and will be used instead to fund the Water Reclamation Facility;
2. Funding for Wastewater Reclamation Facility in the amount of \$300,000 for each of the following years: 2001, 2002, 2003, 2004, and 2005;
3. Funding for the Dahl Fine Arts Center in the amount of \$50,000 in 2001, \$450,000 in 2002, and \$3.5 million in 2005.

Dated this 18th day of June, 2001.

ATTEST:
s/ James F. Preston
Finance Officer
(SEAL)

CITY OF RAPID CITY
s/ Jerry Munson, Mayor

The motion for adoption of the foregoing Resolution was seconded by Rodriguez. Kroeger expressed concern about moving funding for the 5th Street Extension project to FY2005. Hanks added that the information contained in the spreadsheet is as conservative as possible. For instance, the spreadsheet shows no projected increase in sales tax revenue from 2000 to 2001; however, in actuality, sales tax collections have increased slightly. It was noted that the only projects being considered at this time are contained in the Resolution. The 2012 Committee will meet to discuss other projects as necessary. The following voted AYE: Hanks, Johnson, Murphy, Steinburg, Rodriguez, Waugh, Kroeger, Hadley and Kriebel; NO: None, whereupon said Resolution was declared duly passed and adopted.

The next item discussed by the Council was the **Wildwood Street & Utilities Extension Project**. Project Manager Stacy Titus submitted information about the different projects that could be moved back in order to find additional funding for this project in the CIP budget. Titus added that moving these projects is not only to facilitate the Wildwood Project. Some of

the projects are not ready to proceed, the scope of the project is changing, or there are coordination issues with other projects. Bjerke stated that we need to award the project as soon as possible so that water can be supplied to homes that are being built in this area. Johnson stated that he is not comfortable making these changes without a recommendation from the CIP Committee. Motion was made by Johnson and seconded by Steinburg to refer this issue to the CIP Committee for recommendation. Preston noted that he will call a special CIP committee meeting for Friday, June 22nd at 10:00 A.M. It was the consensus of the City Council that a special City Council meeting will be held on Wednesday, June 27, 2001 at 1:15 P.M. to consider the bid award for the Wildwood Project. Upon vote being taken, the motion to refer this issue to the CIP Committee carried unanimously.

Bills

The following bills having been audited, it was moved by Hanks, seconded by Waugh and carried to authorize the Finance Officer to issue checks or warrants, drawn on the proper funds, in payment thereof:

Payroll Ending 06-02, Paid 06-08-01	545,060.11
Payroll Ending 06-02, Paid 06-08-01	3,481.41
Pioneer Bank, 05-31 taxes, Paid 05-31-01	191,241.11
Pioneer Bank, 06-08 taxes, Paid 06-07-01	140,424.76
Pioneer Bank, 06-08 taxes, Paid 06-07-01	261.77
First American Administrators, 06-07 claims, paid 06-08-01	84,053.49
First American Administrators, 06-14 claims, paid 06-15-01	44,131.06
Berkley Administrators, workers comp claims, paid 6-04-01	34,486.04
BHP&L, electricity	498.47
US Postmaster, billing postage	1,400.00
Computer Bill List	<u>2,042,285.70</u>
Subtotal	<u>\$3,087,323.92</u>
Payroll Ending 06-02, Paid 06-08-01	2,307.39
Pioneer Bank, 6-08 taxes, Paid 6-07-01	171.86
CIMA Companies, insurance	836.25
City of Rapid City, postage	19.33
City of Rapid City, insurance	560.40
RSVP Petty Cash, envelopes	22.34
Simpson's Printers, newsletter	79.50
SD Bureau of Admin., telephone	5.33
SD Retirement System, pension	200.10
Standard Life, insurance	7.92
US Postmaster, box rent	<u>27.50</u>
Total	<u>\$3,091,561.84</u>

As there was no further business to come before the Council at this time, the meeting adjourned at 9:30 P.M.

CITY OF RAPID CITY

ATTEST:

Mayor

Finance Officer

(SEAL)