

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota

January 21, 2002

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, January 21, 2002 at 7:00 P.M.

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

Motion was made by Hanks, seconded by Dreyer and carried to correct the minutes of December 17, 2001 to show the correct amount bid by Warax Excavating for SSW01-1050 as \$39,520, and **approve the minutes** of January 7, 2002 with the correction on Item No. 71 that Hanks made the motion, not Hadley.

Bid Openings

The following bids for Water Reclamation Facility Improvement **Trickling Filter Recirculation Pumps** Project WRF02-1172 (No. CC012102-04) were opened on January 15, 2002:

| | | |
|----|--|--------------|
| 1. | Waylor Enterprises, Inc. (bond submitted) | \$ 87,812.00 |
| 2. | Action Mechanical, Inc. (bond submitted) | \$102,925.00 |
| 3. | J.V. Bailey Co., Inc. (bond submitted) | \$104,500.00 |
| 4. | Western Mechanical Services, Inc. (bond submitted) | \$114,900.00 |

Staff has reviewed the bids and recommends award to Waylor Enterprises. Motion was made by Steinburg, seconded by Waugh and carried to award the bid for WRF02-1172 to Waylor Enterprises, Inc. the lowest responsible bidder meeting specifications, based on their low unit prices bid, for a total contract amount of \$87,812, and contingent upon review and approval by the SD DENR.

The following bids for Surplus Property (1992 Ford Ranger Pickup) were opened at 2:00:

| | | |
|----|---------------|----------|
| 1. | Karl Kinzie | \$100.00 |
| 2. | Roger Ouitt | \$150.00 |
| 3. | Cliff Kieffer | \$365.00 |

Staff has reviewed the bids and recommends award to Cliff Kieffer. Motion was made by Steinburg, seconded by Rodriguez and carried to award the bid for the surplus pickup to the highest bidder Cliff Kieffer, in the bid amount of \$365.

The following Proposals for Roosevelt Park **Ice Rink Vending and Amusements** were opened on January 17, 2002:

| | | |
|------------------------|--|---|
| <u>Vending</u> | | |
| C&N Sales | | 25% of gross sales to be paid to the City |
| Rushmore Vending, Inc. | | 20% of gross sales to be paid to the City |

| | | |
|--------------------------|--|---|
| <u>Amusements</u> | | |
| C&N Sales | | 55% of gross sales to be paid to the City |
| Rushmore Amusement, Inc. | | 50% of gross sales to be paid to the City |

Staff has reviewed the bids and recommends award to C&N Sales for both vending and amusements. Motion was made by Hanks and seconded by Waugh to award the contract for Ice Rink Vending to C&N Sales. Hadley stated that he feels the city should require that the machines have counters so that staff can verify that the correct 25% commission is being paid. There was discussion about the types of machines that the vendor will put in and how the machines will operate. Hanks amended his motion to send the bids for vending and amusements to the Legal & Finance Committee for review and recommendation. Waugh concurred. Johnson stated that there is no reason to send this item to committee. This is a straight forward bid and there are no questions about the contract. Motion was made by Hadley and seconded by Kriebel to award the bids for vending and amusements to C&N Sales, with the stipulation that the machines be required to have counters. Roll call vote was taken: AYE: Waugh, Kroeger, Dreyer, Rodriguez and Hadley; NO: Kriebel, Steinburg, Hanks, Murphy and Johnson. Motion failed due to a tie vote. Johnson noted that some machines won't have counters because the product is brought in and accounted for. **Substitute motion** was made by Johnson and seconded by Murphy to award the bid for vending and amusements for the Ice Rink to C&N Sales. Upon vote being taken, the motion carried with Hadley, Rodriguez and Waugh voting no.

Mayor's Items

Mayor Munson presented the **Veteran of the Month** award to Kenneth P. Gurley and commended him for outstanding service to the country.

Munson also presented a Certificate of Recognition to city employee Gunar Dzintars and commended him for 25 years of service to the community.

Aldersperson Items

Johnson took exception to the Rapid City Journal's recent editorial page relative to open meeting laws. He noted that the law states that if there is a majority of council members present, which is six, then a meeting is in session and notice must be made to the media. Johnson stated that at no time did he conduct any meetings with six or more council members present. Kriebel concurred and urged elected officials to stop feeding the media "frenzy" on some of these issues.

The next item discussed by the Council was the issue of festivals being held in Memorial Park. Kriebel stated that there must still be a problem with this issue. The Council previously passed a motion allowing Hills Alive, Jazz and Blues and the Heritage Festival to have their events in Memorial Park, the same as in FY2001. Now they are being told they have to make applications and go through additional proceedings with the Council. Planning Director Elkins clarified that the discussion item which appeared on the October 1st Agenda had to do with the flood policy which is different than the adopted ordinances. The groups wanting to conduct festivals should apply for a conditional use permit and a special exception to the floodplain regulations. These are regulatory rules adopted by the City Council with specific public hearing processes that must be followed. These are the next steps that the interested groups would need to take. The Council has authority to direct a city department to make applications on behalf of the groups if they desire. There are legal processes that must be followed, or the ordinances should be amended to allow the Council the discretion to allow some applications outside the public hearing process. Munson suggested that this issue be addressed at the next Legal & Finance Committee meeting.

Kriebel also expressed concern about Ordinance 3771 which was approved on January 7, 2002. There is no provision in the ordinance which would allow for appealing a continuation motion made by the Planning Commission. Elkins suggested that the Planning Commission could review this issue and bring back a recommendation. Motion was made by Kriebel,

seconded by Dreyer and carried to request that the Planning Commission review the issue of appealing a continuation motion to the City Council.

Alcohol Hearings

The first item discussed was possible revocation or suspension of On-Off Sale Malt Beverage License No. RB-2971 held by Slettens, Inc. dba **DD's Short Stop Bar**, 620 East Boulevard. Police Chief Tieszen reviewed the bar file with the Council which included 606 calls for service. This is a similar number when a report was made to the City Council approximately ten years ago. He relayed other information from the file as well as a recent arrest of Mr. Sletten for smoking marijuana for which he was fined. Tieszen recommended that the owners of the bar agree to a voluntary suspension of alcohol sales of not less than ten days in addition to the following conditions: 1) install adequate lighting in the parking area; 2) provide security both inside the bar and outside in the parking area; and 3) commitment from management that they will always report to the Police Department when there are issues that need a police presence. Motion was made by Hanks and seconded by Hadley to implement a voluntary suspension for at least 14 days and direct staff to provide a list of expectations that will be utilized during review of this license at renewal time later this year. Doug Sletten stated that he would agree to the voluntary suspension and would implement the stipulations presented by the Police Department. City Attorney Altman recommended that this issue be continued for two weeks and staff will prepare the necessary documents outlining the issues and expectations. Hanks amended his motion to continue this issue for two weeks so that staff can develop appropriate documentation on the expectations for this location. Second by Hadley. Upon vote being taken, the motion carried unanimously.

This was the time set for hearing on the application of Century Motels, Inc. dba **Howard Johnson Express Inn & Suites**, 950 North Street, for an On-Sale Liquor License Transfer. Upon motion made by Hadley, seconded by Dreyer and carried, the Council approved the application.

This was the time set for hearing on the application of Kelly's Sports Lounge, Inc. dba **Kelly's Sports Lounge**, 825 Jackson Boulevard, for an On-Off Sale Malt Beverage License Transfer (from Gold Rush Casino). Motion was made by Hadley, seconded by Rodriguez and carried to continue this hearing until February 4, 2002.

Upon motion made by Hadley, seconded by Johnson and carried, the Finance Officer was directed to publish notice of hearing on the following applications, said hearings to be held on February 4, 2002:

8. Manna, Inc. dba (Name Pending), 4 E. Knollwood Drive, for an On-Off Sale Malt Beverage License (New License – No Video Lottery)
9. Manna, Inc. dba (Name Pending), 4 E. Knollwood Drive, for an On-Sale Wine License (New License – No Video Lottery)

Consent Calendar

The following items were removed from the Consent Calendar:

28. No. PW011602-17 – Approve the Proposed 38th Street Sidewalk Construction.
36. No. PW011602-22 – Accept the concept as outlined by the Parks & Recreation Subcommittee on the Mary Hall Park Kiwanis Project.
37. Direct staff to work with the Kiwanis Club on a maintenance agreement for Mary Hall Park.
40. LF011602-02 - Authorize purchase of two (2) 4x4 SUV's (Dodge Durangos) for Patrol Division from state bid in the amount of \$48,052.

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

Set for Hearing (February 4, 2002)

10. No. 02UR001 - A request by Paul Bradsky and Fisk Land Surveying for Manna Inc. for a **Use On Review to allow an on-sale liquor establishment in conjunction with a full service restaurant** on Lot 1 of Lot K2-C of Marshall Heights Tract, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at the northeast corner of the intersection of North Maple and Interstate 90.

Set for Hearing (February 18, 2002)

11. No. 02VR001 - A request by Thurston Design Group for Rapid City Arts Council for a **Vacation of Right of Way** on the alley adjacent to Lots 1-5 and Lots 28-32 of Block 103 of the Original Town of Rapid City located in the NW1/4 of the NW1/4 of Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 713 Seventh Street.

Public Works Committee Items

12. No. PW011602-01 – Approve Change Order No. 01F for ST99-836, Anamosa Street Mill & Overlay Project to Old Castle Construction, Inc. dba Hills Materials Company for an increase of \$8,436.28.
13. No. PW011602-02 – Approve Change Order No. 02F for SSW01-884, Maple, Elk and Nevada Utility Reconstruction Project to Mainline Contracting, Inc. for an increase of \$16,219.79.
14. No. PW011602-03 – Approve Change Order No. 01 for ST01-985, West Boulevard Reconstruction, South Street to St. James Street to Heavy Constructors, Inc. for an increase of \$8,717.71.
15. No. PW011602-04 – Approve Change Order No. 02 for SSW01-1080, 38th Street Sanitary Sewer Extension Project to Mainline Contracting, Inc. for an increase of \$10,774.20.
16. No. PW011602-05 – Approve Change Order No. 02 for PR01-1109, Roosevelt Park Ice Arena Pre-Cast Components to Gage Brothers, Inc. for an increase of \$1,960.00.
17. No. PW011602-06 – Authorize staff to advertise for bids W02-1169, Water Metering and Backflow Prevention of Irrigation Systems.
18. No. PW011602-07 – Authorize staff to advertise for bids WRF02-1173, Water Reclamation Facility Expansion Project.
19. No. PW011602-08 – Authorize staff to advertise for bids DR02-1177, Knollwood Metering Dam Maintenance Project.
20. No. PW011602-09 – Authorize staff to advertise for bids One (1) New Current Model Year Motorgrader with Wing Plow for Street Division.
21. No. PW011602-10 – Authorize staff to advertise for bids One (1) New Current Model Year Backhoe for Water Division.
22. No. PW011602-11 – Authorize staff to advertise for bids Meter Reading Equipment for Cold Water Meters.
23. No. PW011602-12 – Authorize the Mayor and Finance Officer to sign An Application and Agreement for Electric Service Extension with Black Hills Power, Inc. for the Owen Hibbard Subdivision (Fire Station).
24. No. PW011602-13 – Authorize the Mayor and Finance Officer to sign a 2002 Service Contract with Intellesys, Inc. for Annual Software Upgrades and Unlimited Telephone Support for an amount not to exceed \$450.
25. No. PW011602-14 – Authorize the Mayor and Finance Officer to sign the QualServe Self-Assessment and Peer Review Participating Utility Agreement for an amount not to exceed \$26,240.
26. No. PW011602-15 – Authorize the Mayor and Finance Officer to sign a Professional Service Agreement with Ferber Engineering Company to Design DR01-1157,

- LaCrosse/East New York Street Drainage Project for an amount not to exceed \$11,660.
- 27. No. PW011602-16 – Authorize the Mayor and Finance Officer to sign a Professional Service Agreement with McLaughlin Water Engineers, Ltd for WRF02-1174, Construction Phase Services for the Co-Compost Facility, WRF Administration Building, WRF Equipment Installation, and WRF Expansion Construction Projects for an amount not to exceed \$741,894.00; contingent upon review and approval by the South Dakota Department of Environment and Natural Resources.
- 29. No. PW011602-19 – Approve the purchase of one (1) new current model year 3/4 Ton 2x4 crew cab pickup from Lamb Motors, Inc. for a total purchase price of \$21,475 under State Contract #13384 for the Street Division.
- 30. No. PW011602-20 – Approve the purchase of one (1) new current model year 3/4 Ton 4x4 standard cab pickup from Wegner Auto Company, Inc. for a total purchase price of \$21,152 under State Contract #13387 for the Street Division.
- 31. No. PW011602-21 – Approve the purchase of two (2) new current model year 3/4 Ton 4x4 extended cab pickups from Wegner Auto Company, Inc. for a total purchase price of \$46,326 under State Contract #13387 for the Street Division.
- 32. Approve the purchase of two (2) new current model year 3/4 Ton 2x4 regular cab, long box pickups from Wegner Auto Company, Inc. for a total purchase price of \$35,962 under State Contract #13387 for the Water Division.
- 33. Approve the purchase of two (2) new current model year compact 4x4 extended cab pickups from Beck Motors for a total purchase price of \$32,274 under State Contract #13382 for the Water Division.
- 34. Approve the purchase of one (1) new current model year Dodge Durango from Wegner Auto Company, Inc. for a total purchase price of \$23,281 under State Contract #13387 for the Public Works Department.
- 35. Authorize payment up to \$15,000 for cleanup of a sewer backup at North Western Warehouse, 413 Sixth Street.

Legal & Finance Committee

- 38. LF011602-01 - Authorize purchase of 2002 Chevy Tahoe from state bid in the amount of \$26,766.
- 39. Approve the appointment of Tory Richardson as Airport Director.
- 41. LF011602-03 - Approve Travel Request for Greta Chapman and Karling Abernathy to attend Public Library Association 2002 National Conference in Phoenix, AZ, from March 12-16, 2002, in the approximate amount of \$3,400.
- 42. LF011602-10 - Acknowledge the action taken by the Library Board and endorsed by the Mayor regarding the change to FTE status of an additional 2.25 employees.
- 43. LF011602-04 - Approve Resolution Establishing City/School Election Officials for Calendar Year 2002.

**RESOLUTION ESTABLISHING CITY/SCHOOL
ELECTION OFFICIALS FOR CALENDAR YEAR 2002**

WHEREAS SDCL 9-13-16.1 allows local governing boards to appoint an election board for local municipal and school elections

NOW, THEREFORE, BE IT RESOLVED that the following officials be appointed to serve as municipal and school election officials for Calendar Year 2002:

1-1 South Middle School

| | | |
|--------------|----------------|-------------------|
| Sylvia Olson | Superintendent | 302 Columbus |
| Helen Petrik | Judge | 422 Fox Run Drive |
| Jean Hinzman | Judge | 2705 Wisconsin |

1-2 South Middle School

| | | |
|-------------------|----------------|-----------------|
| Gladys McCullough | Superintendent | 411 E. Idaho |
| Helen Bissenden | Judge | 2822 Elm Avenue |
| Louise Holmes | Judge | 502 E. Tallent |

1-3 Grandview School

| | | |
|------------------|----------------|------------------|
| Sharon Snyder | Superintendent | 206 Texas Street |
| Rhodella Schmitt | Judge | 3320 Elm Avenue |
| Linda Keehner | Judge | 3317 Elm Avenue |

2-1 Pennington County Courthouse

| | | |
|------------------|----------------|-------------------------|
| Priscilla Gaiser | Superintendent | 824 Columbus Street |
| Mary Midgard | Judge | 1010 E. St. Pat, No. 38 |
| Harold McDonald | Judge | 122 E. St. Charles |

2-2 Dakota Middle School

| | | |
|---------------|----------------|----------------|
| Thelma Jensen | Superintendent | 631 Franklin |
| Lela Carsner | Judge | 606 Franklin |
| Betty Moore | Judge | 229 St. Andrew |

2-3 Bethel Assembly of God Church

| | | |
|----------------|----------------|-----------------------|
| Richard Cooper | Superintendent | 210 E. Madison |
| June Pittman | Judge | 255 Texas, No. 1-354 |
| Lori Wagner | Judge | 840 N. Spruce, No. 76 |

2-4 South Middle School

| | | |
|------------------|----------------|------------------------|
| Mary Strandell | Superintendent | 813 St. Patrick St. |
| Patty Grimm | Judge | 128 St. Francis Street |
| Norine McKinstry | Judge | 120 St. Francis Street |

3-1 Canyon Lake School

| | | |
|----------------------|----------------|------------------|
| Vera Mason | Superintendent | 3617 Washington |
| Lorraine Van Alstyne | Judge | 3334 Dover |
| Delores Schultz | Judge | 1718 Fremont St. |

3-2 Jackson Heights Apartments

| | | |
|-----------------|----------------|------------------|
| Rosella Tadlock | Superintendent | 1745 Mt. View |
| Mary Meade | Judge | 2311 Judy Avenue |
| Chuck Edwards | Judge | 2419 Judy Avenue |

3-3 Meadowbrook School

| | | |
|-----------------|----------------|------------------------|
| Mardeena Bentz | Superintendent | 2404 Central Boulevard |
| Cheryl Lindholm | Judge | 4235 Fairway Hills Dr. |
| Cindy Horning | Judge | 2217 Arrowhead Drive |

3-4 Southwest Middle School

| | | |
|-----------------|----------------|----------------------|
| Sandy Kading | Superintendent | 4580 S. Glenview Pl. |
| Sharon Massa | Judge | 4101 Penrose Place |
| Janet Hubbeling | Judge | 4001 Canyon Drive |

3-5 Canyon Lake Senior Center

| | | |
|------------------|----------------|-----------------------|
| Georgia O'Connor | Superintendent | 4912 Breckenridge Ct. |
| Alice Strand | Judge | 4822 Powderhorn |
| Zelma Lyke | Judge | 3114 Chapel Lane |

4-1 Horace Mann School

| | | |
|------------------|----------------|--------------|
| Florence Swanson | Superintendent | 832 Explorer |
|------------------|----------------|--------------|

| | | |
|-----------------|-------|-----------------|
| Agnes Jenson | Judge | 913 Explorer |
| Margaret Boyles | Judge | 801 Horace Mann |

4-2 Bethel Assembly of God Church

| | | |
|------------------|----------------|-----------------|
| Adeline Kalmback | Superintendent | 1202 Milwaukee |
| Sam Whitley | Judge | 433 E. Waterloo |
| Venita A. Bond | Judge | 219 E. Anamosa |

4-3 Bethel Assembly of God Church

| | | |
|---------------|----------------|------------------------|
| Onita Stout | Superintendent | 3405 Belle Vista Court |
| Frankie Hofer | Judge | 4525 Dolphin Lane |
| Michael Stout | Judge | 3405 Belle Vista Court |

5-1 National Guard Armory

| | | |
|----------------|----------------|---------------------|
| Kelli Hagemann | Superintendent | 4109 Minnekahta Dr. |
| Maxine Sammeli | Judge | 2022 Juniper Street |
| Sharon Naugle | Judge | 4103 Minnekahta |

5-2 South Canyon School

| | | |
|---------------|----------------|------------------|
| LaVonne Geitz | Superintendent | 2725 Omaha |
| Lois Anderson | Judge | 4110 Brookside |
| Jane Anderson | Judge | 3725 Hall Street |

5-3 Pinedale School

| | | |
|----------------|----------------|----------------|
| Betty Jansen | Superintendent | 806 San Marco |
| Delores Hamm | Judge | 805 Roubaix |
| Florence Mrnak | Judge | 4538 Wentworth |

5-4 West Park Apartments

| | | |
|----------------|----------------|-----------------------|
| Cathy Sullivan | Superintendent | 922 Fairview Street |
| Holly LeMay | Judge | 914 Fairview Street |
| Mary Zill | Judge | 2027 Roosevelt Avenue |

Dated this 21st day of January, 2002.

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

CITY OF RAPID CITY
s/ Jerry Munson, Mayor

44. LF011602-05 - Approve Resolution Fixing Time and Place for Hearing on Assessment Roll for Property Cleanup.

RESOLUTION FIXING TIME AND PLACE FOR HEARING ON
ASSESSMENT ROLL FOR PROPERTY CLEANUP

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

1. The assessment roll for Property Cleanup was filed in the Finance Office on the 21st day of January, 2002. The City Council shall meet at the City/School Administration Center in Rapid City, South Dakota, on Monday, February 18, 2002 at 7:00 P.M., this said date being not less than twenty (20) days from the filing of said assessment roll for hearing thereon.

- 2. The Finance Officer is authorized and directed to prepare a Notice stating the date of filing the assessment roll, the time and place of hearing thereon, that the assessment roll will be open for public inspection at the Office of the Finance Officer, and referring to the assessment roll for further particulars.
- 3. The Finance Officer is further authorized and directed to publish notice in the official newspaper one week prior to the date set for hearing and to mail copy thereof, by first class mail, addressed to the owner or owners of any property to be assessed at his, her or their last mailing address as shown by the records of the Director of Equalization, at least one week prior to the date set for hearing.

Dated this 21st day of January, 2002.

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

THE CITY COUNCIL
s/ Jerry Munson, Mayor

- 45. LF011602-06 - 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, transfer to other government agency, or trade-in on new equipment:

Public Transportation
1995 Dodge Caravan Bus, SN 1B4GH44R2SX650401
1995 Dodge Caravan Bus, SN 1B4GH44R2SX650403

Utility Maintenance
1991 Ford Guzzler Street Sweeper, SN 33319

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 21st day of January, 2002.

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

CITY OF RAPID CITY
s/ Jerry Munson, Mayor

- 46. LF011602-07 - Approve request from Kenneth Krzyzanowski, d/b/a Mr. Rags Ice Cream, for renewal of Concession Agreement for 2002.
- 47. LF011602-08 - Authorize Mayor and Finance Officer to sign Standard Agreement and Authorization for Services with John L. Haeder, MAI.
- 48. Approve the Following Licenses: Commercial Refuse Collector: Porta Storage, Inc., Mark & Lucile Bradley; Sanders Sanitation Service, Inc.; Central Station Service: All American Monitoring, Robert J. Keefe; Central Monitoring Service, Inc., Kenneth C.

- Knight; Midwest Alarm Co., Inc., Larry McMillen; Gas Fitting Apprentice: Kevin Bad Wound, Todd Dietrich, Darrin Esser, Nick Williams; Gas Fitter: Jeff Adam, Justin Burke, Roland W. Fielder, Alphonse Fleck, Donald L. Herman, Steve Hyk, Ken Kenitzer, Ernie Kouba, Ronald Kramer, John B. Miller, Kevin Morris, Lonny Ryman, Loren Ryman, Michele Seaman, Ralph Schad, Wade Smith, George Thompson, Nick Walenta, Allan Weinand; Gas Contractor: Steve Armour, Mike's Mobile Home Service; Chino Caekaert, A to Z Maintenance & Repair; Cody Champion, Champion Home Service & Supply, Inc.; Roy Follum, Follum Supply; Quentin E. Kubas, Montana-Dakota Utilities Co.; Duane Lassegard, Cenex/Land O Lakes; Dave J. McCarthy, McCarthy Services; Ronald Ryman, D & R Service, Inc.; Rick Salyers, B & R Services; Lee Seaman, L & M Appliance Specialists, Inc.; Plumbing Apprentice: David C. McClaskey; Residential Contractor: Craig Anderson, Anderson Remodeling & Repair; Neil Foust, Foust Construction, Inc.; David Hirling, David Hirling Construction; Paul Holt, Paul Holt Construction; David or Patricia Karas, Karas Konstruction; Wayne Loof, Integrity Homes by Wayne Loof; Joyce Sauer, Red Rock Remodeling; Donovan & Sharon Synstelien, Donovan's Investments, LLC; Second Hand: Software Etc. #1257, Rushmore Mall, Chris A. Laferty; Security Business: Alpha Omega Systems, Inc., Forrest D. Fanning; Tri-State Security & Patrol, Randy Lee Beal; Sign Contractor: Brendan Casey, Epic Outdoor Advertising, LLP; Gary French, French's Upholstery; Gene & Roxy Hunter, Sign Express; Mikal Lewis, Signworks; Donald E. Mattson, Black Hills Tent & Awning; Lesley Rutter, Unique Signs, Inc.; Hank Sponder, HJS Indoor Adv., Sponder Outdoor Advertising; Craig Stump, Stump Sign Company; Taxi Business: A-1 City Cab, Inc., Jeffrey K. Winchester.
49. LF011602-09 - Authorize Mayor and Finance Officer to sign Amendment of Award of Allocation for Historical Preservation.
50. Approve Appointment of Mike Diedrich and Duane Whalen to the Civic Center Board.

Raffle

51. No. CC012102-01 - Notification from Easter Seals of South Dakota of intent to conduct a raffle from February through August, 2002.
52. No. CC012102-02 – Notification from Rushmore Chapter of ABATE, Inc. of intent to conduct a raffle from February through August, 2002.
53. No. CC012102-03 – Notification from American Heart Association of intent to conduct a raffle on February 9, 2002

End of Consent Calendar

The next item discussed by the Council was No. PW011602-17, approve the Proposed **38th Street Sidewalk Construction**. Kriebel stated that it was his understanding that the City would hold off on this item until staff notified affected property owners of the public hearing. Motion was made by Kriebel and seconded by Hadley to refer this issue back to the Public Works Committee for review. Staff noted that the direction from committee was to proceed with the project. The property owners will be notified of a public hearing to be held on February 13, 2002. Substitute motion was made by Kriebel, seconded by Rodriguez and carried to set the proposed 38th Street Sidewalk Construction project for hearing on February 13, 2002.

Motion was made by Johnson and seconded by Steinburg to approve No. PW011602-22 – Accept the concept as outlined by the Parks & Recreation Subcommittee on the **Mary Hall Park** Kiwanis Project. Gerti Janss submitted a handout of Mary Hall Park and asked the Council to consider putting spurs to various locations rather than a gravel walkway near the creek. This area floods often and the maintenance costs will be lower with the alternative plan. Planning Director Elkins stated that this issue was submitted to the Parks & Rec Subcommittee. Several changes were made to the plan, but this particular item was not incorporated. Kriebel stated that he will not support the motion because he feels there will be flooding and maintenance issues in the future. Hanks noted that the Kiwanis Club has agreed

to be responsible for all maintenance issues relating to Mary Hall Park. Upon vote being taken, the motion carried with Kriebel and Hadley voting no.

Motion was made by Johnson, seconded by Steinburg and carried to direct staff to work with the Kiwanis Club on a maintenance agreement for **Mary Hall Park**.

The next item discussed by the Council was LF011602-02. Motion was made by Steinburg, seconded by Hadley and carried to authorize purchase of two (2) 4x4 SUV's (Dodge Durangos) for Patrol Division from state bid in the amount of \$48,052.

Planning Department – Consent Items

Motion was made by Kroeger, seconded by Johnson and carried to approve the following items in accordance with the recommendation in the Council Packet:

54. 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 FEBRUARY 4, 2002)
55. 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. (DENIED WITHOUT PREJUDICE)
56. No. 01PL054 - A request by Dream Design, Inc. for Big Sky LLC for a **Final Plat** on Lots 1 and 2 of Block 13; Lots 2-5 of Block 14, and Dedicated Streets, Big Sky Subdivision, located in the SE1/4 NW1/4 and NE1/4 NW1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota; excepting Lot 1 on Block 13 and Lot 1 in Block 14 of Big Sky Subdivision and Dedicated Public Rights of Way (Big Sky Drive and DeGeest Street), as shown on the plat filed in Plat Book 29, Page 154, located at the northern terminus of DeGeest Street. (CONTINUE TO FEBRUARY 4, 2002)
58. No. 01PL089 - A request by Dream Design International for a **Preliminary and Final Plat** on Lots 7-9, Block 4; Lots 13-23, Block 6, Lot 6, Block 7; Lots 1-11, Block 8; Lots 1-2, Block 9 of Big Sky Subdivision and dedicated South Pitch Drive, Aurora Drive, Carl Avenue and major drainage easements located in NE1/4SE1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota, located at the current northern terminus of South Pitch Drive. (CONTINUE TO FEBRUARY 4, 2002)
59. No. 01PL096 - A request by Gary Rasmusson for a **Final Plat** on Lots 31R through 35R, and Lots 40 through 42, of Block 11, and Lots 1R through 4R, and Lot 26 of Block 13, Robbinsdale Addition No. 8 (formerly Lots 31 through 35, and Lot 36 Rev. of Block 11, and Lots 1 through 4 of Block 13, of Robbinsdale Addition No. 8) Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of Sitka Street and Hemlock Street. (CONTINUE TO FEBRUARY 4, 2002)
60. No. 01PL097 - A request by Dream Design International for a **Preliminary and Final Plat** on Tract A and dedicated streets, Big Sky Subdivision - Phase VII located in the SE1/4 NW1/4 and the NE1/4 NW1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota; excepting Lot 1, Block 13 and Lot 1, Block 14 of Big Sky Subdivision and dedicated public rights of way (Big Sky Drive and Degeest Street), as shown on the plat filed in Plat Book 29, Page 154, also excepting Lots 1 and 2, Block 13 and Lots 2, 3, 4 and 5, Block 14 and dedicated public rights of way (Degeest St.,

Buddy Ct. and Homestead Ave.), located at the intersection of Degeest Street and Homestead Avenue. (CONTINUE TO FEBRUARY 4, 2002)

- 61. No. 01PL102 - A request by Alliance of Architects for American West Communities for a **Layout Plat** on S1/2 of the NE1/4 and the SE1/4 except Bradeen Subdivision of Section 22 and NE1/4 Section 27, T1N, R8E, BHM, Pennington County, South Dakota, located at the intersection of Reservoir Road and South Side Drive. (CONTINUE TO FEBRUARY 18, 2002)
- 62. No. 01PL103 - A request by Dream Design International, Inc. for a **Preliminary and Final Plat** on Lots 1-6, Block 1; Lots 1-5, Block 2; and Lots 1-9, Block 3 of Enchanted Pines Subdivision, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the northern terminus of Enchanted Pines Drive. (CONTINUE TO FEBRUARY 4, 2002)
- 63. No. 01PL110 - A request by Fisk Land Surveying for Dakota Land Development for a **Preliminary and Final Plat** on Lots 1-7, Vista Lake Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located on Jackson Boulevard/Highway 44 West north of the Fish Hatchery. (CONTINUE TO FEBRUARY 4, 2002)
- 64. No. 01PL116 – Approve the request by Doug Sperlich for James Letner for a **Preliminary and Final Plat** located at the current northern terminus of Debra Drive.

RESOLUTION APPROVING PLAT

WHEREAS a Plat of Lot 2R and Lot 3, Debra Subdivision (formerly Lot 2 of Debra Subdivision, Lot 3 Revised of Lot A of a Replat of Lot 2 of Outlot 2, and a portion of the Debra Drive Right-of-Way) located in the SE1/4 of the SW1/4 of Section 4, 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 Lot 2R and Lot 3, Debra Subdivision (formerly Lot 2 of Debra Subdivision, Lot 3 Revised of Lot A of a Replat of Lot 2 of Outlot 2, and a portion of the Debra Drive Right-of-Way) located in the SE1/4 of the SW1/4 of Section 4, T1N, R7E, 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 21st day of January, 2002.

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

CITY OF RAPID CITY
s/ Jerry Munson, Mayor

- 65. No. 01PL118 - A request by Dream Design International for a **Preliminary and Final Plat** on Lots 5-11, Block 6, Red Rock Estates - Phase 3A, Section 29, T1N, R7E,

BHM, Rapid City, Pennington County, South Dakota, located west of Sheridan Lake Road - Red Rock Estates Subdivision. (CONTINUE TO FEBRUARY 4, 2002)

66. No. 01PL119 - A request by Victor Mantei for Canyon Lake Church of God for a **Layout Plat** on Lot 1 in SW1/4 SW1/4 less Lot H1 & H2, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 1, 2 and 3, Hillsvie Estates, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 1829 Hillsvie Drive. (APPROVE WITH THE FOLLOWING STIPULATIONS: 1) Upon Preliminary Plat submittal, topographic information identifying the location of existing utilities, shall be submitted for review and approval; 2) Upon Preliminary Plat submittal, a drainage plan shall be submitted for review and approval; 3) Upon Preliminary Plat submittal, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval; 4) Prior to Final Plat approval by the City Council, the plat shall be revised to show a non-access easement along W. St. Patrick Street, except for the approved approach location. In addition, a non-access easement shall be shown along the south 128 feet of the west lot line as it abuts Red Dale Drive and along the south 115 feet of the east lot line as it abuts Hillsvie Drive; 5) Prior to Final Plat approval by the City Council, a revised subdivision name shall be submitted for review and approval. In addition, the plat title shall be revised to show the approved subdivision name; 6) Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; and, 7) Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fee shall be paid.)
68. No. 01PL122 - A request by Dream Design International for a **Preliminary and Final Plat** on Formerly a portion of Tract 1 of the Red Ridge Ranch and the unplatted portion of SW1/4 and the unplatted portion of NW1/4 and the unplatted portion of the W1/2 NE1/4 all in Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 7-9, Block 7 and Lots 4-6, Block 8 and Lot 1, Block 9 and Lot 1, Block 10 and Lots 1-38, Block 11 and Lots 1-13, Block 12 and Lots 1-5, Block 13 and Lots 1-6, Block 14 and Lot P and Outlot G and dedicated streets, located west of Sheridan Lake Road. (CONTINUE TO FEBRUARY 4, 2002)
69. No. 01PL123 - A request by Rice Valley View Properties for a **Preliminary and Final Plat** on Lot 6 of Rice Valley View Properties, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot 6A of Lot 6 of the Rice Valley View Properties Addition, located in Section 6, T1N, R8E, BHM in the City of Rapid City, Pennington County, South Dakota, located at 1033 Omaha Street. (CONTINUE TO FEBRUARY 4, 2002)
70. No. 01PL124 - A request by Doug Sperlich for Orthopedic Building Partnership for a **Preliminary and Final Plat** on (formerly a portion of Lot 1 of Old Rodeo Subdivision), legally described as Lot 4; and Physician Drive right-of-way, Old Rodeo Subdivision, located in the NW1/4 of the SW1/4, and in the NE1/4 of the SW1/4 of Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located east of U.S. Highway 16, at the current northern terminus of Physician Drive. (CONTINUE TO FEBRUARY 18, 2002)
72. No. 01PL126 - A request by Cetec Engineering for Park Hill Development for a **Layout and Preliminary Plat** on balance of the NE1/4 SE1/4 Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot 1 of Block 1; Lots 1 thru 7 of Block 2; Lot 1 thru 7 of Block 3; and Lots 1 thru 4 of Block 4; containing 6.80 acres, of Park Meadows Subdivision located in the NE1/4 of SE1/4 Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located lying between

Wilma Street, Oakland Street and Hoefer Avenue. (ACKNOWLEDGE APPLICAN'TS WITHDRAWAL of Layout Plat and continue Preliminary Plat until February 4, 2002.)

- 73. No. 01PL127 - A request by Doug Sperlich for Jeff Stone for a **Preliminary Plat** on SW1/4 SE1/4, less Broadmoor Subdivision, less Block 1 of Broadmoor Southwest & less Mountain Shadows Subdivision, Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 1, 2 and 3 of Block 1 of Sunset Heights Subdivision, Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the current terminus of Broadmoor Drive. (CONTINUE TO FEBRUARY 18, 2002)

End of Planning Department Consent Calendar

The next item before the Council was No. 01PL084, a request by Richard O. Stahl for a **Preliminary and Final Plat** on Lots 1-5 of Stahl Victorian Addition (formerly Tracts J, K, L, M and N of Lot 6 of Block 19, Boulevard Addition) of the N1/2 of Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the southwest corner of the intersection of West Street and South Street. Motion was made by Kroeger and seconded by Waugh to deny this item without prejudice. Stahl stated that he has completed all items listed in the stipulations with the exception of the requirement for bonding. Substitute motion was made by Johnson, seconded by Steinburg and carried to continue this item until February 4, 2002.

The Mayor presented No. 01PL120, a request by Alliance of Architects for Black Hills Habitat for Humanity for a **Final Plat** on Portions of Lots 4 thru 8, Lot 9, Lot 10, portions of Lots 11 thru 13, and a portion of the alley, Block 4, Schnasse Addition to the City of Rapid City located in the NW1/4 of the SW1/4 of Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 3 thru 6 of Habitat Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of Herman Street and East Watertown Street. Motion was made by Kroeger, seconded by Waugh and carried to continue this item until February 4, 2002.

The Mayor presented No. 01PL125, a request by Centerline for Double E, LLC for a **Final Plat** located on Willowbend Road between South Valley Drive and Elks Country Estates. The following Resolution was introduced, read and Kroeger moved its adoption:

RESOLUTION APPROVING PLAT

WHEREAS a Plat of Plum Creek Subdivision, Lots 5 thru 27 of Block 1; Lots 1 thru 13 of Block 2; Tract 1; and ROW of Sand Cherry Lane, Wineberry Lane, Grapevine Lane, and Rosewood Lane, Utility Easement for Sanitary Sewer Lift Station, and Temporary Turnaround Easement, located in the North 1/2 of the SW1/4 of Section 16, T1N, R8E, 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 Plum Creek Subdivision, Lots 5 thru 27 of Block 1; Lots 1 thru 13 of Block 2; Tract 1; and ROW of Sand Cherry Lane, Wineberry Lane, Grapevine Lane, and Rosewood Lane, Utility Easement for Sanitary Sewer Lift Station, and Temporary Turnaround Easement, located in the North 1/2 of the SW1/4 of Section 16, T1N, R8E, 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 21st day of January, 2002.

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 Hanks. The following voted AYE: Hanks, Johnson, Murphy, Steinburg, Rodriguez, Waugh, Kroeger, Hadley, Dreyer and Kriebel; NO: None, whereupon said Resolution was declared duly passed and adopted.

Planning Department – Hearings

The Mayor presented No. 01CA032, a request by Wyss Associates for W.E.B. Partners for a **Amendment to the Comprehensive Plan to change the future land use designation on a 3.202 acre parcel from Office Commercial to General Commercial** on property described by metes and bounds beginning from a point 1795.13 feet at a bearing S89°39'0"E from the SW corner of the NW1/4 of the SE1/4 of Section 11, T1N, R7E, BHM, travel 431.35 feet at a bearing N22°2'42"W, Then travel 310.56 feet along a 230' LHF curve with a chord bearing N16°38'12" E, Then travel 161.93 feet at a bearing N55°19'17"E, Then travel 227.59 feet at a bearing S34°35'20"E, Then travel 300.07 feet at a bearing S45°W, Then travel 305.00 feet at a bearing S34°36'5"E, Then travel 165.44 feet at a bearing S45°W, Then travel 26.8 feet at a bearing N89°39'0"W, to the point of start, located west of the western terminus of Fairmont Boulevard and north of Tower Road. Motion was made by Kroeger, seconded by Hanks and carried to continue this item until March 18, 2002.

The Mayor presented No. 01CA033, a request by Centerline, Inc. for Lazy P-6 Properties, LLC for a **Comprehensive Plan Amendment - South Robbinsdale Neighborhood Area Future Land Use Plan** an Amendment to the Future Land Use Designation in the South Robbinsdale Neighborhood Area Future Land Use Plan, an element of the Comprehensive Plan: From Planned Residential Development with a maximum density of 6.7 dwelling units per acre to Mobile Home Park located in the South 420 feet of the NE1/4 of the SW1/4 and the SE1/4 of the SW1/4 of Section 24, T1N, R7E, BHM, Pennington County, South Dakota; From Planned Residential Development with a maximum density of 6.7 dwelling units per acre and Medium Density Residential with a Planned Residential Development to General Commercial located in the East 900 feet of the NE1/4 of the SE1/4 less Highway 16B Right-of-way and the East 900 feet of the SE1/4 of the SE1/4 of Section 24, T1N, R7E, BHM, Pennington County, South Dakota; From Planned Residential Development with a maximum density of 6.7 dwelling units per acre to Office Commercial located in the NW1/4 of the SW1/4 of the NE1/4 of the SE1/4; the West half of the NW1/4 of the NE1/4 of the SE1/4 less Highway 16B Right-of-way; and the North 900 feet of the NW1/4 of the SE1/4 less Highway 16B Right-of-way of Section 24, T1N, R7E, BHM, Pennington County, South Dakota; From General Commercial with a Planned Commercial Development, Park Site with alternative use of Mobile Home Residential and Office Commercial with a Planned Commercial Development to General Commercial located in the North 900 feet of the NW1/4 of the SW1/4 less Highway 16B Right-of-way of Section 19, T1N, R8E, BHM, Pennington County, South Dakota; From Office Commercial with a Planned Commercial Development and Park Site with alternative use of Mobile Home Residential to Light Industrial located in the South 420 feet of the NW1/4 of the SW1/4 and the SW1/4 of the SW1/4 of Section 19, T1N, R8E, BHM, Pennington County, South Dakota; From a Planned Residential Development with a maximum density of 6.7 dwelling units per acre to Medium Density Residential in a portion of the SW1/4 of the SW1/4 of the NE1/4 of the SE1/4; the West 420 feet of the SE1/4 of the

SE1/4; the South 420 feet of the NW1/4 of the SE1/4; and the SW1/4 of the SE1/4 of Section 24, T1N, R7E, BHM, Pennington County, South Dakota; From a Planned Residential Development with a maximum density of 6.7 dwelling units per acre to Neighborhood Commercial located in the North 900 feet of the NE1/4 of the SW1/4 less Highway 16B Right-of-way of Section 24, T1N, R7E, BHM, Pennington County, South Dakota; From General Commercial with a Planned Commercial Development and Office Commercial with a Planned Commercial Development to General Commercial located in a portion of the S1/2 of the SW1/4 of the NW1/4 less Highway 16 B Right-of-way of Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; From Office Commercial with a Planned Commercial Development, Medium Density Residential, and Planned Residential Development with a maximum density of 6.7 dwelling units per acre to Office Commercial located in a portion of the N1/2 of the SW1/4 of the NW1/4 of Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; From Low Density Residential and Planned Residential Development with a maximum density of 6.7 dwelling units per acre to Medium Density Residential located in a portion of the S1/2 of the NW1/4 of the NW1/4 of Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, From Low Density Residential and Medium Density Residential to Low Density Residential located in the N1/2 of the NW1/4 of the NW1/4 of Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located north and south of Catron Boulevard adjacent to the future 5th Street intersection. Motion was made by Kroeger, seconded by Waugh and carried to deny this application.

The Mayor presented No. 01CA034, a request by Jeffrey Devine for a **Amendment to the Comprehensive Plan by amending the Elk Vale Neighborhood Area Future Land Plan to change the future land use designation on a 4.98 acre tract from General Commercial to Heavy Industrial** on Tract B of SW1/4 SW1/4 less right-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at 262 Cambell Street. Motion was made by Kroeger, seconded by Rodriguez and carried that the Amendment to the Comprehensive Plan amending the Elk Vale Neighborhood Area Future Land Plan to change the future land use designation on a 4.98 acre tract from General Commercial to Heavy Industrial for the east 318.2 feet of Tract B of SW1/4 SW1/4 less right-of-way, Section 32, T2N, R8E, BHM be approved with the alternate designation of General Commercial being identified and be denied for the balance of the property.

The Mayor presented No. 01CA038, a request by Pennington County for a **Amendment to the North Rapid Neighborhood Area Future Land Use Plan to change the land use designation on a 1.60 acre parcel of property from Medium Density to Public** on Lots 1-21, Block 18, North Rapid Addition, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 703 Adams Street. Motion was made by Kroeger and seconded by Hanks to deny the rezone request, based on the following findings: 1) There are reasonable and alternative uses for the property; 2) This is a cohesive neighborhood that is separated from many of the commercial and public uses to the south by a collector street and the topography; 3) There are concerns that this would introduce spot zoning; 4) There is a long history of appropriate land uses in this area which are mainly residential. As a result, the Planning Commission found no basis for the request to re-designate this area as appropriate for public. Ron Buskerud, Administrative Assistant for the Pennington County Commission, stated that they understand the concerns and issues of the people living in this area and they are taken seriously. No matter where this type of facility is located, it will not be welcomed by the neighborhood. There are many concerns that are taken into account when trying to find a location for this type of facility: 1) neighborhood; 2) location; 3) suitability of the building and 4) financial concerns. This area is not our first choice, but we own this structure and it is in a good location for the people who will be housed at the proposed facility. Any other option would include buying land and building a structure which would cost millions of dollars. It is estimated that the County could remodel this facility for the proposed use at a cost of \$150,000. There is severe over-crowding in the jail and the proposed facility would house up to 100 work release inmates and help alleviate the jail over-crowding issue. Buskerud stated that they would be happy to work with the neighbors to work on any problems that might

come up. Diana Winkel spoke against the change in zoning of this property and referenced the petitions that were previously submitted opposing this request. Deputy States Attorney Toby Karn stated that this is not just a county problem. A large percentage of the individuals currently housed in the jail list a residence address in Rapid City. Also, city taxpayers pay \$.70 of each dollar in the County's budget. Currently, the County is housing inmates at other facilities which is money that could be used for an alternative location. Jim Albers stated that 100% of the people who were notified of this rezone request are opposed to it. He urged the Council to deny the application. Upon vote being taken, the motion to deny carried unanimously.

The Mayor presented No. 01CA039, a request by City of Rapid City for a **Comprehensive Plan Amendment - South Robbinsdale Neighborhood Area Future Land Use Plan** on Amendment to the Future Land Use Designation in the South Robbinsdale Neighborhood Area Future Land Use Plan, an element of the Comprehensive Plan: From Medium Density Residential with a Planned Residential Development and a Planned Residential Development with a maximum density of 6.7 dwelling units per acre to Medium Density Residential with a Planned Residential Development located in the SE1/4 of the SW1/4, NE1/4 of the SW1/4 less Highway 16B Right-of-way, the North 900 feet of the NW1/4 of the SE1/4 less Highway 16B Right-of-way and the West 110 feet of the North 900 feet of the NE1/4 of the SE1/4 less Highway 16B Right-of-way of Section 24, T1N, R7E, BHM, Pennington County, South Dakota; From Planned Residential Development with a maximum density of 6.7 dwelling units per acre to Low Density Residential with a Planned Residential Development located in the West 810 feet of the South 420 feet of the NE1/4 of the SE1/4, the West 810 feet of the SE1/4 of the SE1/4, the South 420 feet of the NW1/4 of the SE1/4 and the SE1/4 of the SE1/4 of Section 24, T1N, R7E, BHM, Pennington County, South Dakota; From Planned Residential Development with a maximum density of 6.7 dwelling units per acre and Medium Density Residential with a Planned Residential Development to Office Commercial with a Planned Commercial Development located in the East 510 feet of the South 420 feet of the NE1/4 of the SE1/4 and the East 510 feet of the SE1/4 of the SE1/4, Section 24, T1N, R7E, BHM, Pennington County, South Dakota; From General Commercial with a Planned Commercial Development and Medium Density Residential with a Planned Residential Development to General Commercial with a Planned Commercial Development located in East 1,210 feet of the North 900 feet of the NE1/4 of the SE/14 less the East 450 feet of the North 484 feet of the NE1/4 of the SE1/4 and less Highway 16B Right-of-way of Section 24, T1N, R7E, BHM, Pennington County, South Dakota; From General Commercial with a Planned Commercial Development and Medium Density Residential with a Planned Residential Development to Public Drainage located in the East 450 feet of the North 484 feet of the NE1/4 of the SE1/4 Less Highway 16B Right-of-way of Section 24, T1N, R7E, BHM, Pennington County, South Dakota; From General Commercial with a Planned Commercial Development, Park Site with alternative use of Mobile Home Residential and Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development located in the North 900 feet of Government Lot 3 of the NW1/4 of the SW1/4 less the North 450 feet of the East 484 feet of Government Lot 3 of the NW1.4 of the SW1/4 and less Highway 16B Right-of-way of Section 19, T1N, R8E, BHM, Pennington County, South Dakota; From General Commercial with a Planned Commercial Development and Office Commercial with a Planned Commercial Development to Public Drainage located in the North 450 feet of the East 484 feet of Government Lot 3 of the NW1/4 of the SW1/4 less Highway 16 B Right-of-way of Section 19, T1N, R8E, BHM, Pennington County, South Dakota; From Office Commercial with a Planned Commercial Development and Park Site with alternative use of Mobile Home Residential to Light Industrial with a Planned Light Industrial Development located in the South 420 feet of Government Lot 3 of the NW1/4 of the SW1/4 and Government Lot 4 of the SW1/4 of the SW1/4 of Section 19, T1N, R8E, BHM, Pennington County, South Dakota; From General Commercial with a Planned Commercial Development and Office Commercial with a Planned Commercial Development to General Commercial with a Planned Commercial Development located in the S1/2 of Government Lot 2 of the SW1/4 of the NW1/4 less Highway 16 B Right-of-way of Section 19, T1N, R8E, BHM,

Rapid City, Pennington County, South Dakota; From Office Commercial with a Planned Commercial Development, Medium Density Residential, and Planned Residential Development with a maximum density of 6.7 dwelling units per acre to Office Commercial with a Planned Commercial Development located in the N1/2 of Government Lot 2 of the SW1/4 of the NW1/4 of Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; From Low Density Residential and Planned Residential Development with a maximum density of 6.7 dwelling units per acre to Medium Density Residential with a Planned Residential Development located in the S1/2 of Government Lot 1 of the NW1/4 of the NW1/4 of Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, From Low Density Residential and Medium Density Residential to Low Density Residential located in the N1/2 of Government Lot 1 of the NW1/4 of the NW1/4 of Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located north and south of Catron Boulevard adjacent to the future 5th Street intersection. Motion was made by Kroeger, seconded by Steinburg and carried to approve the Amendment

The Mayor presented No. 01PD021, a request by Wyss Associates, Inc. for W.E.B. Partners for a **Revocation of Initial Development Plan - Planned Commercial Development** on the following property: Beginning from a point 973.88 feet at a bearing S 89° 39' 0" East from the NW corner of SE1/4 of Section 11, T1N, R7E, BHM, travel 1363.79 feet at a bearing S89°39'0" East, then travel 107.83 feet at a bearing S57°14'9" West, then travel 63 feet at a bearing S38°41'0" West, then travel 89 feet at a bearing S68°55'0" West, then travel 47 feet at a bearing S54°43'0" West, then travel 95 feet at a bearing S47°3'0" West, then travel 77 feet at a bearing S69°31'0" West, then travel 254.50 feet at a bearing S45°26'11" West, then travel 363.99 feet at a bearing S34°35'20" East, then travel 300.07 feet at a bearing S45° West, then travel 305.00 feet at a bearing S34°36'5" East, then travel 165.44 feet at a bearing S45°W, then travel 26.8 feet at a bearing N89°39'0" West, then travel 431.35 feet at a bearing N22°2'42" West, then travel 178.19 feet along a 230 foot LHF curve with a chord bearing N0°8'58" East, then travel 482.32 feet at a bearing N45° West, then travel 129.8 feet at a bearing South, then travel 319.54 feet at a bearing S50°52'56" W, then travel 349.50 feet at a bearing North, then travel 65.15 feet at a bearing West, then travel 392.28 feet at a bearing N0°21'0" East, to the point of start, parcel described contains approximately 16.87 acres, legally described as Area to be revoked: property described by metes and bounds beginning from a point 1795.13 feet at a bearing S89°39'0"E from the SW corner of the NW1/4 of the SE1/4 of Section 11, T1N, R7E, BHM, travel 431.35 feet at a bearing N22°2'42"W, Then travel 310.56 feet along a 230' LHF curve with a chord bearing N16°38'12" E, Then travel 161.93 feet at a bearing N55°19'17"E, Then travel 227.59 feet at a bearing S34°35'20"E, Then travel 300.07 feet at a bearing S45°W, Then travel 305.00 feet at a bearing S34°36'5"E, Then travel 165.44 feet at a bearing S45°W, Then travel 26.8 feet at a bearing N89°39'0"W, to the point of start, located west of the western terminus of Fairmont Boulevard and north of Tower Road. Motion was made by Kroeger, seconded by Rodriguez and carried to continue this item until March 18, 2002.

The Mayor presented No. 01PD047, a request by Richard O. Stahl for a **Planned Residential Development - Final Development Plan** on Lots 1-5 of Stahl Victorian Addition (formerly Tracts J, K, L, M and N of Lot 6 of Block 19, Boulevard Addition) of the N1/2 of Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the southwest corner of the intersection of West Street and South Street. Motion was made by Kroeger, seconded by Hanks and carried to continue this item until February 4, 2002.

The Mayor presented No. 01PD052, a request by Dream Design International, Inc. for a **Planned Residential Development - Initial and Final Development Plan** on S1/2 NW1/4 NE1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the northern terminus of Enchanted Pines Drive. Motion was made by Kroeger, seconded by Hanks and carried to continue this item until February 4, 2002.

The Mayor presented No. 01PD060, a request by Dream Design International for a **Initial and Final Development Plan - Planned Residential Development** on a parcel of land located in SW1/4 NE1/4 of Section 29, T1N, R7E, BHM, City of Rapid City, Pennington County, South Dakota, being more particularly described as follows: Beginning at the Northeast Corner of Lot 1, Block 2 of Red Rock Estates as recorded with the Pennington County Register of Deeds in Book 29, Page 202; thence N14°58'00"W, 33.49 feet to a point of curvature; thence northerly along the arc of said curve to the left whose radius is 374.00 feet and whose delta angle is 12°33'13", an arc length of 81.94 feet to a point on said curve; thence N37°19'06"W, 30.86 feet to a point lying on a curve concave to the southwest and whose chord bears N47°10'58"W, 190.88 feet; thence continuing along the arc of said curve to the left whose radius is 370.00 feet and whose delta angle is 29°53'46", an arc length of 193.06 feet to a point of tangency; thence N62°07'51"W, 20.88 feet; thence N27°52'09"W, 68.00 feet; thence N46°00'20"E, 149.55 feet; thence N37°03'21"W, 122.32 feet; thence N67°14'10"E, 122.78 feet; thence S68°07'14"E, 142.96 feet; thence S21°41'30"E, 132.93 feet; thence S22°57'06"W, 132.93 feet; thence S57°27'46"W, 126.29 feet; thence S23°47'31"E, 174.70 feet to the Northeast Corner of Lot 4A, Block 6 of Red Rock Estates as recorded with the Pennington County Register of Deeds in Book 30, Page 14; thence S75°02'00"W, along the north line of said Lot 4A a distance of 160.00 feet to the Northwest Corner of said Lot 4A; thence S75°02'00"W, 42.00 feet to the Point of Beginning containing 3.840 acres, located west of Sheridan Lake Road - Red Rock Estates Subdivision. Motion was made by Kroeger, seconded by Waugh and carried to continue this item until February 4, 2002.

The Mayor presented No. 01PD062, a request by Wyss Associates for Web Real Estate Holdings Company LLC for a **Planned Development Designation** on property described by metes and bounds beginning from a point 1795.13 feet at a bearing S89°39'0"E from the SW corner of the NW1/4 of the SE1/4 of Section 11, T1N, R7E, BHM, travel 431.35 feet at a bearing N22°2'42"W, Then travel 310.56 feet along a 230' LHF curve with a chord bearing N16°38'12" E, Then travel 161.93 feet at a bearing N55°19'17"E, Then travel 227.59 feet at a bearing S34°35'20"E, Then travel 300.07 feet at a bearing S45°W, Then travel 305.00 feet at a bearing S34°36'5"E, Then travel 165.44 feet at a bearing S45°W, Then travel 26.8 feet at a bearing N89°39'0"W, to the point of start, located west of the western terminus of Fairmont Boulevard and north of Tower Road. Motion was made by Kroeger, seconded by Steinburg and carried to continue this item until March 18, 2002.

The Mayor presented No. 01PD063, a request by Lyle Henricksen for an **Initial and Final Development Plan - Planned Residential Development** on Tract A and Tract B, Fountain View Subdivision, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located on Harmony Heights Lane. Motion was made by Kroeger, seconded by Steinburg and carried to approve the Planned Residential Development, with the following stipulations: 1) Prior to approval of the Final Development Plan by City Council, calculations and documentation demonstrating that the volume and capacity of all storm water management elements comply with the development's drainage plan shall be submitted for review and approval; 2) Prior to the approval of the Final Development Plan by the City Council, construction plans for the extension of sanitary sewer, drainage improvements and road improvements for that portion of Harmony Heights Lane that abuts the subject property shall be submitted for review and approval; 3) Prior to the issuance of a building permit, utility plans for the extension of the private water and sanitary sewer system to serve Phase 2 shall be submitted for review and approval; 4) All Uniform Fire Codes must be continually met; 5) Prior to issuance of a Certificate of Occupancy, the central fire alarm system(s) must be installed and operational; 6. Prior to issuance of a building permit, fire hydrants shall be in place and operational; 7) Prior to issuance of a building permit, all weather access road(s) shall be constructed in compliance with the Street Design Criteria Manual in order to accommodate Fire Department apparatus; 8) An Air Quality Permit shall be obtained prior to any development work or construction in excess of one acre; 9) A building permit shall be obtained prior to any construction and a certificate of occupancy shall be obtained prior to

occupancy; 10) The proposed structures shall conform architecturally to the plans and elevations submitted as part of this Planned Residential Development; 11) All provisions of the Medium Density Residential District shall be met unless otherwise authorized; 12) A minimum of 109,800 landscaping points shall be provided. The landscaping plan shall comply with all requirements of the Zoning Ordinance. In addition, all landscaping shall be continually maintained in a live vegetative state and replaced as necessary; 13) A minimum of 77 parking spaces shall be provided with four handicap accessible spaces. One of the Handicap spaces shall be "van" accessible. All provisions of the Off-Street Parking Ordinance shall be continually met; 14) Prior to issuance of a Certificate of Occupancy, a second access road shall be constructed or a maximum of forty dwelling units shall be allowed to be occupied; and, 15) The Planned Residential Development 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. 01PD064, a request by Bryan K. Gonzales for Pride Neon, Inc. for a **Major Amendment to a Planned Commercial Development to revise the sign package** on Lot 2 Revised of Blocks 14-15, South Boulevard Addition, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 640 Flormann Street. Motion was made by Kroeger, seconded by Steinburg and carried to continue this item until February 18, 2002.

The Mayor presented No. 01PD065, a request by Fisk Land Surveying for Dakota Land Development for a **Initial and Final Development Plan - Planned Residential Development** on Lot 1 of Lot F-1 of Fish Hatchery Subdivision and the north 545.31 feet of Lot F-1 of Fish Hatchery Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located on Jackson Boulevard/Highway 44 West north of the Fish Hatchery. Motion was made by Kroeger, seconded by Rodriguez and carried to continue this item until February 4, 2002.

The Mayor presented No. 01SV026, a request by Dream Design International, Inc. for a **Variance to the Subdivision Regulations to waive the requirement for water, sewer, paving, curb, gutter, sidewalks, and street light conduit and to allow lots more than twice as long as they are wide** on S1/2 NW1/4 NE1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the northern terminus of Enchanted Pines Drive. Motion was made by Kroeger, seconded by Rodriguez and carried to continue this item until February 4, 2002.

The Mayor presented No. 01SV031, a request by Alliance of Architects for American West Communities for a **Variance to the Subdivision Regulations to waive the requirement for curb and gutter, dry sewer, street conduit and to allow sidewalk on one side of the street** on S1/2 of the NE1/4 and the SE1/4 except Bradeen Subdivision of Section 22 and NE1/4 Section 27, T1N, R8E, BHM, Pennington County, South Dakota, located at the intersection of Reservoir Road and South Side Drive. Motion was made by Kroeger, seconded by Waugh and carried to continue this item until February 18, 2002.

The Mayor presented No. 01SV035, a request by Victor Mantei for Canyon Lake Church of God for a **Variance to the Subdivision Regulations to waive the requirement for curb, gutter, sidewalk and street light conduit** on Lot 1 in SW1/4 SW1/4 less Lot H1 & H2, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 1, 2 and 3, Hillsvie Estates, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 1829 Hillsvie Drive. Motion was made by Kroeger, seconded by Murphy and carried to acknowledge the applicant's request to withdraw the Variance to the Subdivision Regulations to waive the requirement for curb, gutter and street light conduit; and that the Variance to the Subdivision Regulations to waive the requirement for sidewalks be approved with the following stipulation: 1) That a sidewalk shall be constructed along the north side of West St. Patrick Street.

The Mayor presented No. 01SV036, a request by Dream Design International for a **Variance to the Subdivision Regulations to allow lots twice as long as they are wide** on Formerly a portion of Tract 1 of the Red Ridge Ranch and the unplatted portion of SW1/4 and the unplatted portion of NW1/4 and the unplatted portion of the W1/2 NE1/4 all in Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lots 7-9, Block 7 and Lots 4-6, Block 8 and Lot 1, Block 9 and Lot 1, Block 10 and Lots 1-38, Block 11 and Lots 1-13, Block 12 and Lots 1-5, Block 13 and Lots 1-6, Block 14 and Lot P and Outlot G and dedicated streets, Red Rock Estates, located west of Sheridan Lake Road. Motion was made by Kroeger, seconded by Rodriguez and carried to continue this item until February 4, 2002.

The Mayor presented No. 01SV037, a request by Rice Valley View Properties for a **Variance to the Subdivision Regulations to waive the requirement for sidewalks** on Lot 6 of Rice Valley View Properties, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot 6A of Lot 6 of the Rice Valley View Properties Addition, located in Section 6, T1N, R8E, BHM in the City of Rapid City, Pennington County, South Dakota, located at 1033 Omaha Street. Motion was made by Kroeger, seconded by Rodriguez and carried to table this item.

The Mayor presented 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. Motion was made by Kroeger, seconded by Rodriguez and carried to continue this item until February 4, 2002.

The Mayor presented No. 01UR034, a request by Harland Danielsen for a **Use on Review to allow an On-Sale Liquor Establishment including an outdoor concert facility** on Lot 8 of Tract "B" of SW1/4 NE1/4; Lot 2 of Tract E of SE1/4 NW1/4 of Meadowwood Subdivision and Lot 3 of Lot 88A of Pine Hills Subdivision, all located in Section 33, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 4095 Sturgis Road. Motion was made by Kroeger, seconded by Rodriguez and carried to deny this item without prejudice.

The Mayor presented No. 01UR037, a request by Anne Devlin for a **Use On Review for a Child Care Center** on Lot 2 less W250', Nicholl's Subdivision, Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at 1241 E. St. Joseph Street. Motion was made by Kroeger, seconded by Murphy and carried to continue this item until February 18, 2002.

The Mayor presented No. 01UR055, a request by Remodel King for Daniel M. Tackett for a **Use On Review to allow a private residential garage in excess of 1000 square feet** on the unplatted part of the NW1/4 SE1/4 NW1/4 of Section 14, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 3751 Skyline Drive. Motion was made by Kroeger, seconded by Rodriguez and carried to continue this item until February 4, 2002.

The Mayor presented No. 01UR056, a request by Don Steveson for Kevin Galik for a **Major Amendment to a Use On Review to allow a communications tower in the General Commercial Zoning District** on the N1/2 of Lot 4 and all of Lots 5 and 6 of Lot A of the SE1/4 SE1/4 of Section 6, T1N, R8E, BHM, and the east 44 feet of Lots 5, 6, 7 and 8 in Block 1 of Radio Towers Subdivision; together with that part of the alley vacated by a resolution recorded September 14, 1962, in Book 80 of misc. records on Page 442, which adjoins Lots 5, 6, 7 and 8 in Block 1, Radio Towers Subdivision all located in Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at 1711 Cambell Street. Motion was made by Kroeger, seconded by Waugh and carried to acknowledge withdrawal of this item.

The Mayor presented No. 01UR057, a request by Pennington County for a **Use On Review to allow a detention work release facility in the Public Zoning District** on Lots 1-21, Block 18, North Rapid Addition, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 703 Adams Street. Motion was made by Kroeger, seconded by Waugh and carried to deny this Use on Review application.

The Mayor presented No. 01UR058, a request by Cornerstone Rescue Mission for a **Use On Review to allow the outdoor sales and storage of firewood in the General Commercial Zoning District** on Lot 15-16 and vacated east 10 feet of 1st Street Adjacent to Lot 16, Block 80, Original Town of Rapid City, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 400 1st Street. Motion was made by Kroeger, seconded by Waugh and carried to continue this item until February 18, 2002.

The Mayor presented No. 01UR059, a request by Lyle Henriksen for a **Major Amendment to a Use On Review to expand a group home in the Medium Density Residential District** on Lots 1, 2, 3, 4 and 5 of Block 11, Bradsky Subdivision, Section 6, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at 1205 East Saint James. Motion was made by Kroeger, seconded by Murphy and carried to approve the requested Amendment, with the following stipulations: 1) Prior to issuance of a Building Permit, the applicant must obtain a Floodplain Development Permit; 2) Prior to issuance of a Certificate of Occupancy, the applicant shall provide an elevation certificate; 3) Prior to issuance of a Building Permit, complete grading and drainage plans shall be submitted for review and approval; 4) Prior to issuance of a Building Permit, the applicant shall verify that the existing water and sewer service lines are adequate for the proposed expansion. If the existing services lines are not adequate, the applicant shall submit for review and approval a complete set of plans that have been prepared by a Registered Professional Engineer for the installation of all new water or sewer service lines; 5) Prior to City Council approval, the applicant shall submit a revised site plan showing the extension of the five foot sidewalks to the east along East St. James Street and along the property line adjacent to Sioux Avenue; 6) Prior to issuance of a Certificate of Occupancy, the applicant shall have installed the sidewalks along East St. James Street and Sioux Avenue or financial surety shall be posted in the amount necessary to cover the cost of the sidewalk improvements; 7) Prior to issuance of a Certificate of Occupancy, a fire sprinkler system and fire alarm system shall be installed in the entire facility; 8) Prior to City Council approval the applicant shall submit a revised site plan showing the location of twenty two paved parking stalls that comply with the requirements of the Off-Street Parking Ordinance; and, 9) That all requirements of the Off-Street Parking Ordinance shall be continually met.

The Mayor presented No. 01UR060, a request by Dream Design International for a **Use On Review to allow a utility substation in the Low Density Residential District** on NE1/4 SW1/4 Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located north of Prestwick Road north of Countryside Subdivision. Motion was made by Kroeger, seconded by Rodriguez and carried to continue to February 4, 2002.

The Mayor presented No. 01VR005, a request by CETEC for Park Hill Development for a **Vacation of Right of Way** on the Wilma Street right-of-way as shown in Plat Book 7 on Page 57 in the NE1/4 and the NE1/4 of the SE1/4 Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at Wilma Street extending north from Sydney Street west of Cambell Street. Motion was made by Kroeger, seconded by Hanks and carried to acknowledge withdrawal by the applicant.

The Mayor presented No. 01SV024, a request by Dream Design International for a **Variance to the Subdivision Regulations to waive the requirement for curb, gutter, street light conduit, sidewalk, dry sewer and water on 53rd Street and S.D. Highway 44** on Lot 1 of Lamb Subdivision, Section 15, T1N, R8E, BHM, Pennington County, South Dakota, located

at the southwest corner of the intersection of Reservoir Road and SD Highway 44. Motion was made by Kroeger, seconded by Waugh and carried to deny this item without prejudice.

Ordinances & Resolutions

The Mayor presented No. 01RZ054, second reading of **Ordinance 3738**, a request by Wyss Associates for W.E.B. Partners for a **Rezoning from Office Commercial District to General Commercial District** on the following property: Beginning from a point 1795.13 feet at a bearing S89°39'0"E from the SW corner of the NW1/4 of the SE1/4 of Section 11, T1N, R7E, BHM, travel 431.35 feet at a bearing N22°2'42"W, Then travel 310.56 feet along a 230' LHF curve with a chord bearing N16°38'12" E, Then travel 161.93 feet at a bearing N55°19'17"E, Then travel 227.59 feet at a bearing S34°35'20"E, Then travel 300.07 feet at a bearing S45°W, Then travel 305.00 feet at a bearing S34°36'5"E, Then travel 165.44 feet at a bearing S45°W, Then travel 26.8 feet at a bearing N89°39'0"W, to the point of start, located west of the western terminus of Fairmont Boulevard and north of Tower Road. Motion was made by Hadley, seconded by Murphy and carried to continue this hearing until March 18, 2002.

The Mayor presented No. 01RZ057, second reading of **Ordinance 3761**, a request by Dream Design International, Inc. for a **Rezoning from General Agriculture District to Low Density Residential District** on S1/2 NW1/4 NE1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the northern terminus of Enchanted Pines Drive. Motion was made by Hadley, seconded by Rodriguez and carried to continue this hearing until February 4, 2002.

The Mayor presented No. LF121201-18R, second reading of **Ordinance 3773** entitled An Ordinance Amending Sections 17.16.020(17); 17.18.020(12); 17.18.030(29); 17.22.020; 17.22.030(J); 17.24.020B(2); 17.24.030(C); and Adding Section 17.50.380 to Chapter 17.50 of the Rapid City Municipal Code Regarding Off-Premise Signs as Uses on Review. Motion was made by Hadley, seconded by Rodriguez and carried to continue this hearing until February 18, 2002.

The Mayor presented No. LF010202-03, second reading of **Ordinance 3774**, entitled An Ordinance Amending Section 8.38.040 of Chapter 8.38 of the Rapid City Municipal Code Pertaining to Construction Permits and Compliance Plans. Ordinance 3774, having passed the first reading on January 7, 2002, it was moved by Hadley and seconded by Hanks that the title be read the second time. The following voted AYE: Hanks, Johnson, Murphy, Steinburg, Rodriguez, Waugh, Kroeger, Hadley, Dreyer and Kriebel; NO: None; whereupon the Mayor declared the motion passed and Ordinance 3774 was declared duly passed upon its second reading.

The Mayor presented No. LF010202-12, second reading of **Ordinance 3775** entitled An Ordinance Amending Section 15.32.110 of Chapter 15 of Section 32 of the Rapid City Municipal Code Pertaining to a Permit Fee in Floodplain Development. Motion was made by Kroeger and seconded by Hanks to approve. Kriebel asked how this ordinance would impact non-profit groups who want to conduct festivals in city parks. Public Works Director Dan Bjerke stated that this ordinance would establish an application fee for a special exception to the floodplain policy. Kriebel and Hadley spoke against the motion. Elkins explained that the \$100 fee would apply to an application for a floodplain development permit. There is no public hearing process involved; this application is reviewed by staff and issued if they can comply with all the standards. The \$250 fee would apply to an application for a special exception to the floodplain regulations. There is a formal public hearing required and notices must be published and sent to affected property owners. Substitute motion was made by Johnson, seconded by Murphy and carried to continue this public hearing until February 4, 2002.

No. 01RZ070, first reading of **Ordinance 3776**, a request by Pennington County for a **Rezoning from Medium Density Residential District to Public District** on Lots 1-21, Block

18, North Rapid Addition, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 703 Adams Street, was introduced. Motion was made by Hadley, seconded by Waugh and carried to deny Ordinance 3776 on its first reading.

Ordinance 3777 (No. LF011602-12) entitled An Ordinance Repealing Chapter 1.08 of the Rapid City Municipal Code Relating to Wards and Precincts and Adopting a New Revised Chapter 1.08 to the Rapid City Municipal Code, was introduced. Upon motion made by Hadley, seconded by Waugh and carried, Ordinance 3777 was placed upon its first reading and the title was fully and distinctly read, and second reading set for Monday, February 4, 2002.

Ordinance 3779 (No. 02RZ001), a request by City of Rapid City for a **Rezoning from No Use District to Heavy Industrial District** on the east 613 feet of the north 511 feet of the SW1/4 SW1/4, and NW1/4 SE1/4 SW1/4 all located in Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located north of S.D. Highway 44 East, east of Cambell Street and south of U.S. Highway 16, was introduced. Upon motion made by Hadley, seconded by Kroeger and carried, Ordinance 3779 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, February 4, 2002 at 7:00 P.M.

Ordinance 3780 (No. 02RZ002), a request by City of Rapid City for a **Rezoning from No Use District to Light Industrial District** on the 1548.92 feet of the 100 foot wide Lange Road right-of-way adjacent and parallel to the north side of Interstate 90 along Lot B of W1/2 SW1/4 including Lot Z, and along R & L Subdivision Lots 1 and 2 and 3, all located in Section 22, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at Lange Road north of Interstate 90 and east of Deadwood Avenue North, was introduced. Upon motion made by Hadley, seconded by Rodriguez and carried, Ordinance 3780 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, February 4, 2002 at 7:00 P.M.

Ordinance 3781 (No. 02RZ003), a request by Fountain Springs Development for a **Rezoning from General Agriculture District to Light Industrial District** on the following property, was introduced: Beginning at the northeast corner of Tract 13-Revised of S.G. Interstate Plaza, thence first course: N13 28'08"E, a distance of 281.01 feet, thence second course: N76 58'30"W, a distance of 400.01 feet, thence third course: S1 30'07"E, a distance of 349.33 feet, thence fourth course: N45 59'38"E, a distance of 22.36 feet, thence fifth course: S84 18'59"E, a distance of 300.31 feet to the point of beginning. Said parcel containing 2.493 acres, more or less, all located in the W1/2 of Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located northwest of the intersection of North Plaza Drive and Fountain Plaza Drive. Upon motion made by Hadley, seconded by Kroeger and carried, Ordinance 3781 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, February 4, 2002 at 7:00 P.M.

Ordinance 3782 (No. CC012102-05) entitled An Ordinance Amending Sections 9.08.020 of the Rapid City Municipal Code to Prohibit Aggressive Soliciting, was introduced. Upon motion made by Hadley, seconded by Rodriguez and carried, Ordinance 3782 was placed upon its first reading and the title was fully and distinctly read, and second reading set for Monday, February 4, 2002.

Legal & Finance Committee Items

The following Resolution was introduced, read and Hadley moved its adoption:

RESOLUTION ESTABLISHING ENCUMBRANCES

WHEREAS there are existing bills due and payable relating to Calendar Year 2001 operations of the City of Rapid City totaling \$16,465,259.46, and

WHEREAS it is desirable that these bills be charged to the 2001 appropriation;

NOW, THEREFORE BE IT RESOLVED that the City Council of the City of Rapid City does hereby request that the Rapid City Finance Officer encumber appropriate balances of December 31, 2001, in the amount of \$16,465,259.46.

GENERAL FUND 0101

| | | | |
|------|------------------------------|------------|--------------|
| 0101 | MAYOR & COUNCIL | 1,151.78 | |
| 0104 | FINANCE | 56,043.70 | |
| 0105 | GIS MAPPING | 78,458.57 | |
| 0106 | ATTORNEY | 3,081.06 | |
| 0108 | PUBLIC WORKS ADMINISTRATION | 27,217.44 | |
| 0109 | GENERAL GOVERNMENT BUILDINGS | 13,924.18 | |
| 0111 | PERSONNEL | 5,956.79 | |
| 0199 | DISPATCH CENTER | 37,973.34 | |
| 0201 | POLICE | 34,383.06 | |
| 0202 | FIRE | 58,229.78 | |
| 0203 | CORRECTIONS | 1,666.66 | |
| 0204 | INSPECTION | 28,727.12 | |
| 0207 | CONSTRUCTION SERVICE CENTER | 482.39 | |
| 0301 | STREETS & HIGHWAYS | 251,213.50 | |
| 0601 | RECREATION | 2,433.74 | |
| 0603 | ICE ARENA | 113,118.56 | |
| 0609 | LIBRARY | 74,067.12 | |
| 0610 | LIBRARY RURAL | 4,776.87 | |
| 0612 | SWIMMING POOL | 5,129.50 | |
| 0618 | PUBLIC TRANSPORTATION | 32,697.91 | |
| 0704 | ECONOMIC DEVELOPMENT | 173,249.90 | |
| 0705 | PLANNING & ZONING | 65,168.04 | |
| 0706 | TRANSPORTATION PLANNING | 371,899.23 | |
| 0707 | HISTORIC PRESERVATION | 2.18 | |
| 0708 | AIR QUALITY | 634.48 | |
| 0711 | CODE ENFORCEMENT | 9,835.01 | |
| 0712 | WEED & SEED GRANT | 29,974.29 | |
| 9202 | HAZARDOUS MATERIALS | 21.26 | |
| 9208 | LAW ENFORCE BLOCK GRANT 2001 | 102,845.00 | 1,584,362.46 |

2012 FUND 0107

| | | | |
|------|--------------------------------|--------------|--------------|
| 0123 | VISITOR INFORMATION CTR (2012) | 240,000.00 | |
| 0125 | RECREATION ENHANCEMENTS | 1,205,599.54 | |
| 0126 | INFRASTRUCTURE IMPROVEMENTS | 10,209.80 | |
| 0127 | ECONOMIC DEVELOPMENT (2001) | 245,842.00 | |
| 0129 | SIOUX PARK RECREATION COMPLEX | 62,835.79 | |
| 0130 | SOUTHWEST CONNECTOR | 13,558.69 | |
| 0132 | SPECIAL PROJECTS | 3,899,836.29 | |
| 0133 | RECREATIONAL ICE | 735.22 | 5,678,617.33 |

PARKS FUND 0208

| | | | |
|------|-----------------|--|-----------|
| 0607 | PARK DEPARTMENT | | 36,427.95 |
|------|-----------------|--|-----------|

| | | |
|--|--------------|--------------|
| 2001 CONSOLIDATED 0305 | | |
| 0751 2001 CONSOLIDATED | | 56,836.43 |
| AIRPORT CONSTRUCTION FUND 0501 | | |
| 0903 AIRPORT CONSTRUCTION | | 636,693.92 |
| CONSOLIDATED CONSTRUCTION FUND 0505 | | |
| 0910 CONSOLIDATED CONSTRUCTION | | 3,923,347.21 |
| COMMUNITY DEVELOPMENT FUND 0510 | | |
| 0930 COMMUNITY DEVELOPMENT | | 123,414.67 |
| WATER ENTERPRISE FUND 0602 | | |
| 0810 WATER OPERATIONS | 23,445.89 | |
| 0933 WATER CONSTRUCTION | 781,811.05 | 805,256.94 |
| WASTEWATER ENTERPRISE FUND 0604 | | |
| 0830 WASTEWATER OPERATIONS | 31,657.74 | |
| 0833 WASTEWATER CONSTRUCTION | 3,009,866.05 | 3,041,523.79 |
| AIRPORT ENTERPRISE FUND 0606 | | |
| 0850 AIRPORT OPERATIONS | | 82,044.73 |
| CEMETERY ENTERPRISE FUND 0607 | | |
| 0860 CEMETERY | | 1,046.22 |
| TRANSPORTATION CENTER FUND 0608 | | |
| 0840 TRANSPORTATION TERMINAL | | 5,382.63 |
| PARKING LOT & AREA FUND 0610 | | |
| 0870 PARKING LOT & AREA | | 1,397.72 |
| SOLID WASTE ENTERPRISE FUND 0612 | | |
| 7101 WASTE COLLECTION | | 9,356.88 |
| MEADOWBROOK GOLF ENTERPRISE FD 0613 | | |
| 0604 MEADOWBROOK GOLF ENTERPRISE | | 900.50 |
| EXECUTIVE GOLF COURSE FUND 0614 | | |
| 0605 EXECUTIVE GOLF OPERATIONS | 25.65 | |
| 0606 LACROIX LINKS GOLF COURSE | 57.12 | 82.77 |
| SOLID WASTE DISPOSAL FUND 0615 | | |
| 7102 WASTE DISPOSAL | | 23,258.73 |
| SOLID WASTE/MRF COMPOST FUND 0616 | | |
| 7103 SOLID WASTE MRF/COMPOST FUND | | 284,873.98 |
| PAYROLL WITHHOLDING FUND 0702 | | |
| 0922 PAYROLL WITHHOLDING | | 113,914.72 |
| CEMETERY ENDOWMENT FUND 0726 | | |
| 0907 CEMETERY ENDOWMENT | | 25.00 |
| EXECUTIVE GOLF DEVELOPMENT FD 0732 | | |
| 0905 EXEC GOLF DEVELOPMENT | | (99.98) |

CIVIC CENTER ENTERPRISE FUND 0775

| | | |
|---------------------------------|------------|------------|
| 0911 CIVIC CENTER CONCESSION | 391.97 | |
| 0913 CIVIC CENTER OPERATIONS | (2,158.87) | |
| 0917 CIVIC CENTER TICKET OFFICE | 228.54 | (1,538.36) |

ENERGY PLANT REVOLVING FUND 0777

| | | |
|-------------------|--|-----------|
| 0914 ENERGY PLANT | | 23,811.24 |
|-------------------|--|-----------|

PASSENGER FACILITY CHARGE #2 0782

| | | |
|-----------------------------------|--|-----------|
| 0939 PASSENGER FACILITY CHARGE #2 | | 34,370.76 |
|-----------------------------------|--|-----------|

RSVP FUND 0785

| | | |
|-----------|--|--------|
| 0928 RSVP | | 911.08 |
|-----------|--|--------|

GROUP INSURANCE FUND 0789

| | | |
|----------------------|--|------|
| 0963 GROUP INSURANCE | | 2.58 |
|----------------------|--|------|

WORKERS' COMPENSATION FUND 0792

| | | |
|----------------------------|--|----------|
| 0967 WORKERS' COMPENSATION | | (962.44) |
|----------------------------|--|----------|

GRAND TOTAL

16,465,259.46

AND BE IT FURTHER RESOLVED that this Resolution is necessary for the immediate preservation of the public peace, health, safety and support of the municipal government and its existing public institutions, and shall take effect upon the passage and publication thereof.

Dated this 21st day of January, 2002.

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 Hanks. The following voted AYE: Hanks, Johnson, Murphy, Steinburg, Rodriguez, Waugh, Kroeger, Hadley, Dreyer and Kriebel; NO: None, whereupon said Resolution as declared duly passed and adopted.

The following Resolution was introduced, read and Hadley moved its adoption:

**RESOLUTION OF THE CITY OF RAPID CITY AUTHORIZING ESTABLISHING
A PAYROLL DEDUCTION FOR LINCOLN MUTUAL**

WHEREAS, the City of Rapid City has employees rendering valuable services; and

WHEREAS the City of Rapid City provides dental insurance for its employees; and

WHEREAS the City of Rapid City provides an opportunity for its employees to opt out of the City Dental Plan provided that the employees can show proof of continued enrollment in another group plan; and

WHEREAS certain City employees have opted out of the City dental plan and request that that the City deduct the premiums for private group dental insurance directly from their paycheck.

NOW, THEREFORE, BE IT RESOLVED that the City of Rapid City hereby recognizes and authorizes a payroll deduction for Lincoln Mutual dental insurance.

BE IT FURTHER RESOLVED that such deductions for participation with Lincoln Mutual will be in effect January 1, 2002.

Dated this 21st day of January, 2002.

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. The following voted AYE: Hanks, Johnson, Murphy, Steinburg, Rodriguez, Waugh, Kroeger, Hadley, Dreyer and Kriebel; NO: None, whereupon said resolution was declared duly passed and adopted.

The next item discussed was a request by local realtor Scott Pooler to allow open house signs, for sale signs, and directional **signs in the right of way** on a temporary basis. Motion was made by Hadley and seconded by Waugh to approve the request. Dreyer and Kroeger abstained from discussion or voting on this item. Helen Smith, Scott Pooler and Marty Wilcox spoke in favor of this issue stating that it is an advertising issue for anyone who is trying to sell their home. They also referred to the sales taxes generated for the city when a home is sold. Pooler also submitted signatures from over 110 realtors and brokers in the community who support this request. Hanks stated that the City cannot allow real estate signs and prohibit signs from other businesses. Substitute motion was made by Waugh, seconded by Hadley and carried to refer this issue to the next Legal & Finance Committee meeting and request that the City Attorney review all options regarding this issue.

The next item before the Council was appointment of the **Off-Premise Signs Task Force**. Brenden Casey and Hank Sponder requested that they be appointed to the committee so that local sign companies have representation on the Task Force. Johnson and Kriebel spoke in favor of having local representation on the committee. Motion was made by Kriebel to approve the Mayor's appointment of the following individuals to the Task Force: Eric Farrar, Mike Derby, Tom Murphy, Mel Dreyer (chair), Dawn Mashek, Jeff Hoffman, Craig Grotenhouse, Pam Lang, Jason Green and Brendan Casey. Motion died for lack of a second. Dreyer noted that anyone will be able to appear before the Committee and be heard. Motion was made by Murphy, seconded by Hanks and carried to approve the Mayor's appointment of the following individuals to the Off-premise Signs Task Force: Eric Farrar, Mike Derby, Tom Murphy, Mel Dreyer (chair), Dawn Mashek, Jeff Hoffman, Craig Grotenhouse, Pam Lang and Jason Green.

Motion was made by Hadley and seconded by Johnson to direct staff to prepare a resolution sending all tabling motions (including all items that are killed) to the Council for consideration; and bring the resolution to the next Legal & Finance committee meeting for consideration. Kriebel suggested a procedure where a Council person could e-mail the appropriate person to have an item placed on the agenda. To bring everything forward seems like over-kill. Hanks stated that he feels if an item is tabled at committee and someone wants to discuss it again, it should be brought up at the committee level, not at the council meeting. Johnson stated that this proposal will allow for discussion on any item, although in reality, it won't happen very often. The information will be presented at Committee and most items will move through the process with no additional discussion at the Council meeting. Murphy spoke against the Resolution. Substitute motion was made by Murphy to table this item. Motion died for lack of a second. Roll call vote was taken on the original motion to approve: AYE:

Johnson, Waugh, Kroeger, Hadley and Kriebel; NO: Murphy, Rodriguez, Hanks and Dreyer; Motion carried, 5-4.

Public Works Committee Items

The next item discussed by the Council was No. PW011602-18, a proposed additional curb cut for 3115 Cadillac Drive in the Copperfield Subdivision. Bjerke noted that this item has been withdrawn by the property owner. Motion was made by Kroeger, seconded by Waugh and carried to acknowledge the applicant's withdrawal.

Motion was made by Kroeger, seconded by Waugh and carried to approve the purchase of one (1) new current model year Dodge Durango from Wegner Auto Company, Inc. for a total purchase price of \$23,281 under State Contract No. 13387 for the Parks Division.

Bills

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

| | |
|--|-----------------------|
| Payroll Ending 12-31-01, Paid 12-31-01 | 743,342.02 |
| Payroll Ending 12-29-01, Paid 1-4-02 | 528,847.52 |
| Payroll Ending 12-29-01, Paid 1-4-02 | 3,315.37 |
| Payroll Ending 1-12-02, Paid 1-18-02 | 555,829.66 |
| Payroll Ending 1-12-02, Paid 1-18-02 | 3,540.89 |
| Pioneer Bank & Trust, taxes Paid 12-31-01 | 191,971.34 |
| Pioneer Bank & Trust, taxes Paid 1-5-02 | 129,214.24 |
| Pioneer Bank & Trust, taxes Paid 1-5-02 | 247.79 |
| Pioneer Bank & Trust, taxes Paid 1-18-02 | 142,139.89 |
| Pioneer Bank & Trust, taxes Paid 1-18-02 | 264.59 |
| First American Administrators, Claims paid 1-2-02 | 32,154.84 |
| First American Administrators, Claims paid 1-8-02 | 78,167.35 |
| First American Administrators, Claims paid 1-14-02 | 42,476.03 |
| Berkley Administrators, claims paid 1-8-02 | 17,436.07 |
| 1st National Bank in Sioux Falls, SRF Loan payments, paid 1-8-02 | 120,076.89 |
| SD Department of Revenue, sales tax paid 1-18-02 | 13,946.99 |
| SD Department of Revenue, sales tax paid 1-18-02 | 8,188.30 |
| SD Department of Revenue, sales tax paid 1-18-02 | 558.76 |
| MDU, land purchase | 450,000.00 |
| West Forty Realty Trust, Howie land purchase | 27,270.00 |
| Sokkia Corporation, total station | 12,845.00 |
| US Postmaster, billing postage | 1,500.00 |
| Computer Bill List | 5,604,513.69 |
| Total | <u>\$8,707,847.23</u> |

| | |
|--|----------|
| Payroll Ending 12-29-01, Paid 1-4-02 | 2,407.49 |
| Payroll Ending 1-12-02, Paid 1-18-02 | 2,648.40 |
| Pioneer Bank & Trust, taxes Paid 1-5-02 | 180.29 |
| Pioneer Bank & Trust, taxes Paid 1-18-02 | 198.45 |
| City of Rapid City, postage | 1.29 |
| City of Rapid City, computer supplies | 29.10 |
| Dakota Business Center, copier usage | 7.85 |
| SD Retirement System, pension | 212.60 |
| City Health Insurance, insurance | 560.40 |
| City of Rapid City, postage | 2.81 |
| K-mart, fund raising supplies | 147.96 |

| | |
|----------------------------------|-----------------------|
| Sinclair Fleet Fueling, gasoline | 76.93 |
| SD School of Mines, telephone | 64.16 |
| Standard Life, January insurance | 7.92 |
| Cheryl Svarstad, mileage | 92.88 |
| Angie Weeks, mileage | 77.52 |
| Total | <u>\$8,714,563.28</u> |

Treasurers Checks

| | |
|----------------------|-----------------------|
| Gage Brothers | 1,960.00 |
| Hills Materials | 11,555.13 |
| Mainline Contracting | 11,521.98 |
| Mainline Contracting | 234.62 |
| Total | <u>\$8,739,835.01</u> |

City Attorney

Motion was made by Johnson, seconded by Hadley and carried to authorize the Mayor and Finance Officer to sign First Amendment to **Loan and Infrastructure Development Agreement** with BGW Development Company, LLC (Red Rock Estates). This will allow the city to pay a contractor who has been working on the project.

As there was no further business to come before the Council at this time, the meeting adjourned at 10:50 P.M.

CITY OF RAPID CITY

ATTEST:

Mayor

Finance Officer

(SEAL)