

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota
January 15, 2001

Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at the City/School Administration Center in Rapid City, South Dakota on Monday, January 15, 2001 at 7:00 P.M.

Mayor Jim Shaw, Finance Officer James Preston, and the following Alderpersons were present: Tom Johnson, Alan Hanks, Babe Steinburg, Tom Murphy, Jerry Munson, Ron Kroeger, Rick Kriebel and Mel Dreyer; the following arrived during the course of the meeting: Ray Hadley; and the following were absent: Steve Rolinger.

Motion was made by Munson, seconded by Hanks and carried to correct the minutes of January 2, 2001 to authorize the Street Division staff to purchase a ¾ Ton 4x4 Pickup from State Contract No. 13030, Ted Tufty Dodge, in the amount of \$20,554; and approve the minutes of January 2, 2001.

Bid Openings

The following sealed bids for **Landfill Shop Addition** Project IDP00-1036 were opened on January 11, 2001:

a)	R&S Building Systems, Inc. (check submitted)	\$ 93,584.00
b)	Mac's Contracting, Inc. (bond submitted)	\$117,198.00
c)	M-C Construction (bond submitted)	\$ 79,950.00

Staff has reviewed the bids and recommends that they be rejected because they are over budget. Motion was made by Hanks, seconded by Johnson and carried to reject all bids for IDP00-1036.

The following sealed bids for **Water Reclamation Facility Improvements** Equipment Procurement WRF01-1034 were opened on January 9, 2001:

Schedule A: Primary Sludge Pumps

a)	GLNV/Dorr-Oliver (no bond submitted)	\$56,484.00
b)	Waterworks Industries (bond submitted)	\$56,940.00

Schedule B: Air Handling Equipment
No Bids Received

Schedule C: Mechanical Screens

a)	Waste Tech, Inc. (bond submitted)	\$213,389.00
b)	Jones & Atwood (check submitted)	\$243,000.00
c)	JWC Environmental (bond submitted)	\$272,602.00
d)	Andritz Ruthner (bond submitted)	\$349,900.00

Schedule C2: Optional Stainless Steel Frame for Mechanical Screen

a)	JWC Environmental (bond submitted)	\$17,108.00
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Schedule D: Primary Sludge Cross Collector

a)	NRG Company (check submitted)	\$44,000.00
b)	Hitachi Maxco, Ltd. (check submitted)	\$46,200.00
c)	Amwell (bond submitted)	\$51,000.00
d)	Poly Cam Corp. (check submitted)	\$56,000.00
e)	Envirex/U.S. Filter (bond submitted)	\$86,100.00

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

Mayor's Items

Mayor Shaw presented a Certificate of Recognition to Ray Cornford of the Police Department and commended him for 20 years of service to the community.

Mike Howe, on behalf of the Lakes and Plains Regional Council of Carpenters and Joiners, presented the Rapid City Police Department with the Peter MaGuire Award. This award was presented as a result of the outstanding assistance given by the department for the 2000 Union Solidarity Ride.

Alcoholic Beverage License Applications

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

This was the time set for hearing on the application of GF Pizza, Inc. dba **Godfather's Pizza**, 110 Cambell Street, for an On-Off Sale Malt Beverage License Transfer (from BC Pizza, Inc.). Upon motion made by Johnson, seconded by Munson and carried, the Council approved the application.

Upon motion made by Johnson, seconded by Hadley and carried, the Finance Officer was directed to publish notice of hearing on the application of Blue Lantern Lounge, Inc. dba **Blue Lantern Lounge**, 1200 East St. Patrick Street, for an On-Sale Liquor license transfer, said hearing to be held on Monday, February 5, 2001.

Other

Motion was made by Johnson, seconded by Hadley and carried to authorize consumption of Alcoholic Beverages at **The Journey Museum**, 222 New York Street, on January 17, 2001 (Board Dinner).

Consent Calendar

The following items were removed from the Consent Calendar:

9. No. 00UR043 - A request by Dream Design International for a **Use on Review to allow a veterinary clinic with a kennel in the General Agriculture Zoning District** on a parcel of land located in Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; more particularly described as follows: beginning at the Northeast Section Corner of said Section 26; thence N 89°55'19" W along the North line of said Section for a distance of 2652.83 feet to the North Quarter Corner, also being the True Point of Beginning of the parcel to be described; thence S 89°55'19" E for a distance of 762.68 feet, more or less, to the northwesterly right-of-way of U.S. Highway No. 16 B; thence S 53°22'32" W, along said right-of-way, for a distance of 215.04 feet; thence continuing along said right-of-way, along a curve concave to the southeast, having a central angle of 16°16'56", a radius of 2939.79 feet and a length of 835.42 feet; thence N 00°02'15" E for a distance of 716.25 feet to the True Point of Beginning; containing 5.600 acres, more or less, located approximately 1/4 mile east of the intersection of Catron Boulevard and South Highway 16.

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 5, 2001)

6. No. 00PD069 - A request by Robert Blumenthal for Century Resources, Inc. for an **Initial and Final Development Plan - Planned Commercial Development** on Lots 12 through 18 of Block 17 of South Boulevard Addition, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of Flormann Street and 7th Street.
7. No. 00PD070 - A request by Williams & Associates Architects for Black Hills Surgery Center for a **Major Amendment to a Planned Commercial Development** on Lot 1R in Block 28 and Lot 32 in Block 18, all in Robbinsdale Addition No. 10, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located southwest of the intersection of Fifth Street and Annamaria Drive.
8. No. 00PD071 - A request by Rapid City Regional Hospital for a **Planned Development Designation** on Tracts AR-1 thru AR-5 and Tracts AR-7 thru AR-9 and Tract B of Regional Hospital Addition located in SW1/4 of Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 353 Fairmont Boulevard and 2908 Fifth Street (Rapid City Regional Hospital).

Public Works Committee Items

10. No. PW011001-01 – Authorize staff to advertise for bids for Two (2) New Current Model Year Front End Loaders for Street Division.
11. No. PW011001-02 – Authorize the Mayor and Finance Officer to sign a Professional Service Agreement with FMG, Inc. to Provide Geotechnical Services for SS00-1007, Sheridan Lake Road Sanitary Trunk Sewer Extension project for an amount not to exceed \$7,305.
12. No. PW011001-03 – Authorize the Mayor and Finance Officer to sign Amendment No. 01 to Professional Service Agreement with Banner Associates, Inc. to Design DR00-966, Skyview South Detention Pond Project for an amount not to exceed \$1,185.50.
13. No. PW011001-04 – Authorize the Mayor and Finance Officer to sign Amendment No. 01 to Professional Service Agreement dated October 2, 2000 with FMG, Inc. for Construction Materials Testing Services for PR00-969, Sioux Park Project, Phase III for an amount not to exceed \$8,104.50.
14. No. PW011001-05 – Authorize the Mayor and Finance Officer to sign a TORO National Support Network Extended Warranty and Service Agreement - 36 Month Optimum Plan for Meadowbrook Golf Course Irrigation Central Controller System for an amount not to exceed \$7,775.
15. No. PW011001-06 – Authorize the Mayor and Finance Officer to sign an Addendum to a Professional Service Agreement with Tracy Hamblet III, Golf Professional.
16. No. PW011001-08 – Authorize the Mayor and Finance Officer to sign a Professional Service Agreement with TSP Three, Inc. to Design and Provide Construction Services for W00-946, Mountain View Road Utility Improvements Project for an amount not to exceed \$31,782.
17. No. PW011001-09 – Authorize the Mayor and Finance Officer to sign a Professional Service Agreement with Ferber Engineering to Design and Provide Construction Services for DR01-1040, Jackson Boulevard Drainage Project for an amount not to exceed \$41,160.
18. No. PW011001-10 – Approve the following Resolution Establishing Golf Course Fees effective January 1, 2001 through December 31, 2003.

RESOLUTION ESTABLISHING GOLF COURSE FEES

BE IT RESOLVED by the City of Rapid City that the following fees are established for use at the Rapid City Municipal Golf Courses, to be effective from **January 1, 2001, through December 31, 2003.**

(1) Meadowbrook Golf Course Daily Green Fees (Includes sales tax and development fee)

	<u>2001</u>	<u>2002</u>	<u>2003</u>
9 - Hole Weekday	\$ 13.25	\$ 14.50	\$ 16.00
9 - Hole Weekend/Holiday	\$ 15.75	\$ 17.25	\$ 19.00
9 – Hole Jr./Sr. Weekday	\$ 9.75	\$ 10.75	\$ 12.00
18 – Hole Weekday	\$ 23.25	\$ 25.50	\$ 28.00
18 – Hole Weekend/Holiday	\$ 26.00	\$ 28.50	\$ 31.00
18 – Hole Jr./Sr. Weekday	\$ 18.75	\$ 20.50	\$ 22.50

(2) Meadowbrook Golf Course Season Passes / Punch Cards / Range Passes (Season Passes do not include development fee or sales tax.) (Punch Cards include sales tax.)

	<u>2001</u>	<u>2002</u>	<u>2003</u>
Adult Single	\$ 565.00	\$ 590.00	\$ 615.00
Adult Couple	\$ 780.00	\$ 820.00	\$ 850.00
Senior Single (Weekdays Only)	\$ 400.00	\$ 425.00	\$ 450.00
Senior Single (Anytime)	\$ 480.00	\$ 520.00	\$ 550.00
Senior Couple	\$ 650.00	\$ 700.00	\$ 750.00
Family (1 Couple)	\$ 780.00	\$ 825.00	\$ 870.00
Each Additional Family Member	\$ 65.00	\$ 75.00	\$ 75.00
City Employee Season Pass	\$ 135.00	\$ 145.00	\$ 150.00
Child (14 & Under)	\$ 85.00	\$ 90.00	\$ 90.00
Junior (15-18)	\$ 135.00	\$ 145.00	\$ 150.00
School Team	\$ 50.00	\$ 55.00	\$ 60.00
Driving Range Punch Card (25 Lg Bags)	\$ 100.00*	\$ 110.00*	\$ 120.00*
Range Balls (Small Bag)	\$ 4.25*	\$ 4.50*	\$ 4.75*
Range Balls (Large Bag)	\$ 5.25*	\$ 5.50*	\$ 5.75*
25 – 9 Hole Punch Card	\$ 300.00	\$ 330.00	\$ 350.00
Tournament Fee	\$ 10.00*	\$ 12.00*	\$ 15.00*

* includes sales tax

(3) Meadowbrook Golf Course Cart Storage / Cart Rental / Trail Fees / Lockers

	<u>2001</u>	<u>2002</u>	<u>2003</u>
Gas Cart Storage	\$ 255.00**	\$ 275.00**	\$ 300.00**
Electric Cart Storage	\$ 275.00**	\$ 295.00**	\$ 320.00**
Trail Fee Annual	\$ 175.00**	\$ 180.00**	\$ 185.00**
Trail Fee Daily	\$ 11.00*	\$ 12.00*	\$ 12.00*
Cart Rental (9 Hole)	\$ 13.00*	\$ 14.00*	\$ 15.00*
Cart Rental (18 Hole)	\$ 22.00*	\$ 24.00*	\$ 25.00*
Yearly Cart Rental	\$ 490.00**	\$ 525.00**	\$ 550.00**
Lockers	\$ 40.00**	\$ 40.00**	\$ 40.00**

* includes sales tax

** does not include sales tax

(4) Executive and LaCroix Links Daily Green Fees (Includes sales tax and development fees)

<u>Executive</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>
9 – Hole Weekday	\$ 8.50	\$ 9.00	\$ 9.50
9 – Hole Weekend	\$ 9.50	\$ 10.00	\$10.50

<u>LaCroix Links</u>	<u>2001</u>	<u>2002</u>	<u>2003</u>
9 – Hole Weekday	\$ 7.50	\$ 8.50	\$ 9.50
9 – Hole Weekend	\$ 8.50	\$ 9.50	\$10.50

(5) Executive and LaCroix Links Season Passes / Punch Cards / Cart Rentals

	<u>2001</u>	<u>2002</u>	<u>2003</u>
12 – 9 Hole Punch Card	\$ 85.00*	\$ 95.00*	\$ 105.00*
25 – 9 Hole Punch Card	\$ 175.00*	\$ 200.00*	\$ 210.00*
50 – 9 Hole Punch Card	\$ 325.00*	\$ 375.00*	\$ 400.00*
75 – 9 Hole Punch Card	\$ 450.00*	\$ 450.00*	\$ 525.00*
100 – 9 Hole Punch Card	\$ 550.00*	\$ 570.00*	\$ 600.00*
Senior Single (Conditional, M-Friday)	\$ 360.00**	\$ 390.00**	\$ 420.00**
Senior Single (Unconditional, Anytime)	\$ 400.00**	\$ 435.00**	\$ 450.00**
Senior Couple	\$ 540.00**	\$ 560.00**	\$ 580.00**
Child (14 & Under)	\$ 85.00**	\$ 90.00**	\$ 90.00**
Cart Rental (Per 9–Hole)	\$ 8.00*	\$ 9.00*	\$ 10.00*

* includes sales tax

** does not include sales tax

BE IT FURTHER RESOLVED by the City of Rapid City that the following Development Fee is established for use at the Rapid City Municipal Golf Courses, effective from **January 1, 2001, through December 31, 2003:**

Development Fee: (Does Not include tax)

Meadowbrook: The development fee is \$0.93 per 9 – Hole round or \$1.86 per 18 – Hole round.

Executive / LaCroix The development fee is \$0.47 per 9 – Hole round.

The development fee is included in the daily green fees. The development fee is NOT included in the punch card or the season pass fee and will be charged to all season pass holders and punch card holders at tee time. This fee will be used for course improvements as recommended by the Golf Course Operation/Planning Committee. Projects funded from the Development Fund will be posted at each golf course.

BE IT FURTHER RESOLVED by the City of Rapid City that the following fees are established for passes at the Rapid City Municipal Golf Courses, effective from **January 1, 2001, through December 31, 2003:**

1. Family passes at Meadowbrook = Couple dollar amount plus \$65.00 per each additional family member.
2. Child’s pass good weekdays only, and includes play on weekdays at Executive and LaCroix Links.
3. Junior Pass 15-18 years old and area resident students living at home to age 23. Junior passes good at all three courses.

- 4. "All City" passes are available for Meadowbrook Season Pass Holders. An additional \$65.00 per person fee allows the pass holder to play at all three municipal golf courses and applies to the following season pass holders: Adult Single; Adult Couple; Senior Single (Unconditional); and Senior Couple.
- 5. Cart usage is limited to two (2) carts per group.

BE IT FURTHER RESOLVED that as used in this Resolution, "senior" means persons 62 years of age or over; "child" means persons 14 years of age or under; "junior" means persons 15 to 18 years of age or is a full time student under the age of 23 living with a parent who is a season pass holder.

BE IT FURTHER RESOLVED that the golf Pro is hereby authorized to offer special rates for play on Meadowbrook, Executive and LaCroix Links as he shall determine to be appropriate for the purpose of encouraging play on said courses.

DATED this 15th day of January, 2001.

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

THE CITY COUNCIL
 s/ Jim Shaw, Mayor

- 19. Approve the purchase of three (3) Class CD Trucks, Compact 4X4 Extended Cab, 122" WB (minimum), Chevrolet Model S-10 under State Contract No. 13027 (Beck Motors, Inc., Pierre) for the Water Division for a base bid amount of \$16,831 each for a total amount of \$50,493.
- 20. Approve the purchase of one (1) Class CF Truck, ½ Ton 2X4 Regular Cab, Long Box, Chevrolet Model Silverado C1500 under State Contract No. 13027 (Beck Motors, Inc., Pierre) for the Water Division for a total amount of \$14,568.
- 21. Approve the purchase of two (2) Class CJ Trucks, ¾ Ton 2X4 Regular Cab, Long Box, Dodge Model Ram 2500 under State Contract No. 13030 (Ted Tufty Dodge, Inc., Sioux Falls) for the Water Division for a base bid amount of \$17,026 each, plus delivery of \$210 each for a total amount of \$34,472.
- 22. Approve the purchase of two (2) Class CL Trucks, ¾ Ton 4X4 Regular Cab, Long Box, Dodge Model Ram 2500 under State Contract No. 13030 (Ted Tufty Dodge, Inc., Sioux Falls) for the Water Division for a base bid amount of \$19,604 each, plus delivery of \$210 each for a total amount of \$39,628.
- 23. No. 00VE014 – Approve a request by Robert Blumenthal for Century Motels, Inc. for a Vacation of Utility Easement located at the northeast corner of North Street and West Boulevard:

Resolution of Vacation of Utility Easement

WHEREAS it appears that the utility easement located adjacent to the north side of Blocks One (1) and Two (2) in the Original Town of Rapid City, Section Thirty-six (36), T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, as shown on that certain plat recorded in the Office of the Register of Deeds of Pennington County, South Dakota, in the Steel File on the 15th day of June, 1877, is not needed for public purposes; and

WHEREAS the owner of said property desires said portion of the utility easement to be vacated and released,

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

BE IT FURTHER RESOLVED by the City of Rapid City that the Mayor and Finance Officer are hereby authorized to execute a release of said easement.

Dated this 15th day of January, 2001.

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

CITY OF RAPID CITY
s/ Jim Shaw, Mayor

- 24. Approve a Xeriscape Demonstration Garden Project for Roosevelt Park and authorize the Mayor and Finance Officer to sign a Professional Service Agreement with Designworks, Inc. for Landscape Architectural Design of Roosevelt Park Demonstration Garden for an amount not to exceed \$23,880.
- 25. Request that the Mayor appoint a Committee of City staff, Council members and Planning Commission members to establish guidelines and policies to institute water and sanitary sewer districts (10-day notification period).

Legal & Finance Committee Items

- 26. No. CC011501-03 - Approve Resolution Establishing Encumbrances for FY2000.

RESOLUTION ESTABLISHING ENCUMBRANCES

WHEREAS there are existing bills due and payable relating to Calendar Year 2000 operations of the City of Rapid City totaling \$11,046,086.50, and

WHEREAS it is desirable that these bills be charged to the 2000 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, 2000, in the amount of \$11,046,086.50.

GENERAL FUND 0101

0101 MAYOR & COUNCIL	2,613.67
0104 FINANCE	77,426.29
0105 GIS MAPPING	328,981.33
0106 ATTORNEY	986.81
0107 VOLUNTEER COORDINATOR	82.49
0108 PUBLIC WORKS ADMINISTRATION	28,424.28
0109 GENERAL GOVERNMENT BUILDINGS	1,792.00
0111 PERSONNEL	1,429.18
0199 DISPATCH CENTER	37,923.50
0201 POLICE	214,092.48
0202 FIRE	301,090.50
0203 CORRECTIONS	1,666.63
0204 INSPECTION	2,625.80
0207 CONSTRUCTION SVC CENTER	15,094.74
0301 STREETS & HIGHWAYS	356,039.14
0601 RECREATION	418.29
0609 LIBRARY	102,146.29
0610 LIBRARY RURAL	2,387.29
0612 SWIMMING POOL	442.00
0618 PUBLIC TRANSPORTATION	39,685.16
0705 PLANNING & ZONING	19,975.25
0706 TRANSPORTATION PLANNING	200,475.33

0707 HISTORIC PRESERVATION	1.02	
0711 CODE ENFORCEMENT	514.99	
0712 WEED & SEED GRANT	2,664.60	
9201 COMMUNITY POLICING GRANT	336.00	
9202 HAZARDOUS MATERIALS	46.19	
9206 JUVENILE ACCOUNTBILITY GRANT	20.37	1,739,381.62
2012 FUND 0107		
0123 VISITOR INFORMATION CTR (2012)	280,000.00	
0125 RECREATION ENHANCEMENTS	84,253.50	
0129 SIOUX PARK RECREATION COMPLEX	1,602,786.72	
0130 SOUTHWEST CONNECTOR	31,407.35	
0132 SPECIAL PROJECTS	898,159.69	
0133 CIVIC CENTER EXPANSION	11,626.02	2,908,233.28
PARKS FUND 0208		
0607 PARK DEPARTMENT		49,303.33
1999 CONSOLIDATED SINKING FUND 0423		
0768 1999 CONSOLIDATED		2,932.57
2000 CONSOLIDATED 0437		
0765 2000 CONSOLIDATED		36,434.76
AIRPORT CONSTRUCTION FUND 0501		
0903 AIRPORT CONSTRUCTION		95,417.48
CONSOLIDATED CONSTRUCTN FUND 0505		
0910 CONSOLIDATED CONSTRUCTION		2,894,249.81
COMMUNITY DEVELOPMENT FUND 0510		
0930 COMMUNITY DEVELOPMENT		151,611.29
WATER ENTERPRISE FUND 0602		
0810 WATER OPERATIONS	16,633.22	
0933 WATER CONSTRUCTION	820,058.68	836,691.90
WASTEWATER ENTERPRISE FUND 0604		
0830 WASTEWATER OPERATIONS	6,474.87	
0833 WASTEWATER CONSTRUCTION	1,458,381.94	1,464,856.81
AIRPORT ENTERPRISE FUND 0606		
0850 AIRPORT OPERATIONS		86,995.19
CEMETERY ENTERPRISE FUND 0607		
0860 CEMETERY		865.27
TRANSPORTATION CENTER FUND 0608		
0840 TRANSPORTATION TERMINAL		2,761.88
PARKING LOT & AREA FUND 0610		
0870 PARKING LOT & AREA		1,196.00
SOLID WASTE ENTERPRISE FUND 0612		
7101 WASTE COLLECTION		146,356.09
MEADOWBROOK GOLF ENTERPRISE FD 0613		
0604 MEADOWBROOK GOLF ENTERPRISE		2,441.92
EXECUTIVE GOLF COURSE FUND 0614		
0605 EXECUTIVE GOLF OPERATIONS	309.84	
0606 LACROIX LINKS GOLF COURSE	516.39	826.23
SOLID WASTE DISPOSAL FUND 0615		
7102 WASTE DISPOSAL		37,971.42

SOLID WASTE/MRF COMPOST FUND 0616		
7103 SOLID WASTE MRF/COMPOST FUND		46,182.30
PAYROLL WITHHOLDING FUND 0702		
0922 PAYROLL WITHHOLDING		103,729.84
CIVIC CENTER ENTERPRISE FUND 0775		
0911 CIVIC CENTER CONCESSION	355.23	
0913 CIVIC CENTER OPERATIONS	10,116.76	
0917 CIVIC CENTER TICKET OFFICE	<u>280.35</u>	10,752.34
ENERGY PLANT REVOLVING FUND 0777		
0914 ENERGY PLANT		1,925.05
PASSENGER FACILITY CHARGE #2 FUND 0782		
0932 PASSENGER FACILITY CHARGE #2		424,528.37
RSVP FUND 0785		
0928 RSVP		284.50
GROUP INSURANCE FUND 0789		
0963 GROUP INSURANCE		2.31
WORKERS' COMPENSATION FUND 0792		
0967 WORKERS' COMPENSATION		154.94
GRAND TOTAL		<u>11,046,086.50</u>

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 15th day of January, 2001.

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

CITY OF RAPID CITY
s/ Jim Shaw, Mayor

27. Approve the following licenses: Central Station Service: SecurityLink from Ameritech, Inc., Barry Bittner; SecurityLink from Ameritech, Inc., Debbie Morris; SecurityLink from Ameritech, Inc., Donna Johnson; SecurityLink from Ameritech, Inc., Mickey Fuller; SecurityLink from Ameritech, Inc., Suzanne Van Fossen; Commercial Refuse Collector: Porta Storage, Inc., Mark & Lucile J. Bradley; Pawn Shop: Car-Pawn-Der Capitol, Inc., Jed N. Hockett; Plumbing Apprentice: Jeff Heil; Second Hand: Software Etc. No. 1257, Rushmore Mall, Chris A. Laferty; Sound Bytes Music, Thomas Anderson; Trebleshooter Guitars & Jazz Supply Co., Mitchell Kimball; Security Business: Alpha Omega Systems, Inc., Forrest D. Fanning; Tri-State Security & Patrol, Randy Lee Beal; Sign Contractor: Epic Outdoor Advertising LLP, Brendan Casey; Flat Earth Sign Co., Tim Peterson; Red Letter Signs, Andrew C. Hade; Sign Express, Gene & Roxy Hunter.

End of Consent Calendar

Motion was made by Hadley and seconded by Johnson to set the following item for hearing on February 5, 2001:

- 9. No. 00UR043 - A request by Dream Design International for a **Use on Review to allow a veterinary clinic with a kennel in the General Agriculture Zoning District** on a parcel of land located in Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; more particularly described as follows: beginning at the Northeast Section Corner of said Section 26; thence N 89°55'19" W along the North line of said Section for a distance of 2652.83 feet to the North Quarter Corner, also being the True Point of Beginning of the parcel to be described; thence S 89°55'19" E for a distance of 762.68 feet, more or less, to the northwesterly right-of-way of U.S. Highway No. 16 B; thence S 53°22'32" W, along said right-of-way, for a distance of 215.04 feet; thence continuing along said right-of-way, along a curve concave to the southeast, having a central angle of 16°16'56", a radius of 2939.79 feet and a length of 835.42 feet; thence N 00°02'15" E for a distance of 716.25 feet to the True Point of Beginning; containing 5.600 acres, more or less, located approximately 1/4 mile east of the intersection of Catron Boulevard and South Highway 16.

Dreyer abstained from discussion on this item. Upon vote being taken, the motion carried unanimously.

Public Hearing

The Mayor announced that the meeting was open for consideration of the assessment roll for **Parkview Drive Construction Project ST95-560**. Notices were mailed to affected property owners on October 30, 2000 and published in the Rapid City Journal on November 13, 2000. No oral or written comments were submitted. The following Resolution was introduced, read and Johnson moved its adoption:

RESOLUTION LEVYING ASSESSMENT FOR
PARKVIEW DRIVE CONSTRUCTION PROJECT ST95-560

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

- 1. The City Council has made all investigations which it deems necessary and has found and determined that the amount which each lot or tract shall be benefited by the street construction project is the amount stated in the proposed assessment roll.
- 2. The assessment roll for Parkview Drive Construction Project ST95-560 is hereby approved and assessments thereby specified are levied against each and every lot, piece or parcel of land thereby described.
- 3. Such assessments, unless paid within thirty (30) days after the filing of the assessment roll in the Office of the Finance Officer shall be collected by the City Finance Office in accordance with the procedure in Section 9-43-43 to 9-43-53 of the South Dakota Compiled Laws of 1967, as amended, and shall be payable in ten annual installments bearing interest at the rate not to exceed nine percent (9%).

Dated this 15th day of January, 2001.

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

CITY OF RAPID CITY
s/ Jim Shaw, Mayor

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

Planning Department Consent Items

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

- 29. No. 00AN012 – Approve the request by Pennington County for a **Petition for Annexation**, located at the southern terminus of Parkview Drive:

A RESOLUTION ANNEXING THE WITHIN DESCRIBED TERRITORY

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

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

NOW, THEREFORE BE IT RESOLVED by the City of Rapid City that the following territory, containing .47 acres, more or less, is hereby included within the corporate limits of the City and annexed thereto:

The thirty foot (30') wide portion of the Parkview Drive right-of-way adjacent to Lot A Revised and Lot B of the North 1/2 of Government Lot 4, located in the SW1/4 SW1/4 of Section 18, T1N, R8E, BHM, Pennington County, South Dakota, containing .47 acres, more or less.

Dated this 15th day of January, 2001.

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

CITY OF RAPID CITY
s/ Jim Shaw, Mayor

- 30. No. 00PL018 - An application by Alliance of Architects for Black Hills Habitat for Humanity for a **Preliminary and Final Plat** on Lots 3 thru 6 of Habitat Subdivision formerly Lots 1 thru 15, Lot 4 and a portion 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, located at the intersection of Herman Street and East Watertown Street. (CONTINUE TO FEBRUARY 5, 2001)
- 31. No. 00PL048 - An application by Gary Renner for Dacotah Cement for a **Preliminary and Final Plat** on Lot 1 of Limestone Tunnel Subdivision located in the SW1/4 of the NE1/4 and the SE1/4 of the NE1/4 of Section 20, T2N, R7E, BHM, Pennington County, South Dakota, located approximately 1/4 mile south of the intersection of Universal Drive and S.D. Highway 79 on the west side of S.D. Highway 79. (CONTINUE TO FEBRUARY 5, 2001)
- 32. No. 00PL066 - An application by Sandra Runde for Franklin Simpson for a **Final Plat** on Tract A of Fountain View Subdivision in the E1/2 NW1/4 SW1/4, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located east of the existing terminus of Harmony Heights Lane. (CONTINUE TO FEBRUARY 5, 2001)
- 33. No. 00PL076 - An application by Doug Sperlich for Gary Rasmusson for a **Preliminary and Final Plat** on Lots 25 and 26 of Block 23 and Lots 5 and 6 of Block 24 of

Robbinsdale Addition No. 10 (formerly a portion of Tract A of Robbinsdale Addition No. 10 and a portion of the NE1/4 of the SE1/4 of Section 13) located in the NE1/4 of the SE1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of Maple Avenue and East Minnesota Street. (CONTINUE TO FEBRUARY 5, 2001)

34. No. 00PL081 - An application by Dream Design for Legacy Land Development for a **Preliminary and Final Plat** on Lots 5 and 6, Block 2 and Lots 18 thru 24, Block 6 and Lot 2, Block 7 of The Meadows Subdivision, located in a portion of Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located west of the intersection of Field View Drive and Derby Lane. (CONTINUE TO FEBRUARY 19, 2001)
35. No. 00PL089 - A request by Dream Design International for a **Final Plat** on Lots 4-8, Block 1 and Lots 10-17, Block 3, Lot 8, Block 4 and Lots 1-15, Block 5 and Lots 4-7, 18, Block 6 and Lots 1-7, Block 7 and Lot 1, Block 8, all located in Valley Ridge Subdivision, located in NE1/4 of SE1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota, located at the current western terminus of South Pitch Drive and Solitaire Drive. (CONTINUE TO FEBRUARY 5, 2001)
36. No. 00PL097 - An application by Doug Sperlich for Gary Rasmusson for a **Preliminary and Final Plat** on Lots 15 and 16 of Block 28 of Robbinsdale Addition No. 10 located in the NE1/4 of the SW1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of Annamaria Drive and Alta Vista Drive. (CONTINUE TO FEBRUARY 5, 2001)
37. No. 00PL100 - A request by Rick Kahler for South Elm Development LLC for a **Layout, Preliminary and Final Plat** on Lot C of the N1/2 of Government Lot 4 (formerly a portion of Lot B of the N1/2 of Government Lot 4) located in the SW1/4 of the SW1/4 of Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located approximately 1/4 mile south of the intersection of Minnesota Street and Parkview Drive. (CONTINUE TO FEBRUARY 5, 2001)
38. No. 00PL108 - A request by Fisk Engineering for Sun-Rise Construction for a **Lot Split** on Lot 5 Revised of Sandstone Ridge Subdivision and Lot 26-R1 Revised of Fairway Hills PRD, formerly all of Lot 5 of Sandstone Ridge Subdivision and all of Lot 26-R1 of Fairways Hills PRD located in the SE1/4 NW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of Sheridan Lake Road and Holiday Lane. (CONTINUE TO FEBRUARY 5, 2001)
39. No. 00PL110 - An application by Renner & Sperlich Engineering for Buescher Frankenberg Assoc. Inc. for a **Preliminary and Final Plat** on Lots A & B of Lot 5R of Meridian Subdivision (formerly Lot 4B and Lot 5R of Meridian Subdivision) located in the SW1/4 of the SE1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of Anamosa Street and LaCrosse Street. (CONTINUE TO FEBRUARY 5, 2001)
41. No. 00PL117 - A request by Doug Sperlich for Dennis Zandstra for a **Preliminary and Final Plat**, located at the intersection of Augusta Drive and Jolly Lane. (APPROVE THE FOLLOWING PLAT)

RESOLUTION APPROVING PLAT

WHEREAS a Plat of Lots 1R and 2R of Block 8 of Elks Country Estates (formerly Lots 1 & 2 of Block 8 of Elks Country Estates) located in E1/2, Section 16, T1N, R8E, BHM,

Rapid City, Pennington County, South Dakota, was filed with the Finance Officer for the purpose of examination and approval by the governing body, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Plat of Lots 1R and 2R of Block 8 of Elks Country Estates (formerly Lots 1 & 2 of Block 8 of Elks Country Estates) located in E1/2, Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, be, and the same is hereby approved and the City Finance Officer is hereby authorized to endorse on such plat a copy of this Resolution and certify to its correctness.

Dated at Rapid City, South Dakota, this 15th day of January, 2001.

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

CITY OF RAPID CITY
s/ Jim Shaw, Mayor

- 42. No. 00PL118 - A request by FMG, Inc. for Dean Kelly Construction for a **Preliminary and Final Plat** on Lots 1 through 14 of Sunshine Hills Subdivision and dedicated public right of way shown as Sunshine Trail, Coneflower Lane and Sheridan Lake Road, formerly Lots 1, 2 and 3 of the SE1/4 NE1/4 of Section 21, located in the SE1/4 of the NE1/4 of Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located north of Wildwood Subdivision on the west side of Sheridan Lake Road. (CONTINUE TO FEBRUARY 5, 2001)
- 43. No. 00PL119 - A request by Brian D. Bradley for a **Layout Plat** on a portion of the SW1/4 of the SW1/4 of Section 13, T1N, R8E, BHM, Pennington County, South Dakota, located approximately 1/4 mile north of the intersection of Anderson Road and S.D. Highway 44 on the east side of Anderson Road. (APPROVE WITH THE FOLLOWING STIPULATIONS: 1) Prior to Preliminary Plat approval by the Planning Commission, the applicant shall provide detailed topographic information and grading plans for review and approval; 2) Prior to Preliminary Plat approval by the Planning Commission, the applicant shall provide a detailed drainage evaluation with respect to the Murphy Ditch for review and approval; 3) Prior to Preliminary Plat approval by the Planning Commission, the applicant shall provide a sight distance evaluation for the proposed access location. This analysis must also determine the feasibility of a street intersection located at the applicant's north property line; 4) Prior to Preliminary Plat approval by the Planning Commission, the applicant shall submit information on the water supply proposed for the development; 5) Prior to Preliminary Plat approval by the Planning Commission, the applicant shall provide an evaluation for the suitability of an on-site wastewater system; 6) Prior to Preliminary Plat approval by the Planning Commission, the applicant must submit for review and approval complete engineering plans for the construction of the collector road along the applicant's north property line to City standards or document that the sight distance at that location does not meet City minimum sight distance requirements and identify an alternate location for the collector road; 7) Prior to Final Plat approval, the applicant shall submit a rezoning application with Pennington County for the proposed lot as well as the remaining 30 acre tract requesting they be rezoned to Limited Agriculture District. The zoning request must be approved and become effective prior to Final Plat approval by the City

Council; 8) Prior to Final Plat approval by the Planning Commission, 17 feet of additional right-of-way shall be dedicated on the Anderson Road frontage; 9) Prior to Final Plat approval by the City Council, the subdivision improvement estimate shall be provided for review and approval and all the subdivision inspection fees shall be paid; and, 10) Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted.)

44. No. 00PL120 - A request by Franklin Simpson for a **Preliminary and Final Plat** on Tract B of Fountain View Subdivision, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of Harmony Heights Lane and Sunny Springs Drive. (CONTINUE TO FEBRUARY 5, 2001)
45. No. 00PL121 - A request by Renner & Sperlich Engineering for Mayer Radio for a **Preliminary and Final Plat** on Tract B and easement located in the NE1/4 of the SW1/4 of Section 23, T2N, R7E, BHM, Pennington County, South Dakota, located approximately 1/2 mile north of Laurel Heights Subdivision. (CONTINUE TO FEBRUARY 5, 2001)
46. No. 00PL122 - A request by Paul Hunt for a **Layout Plat** on SW1/4 of the NW1/4 and the NW1/4 of the SW1/4 of Section 13, T1N, R8E, BHM, Pennington County, South Dakota, located approximately 1/2 mile north of the intersection of S.D. Highway 44 and Anderson Road on the east side of Anderson Road. (CONTINUE TO FEBRUARY 19, 2001)
47. No. 00PL123 - A request by Doug Sperlich for Don Green for a **Layout Plat** on Lot 1R of SW1/4 of SW1/4 of Section 27 (formerly Lot 1 of SW1/4 of SW1/4 of Section 27 and a portion of the unplatted balance of SW1/4 of SW1/4 of Section 27) located in SW1/4 of the SW1/4 of Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located approximately 430 feet north of Lien Road west of Deadwood Avenue. (APPROVE WITH THE FOLLOWING STIPULATIONS: 1) Prior to Planning Commission approval of the Preliminary Plat, the applicant shall provide sufficient topographic information and drainage plans to locate and size any required drainage easements; 2) Prior to Planning Commission approval of the Preliminary Plat, the applicant shall provide a site plan identifying the location of all the access locations in relationship to Lien Street; 3) Prior to Planning Commission approval of the Preliminary Plat, the applicant shall provide a site plan identifying the location of the water supply and waste-water disposal system; 4) Prior to Planning Commission approval of the Preliminary Plat, the applicant shall provide engineering plans for the construction of the access easement to City standard or a Subdivision Variance shall be obtained waiving these requirements; 5) Prior to Planning Commission approval of the Preliminary Plat, the access easement shall be identified on the plat and shall meet the minimum width requirements for an industrial street as per the Street Design Criteria Manual; 6) Prior to City Council approval of the Final Plat, the applicant shall identify the section line highway being vacated by the plat; 7) Prior to Planning Commission approval of the Preliminary Plat, the applicant shall provide a site plan identifying the location of all structure(s) on the property; 8) Prior to Final Plat approval by the City Council, the subdivision improvement estimate shall be provided for review and approval and all the subdivision inspection fees shall be paid; and, 9) Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted.
48. No. 00PL124 - A request by Fisk Engineering for Philip R. and Collen M. Hunter for a **Lot Split** on Lots 9A-1 and 9A-2 of Block 3 of W.E. Rounds Addition formerly all of Lot 9A of Block 3 of W.E. Rounds Addition, located in the SE1/4 SW1/4 of Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 4006 Yucca Drive. (CONTINUE TO FEBRUARY 5, 2001)

49. No. 00PL125 - A request by Gary Renner for Mike Wieseler for a **Lot Split** on Lot A1 and Lot A2 of Lot 9 of Block 2 of Century Park Subdivision (formerly Lot A of Lot 9 of Block 2 of Century Park Subdivision) located in the SW1/4 of Section 27, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located between Samco Road and Rand Road north of Commerce Road. (CONTINUE TO FEBRUARY 5, 2001)
50. No. 00PL126 - A request by Doug Sperlich for Wilburn-Powers, Inc. for a **Layout Plat** on Lots 3, 4, 5 and 6 of Huffman Subdivision (formerly Lots 3 & 4 of the NW1/4 of the SW1/4 of Section 32 Less Lot H1 of Lots 3, 4, 5 & 6 of the NW1/4 of the SW1/4 Section 32, and the unplatted portion of the NW1/4 of the SW1/4 of Section 32 and the existing 16' wide alley) located in the NW1/4 of the SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at 1407 East North Street. (APPROVE WITH THE FOLLOWING STIPULATIONS: 1) Prior to Preliminary Plat approval by the Planning Commission, the applicant shall be required to provide topographic and grading plans for review and approval; 2) Prior to Preliminary Plat approval by the Planning Commission, the applicant shall be required to provide a detailed drainage plan in compliance with the Perrine Drainage Basin Design Plan; 3) Prior to Layout Plat approval by the Planning Commission, the applicant shall provide a site plan identifying the location of Century Road on the side of East North Street to insure the location of the proposed intersection aligns; 4) Prior to Preliminary Plat approval by the Planning Commission, the approach(s) onto East North Street shall be closed and all access shall be provided from Century Road; 5) Prior to Preliminary Plat approval, the applicant shall be required to provide a non-access easement on the remainder of the East North Street frontage; 6) Prior to Preliminary Plat approval by the Planning Commission, the applicant shall be required to provide engineering plans for Century Road including sidewalks, utilities and storm water improvements; 7) Prior to Preliminary Plat approval by the Planning Commission, the applicant shall provide complete engineering plans for the extension of Philadelphia Street including all utilities and prior to Final Plat approval by the City Council, the applicant shall construct or provide surety for the Philadelphia Street improvements or the applicant shall sign an agreement to consent to a future assessment project; 8) Prior to City Council approval of the Final Plat, the applicant shall dedicate a total of sixty (60) feet of right-of-way for Philadelphia Street; 9) Prior to Preliminary Plat approval by the Planning Commission, the applicant shall be required to provide revised plans showing the layout and location of water lines and hydrants providing adequate fire flows for the proposed development; 10) Prior to Preliminary Plat approval by the Planning Commission, the applicant shall provide complete engineering design plans for the intersection of Century Road and East North Street. The applicant shall provide an analysis identifying the needs for left turns in and out of the property and the possible need for a deceleration lane. The analysis shall identify what types of improvement are needed for the intersection; 11) Prior to Final Plat approval by the City Council, the applicant shall be required to annex the subject property into the City of Rapid City; 12) Prior to Final Plat approval by the City Council, the applicant shall have submitted a rezoning request for the subject property; 13) Prior to Preliminary Plat approval by the Planning Commission, the applicant shall provide a site plan identifying the location of all structure(s) on the subject property; 14) Prior to Preliminary Plat approval by the Planning Commission, the applicant shall have made provisions for the dedication the southwest half of the first 138.69 feet of Century Road; 15) Prior to Final Plat approval by the City Council, the subdivision improvement estimate shall be provided for review and approval and all the subdivision inspection fees shall be paid; and, 16) Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted.
51. 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 5, 2001)

52. No. 00PL128 - A request by Dream Design International, Inc. for a **Preliminary & Final Plat** on Lots 1-4, Block 6, of Red Rock Estates Phase 1A located in the NE1/4 of Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located north of Sheridan Lake Road. (CONTINUE TO FEBRUARY 5, 2001)
55. No. 00PL132 - A request by Doug Sperlich for Bernard D. Friend for a **Preliminary and Final Plat** on Lot 3R of Block 7 of Elks Country Estates and Tract 3R of the E1/2 of Section 16 (Lot 3R of Block 7: formerly a portion of Lot 3 of Block 7 of Elks Country Estates and Tract 3R: formerly a portion of Lot 3 of Block 7 of Elks Country Estates and Tract 3 and a portion of Tract 1 of the E1/2 of Section 16) located in the E1/2, Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located south of Willowbend Road and the southern terminus of Jolly Lane. (CONTINUE TO FEBRUARY 5, 2001)
56. No. 00RD003 - A application by Leo Hamm Family Ranch and Harley Taylor for a **Resolution changing that portion of the road named Rolling Thunder Trail located within the city limits of Rapid City, the unnamed portion of the section line right-of-way, and the unnamed access easement to Shooting Star Trail** on the 66 foot access easement shown on Lot 2, Block 3 of the Plat of Wildwood Subdivision, including Lots 1 thru 5, Block 1 Lots 1 thru 4, 7 thru 17, 32 thru 42, Block 2, Lots 1 thru 5 and Lots 22 & 23, Block 3 located in W1/2 SE1/4 & portions of the E1/2 SE1/4 & E1/2 SW1/4 of Section 21, T1N, R7E, BHM, Pennington County, South Dakota and that portion of the section line highway lying between the SW1/4 SE1/4 Section 21 and the NW1/4 NE1/4 Section 28, T1N, R7E, BHM, Pennington County, South Dakota, located south and west of Wildwood Subdivision. (CONTINUE TO FEBRUARY 5, 2001)

END OF PLANNING CONSENT ITEM

The Mayor presented No. 00PL115, a request by Dream Design for Stoney Creek Inc. for a **Preliminary and Final Plat** on Lots 1 thru 10 of Autumn Hills Plaza Subdivision Phase II, located in the SW1/4 of the NW1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located approximately 1,050 feet north of the intersection of Catron Boulevard and Sheridan Lake Road. Motion was made by Hanks, seconded by Munson and carried to continue this item until February 5, 2001.

The Mayor presented No. 00PL129, a request by Dream Design International for a **Preliminary and Final Plat** on Lots 1A-4B, Block 1; Lots 1-3, Block 2; Lots 1-23, Block 3; Lots 1-4, Block 4; and Lot 1, Block 5, located in the SW1/4 of the NW1/4, and the NW1/4 of the SW1/4 and the SE1/4 of the SW1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located north of the intersection of Catron Boulevard and Sheridan Lake Road. Motion was made by Kroeger and seconded by Hanks to continue this item until February 5, 2001. Dreyer abstained from discussion or voting on this item. Upon vote being taken, the motion carried unanimously.

The Mayor presented No. 00PL131, a request by Dream Design International for a **Final Plat** on Tract B of Meadow View Subdivision formerly the unplatted portion of the NW1/4NW1/4NE1/4 of Section 26, T1N, R7E, B.H.M., Pennington County, South Dakota, located 1/2 mile east of the intersection of U.S. Highway 16 and U.S. Highway 16B. Motion was made by Kroeger and seconded by Hanks to continue this item until February 5, 2001. Dreyer abstained from discussion or voting on this item. Upon vote being taken, the motion carried unanimously.

The Mayor presented No. 00PL055, an application by Wyss Associates for B.E. Development for a **Final Plat** located at the east end of Harney Road. Motion was made by Kroeger and seconded by Hanks to continue the final plat for Lots 1-11, Block 2, Skyview North Subdivision until March 5, 2001, and approve the following Resolutions with the stipulation that the plats not be recorded until the surety issue is resolved:

RESOLUTION APPROVING PLAT

WHEREAS a Plat of Lot 25R of Block 1, Minnewasta Subdivision (formerly Lot 25 of Block 1 of Minnewasta Subdivision and a portion of the unplatted balance of the E1/2 of the SE1/4 of Section 10, T1N, R7E, BHM) located in the NE1/4 of the SE1/4 of Section 10, 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 25R of Block 1, Minnewasta Subdivision (formerly Lot 25 of Block 1 of Minnewasta Subdivision and a portion of the unplatted balance of the E1/2 of the SE1/4 of Section 10, T1N, R7E, BHM) located in the NE1/4 of the SE1/4 of Section 10, 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 15th day of January, 2001.

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

CITY OF RAPID CITY
s Jim Shaw, Mayor

RESOLUTION APPROVING PLAT

WHEREAS a Plat of Lots 1 through 11 of Block 1, Skyview North Subdivision (formerly a portion of the unplatted balance of the E1/2 SE1/4 of Section 10, T1N, R7E, BHM) located in the E1/2 of the SE1/4 of Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, was filed with the Finance Officer for the purpose of examination and approval by the governing body, and

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

NOW, THEREFORE, BE IT RESOLVED that the Plat of Lots 1 through 11 of Block 1, Skyview North Subdivision (formerly a portion of the unplatted balance of the E1/2 SE1/4 of Section 10, T1N, R7E, BHM) located in the E1/2 of the SE1/4 of Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, be, and the same is hereby approved and the City 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 15th day of January, 2001.

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

CITY OF RAPID CITY
s/ Jim Shaw, Mayor

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

The Mayor presented No. 00PL130, a request by Davis Engineering for Shooters, Inc. for a **Lot Split** located on Mountain View Road north of West Main Street. Dreyer abstained from discussion or voting on this item. The following Resolution was introduced, read and Kroeger moved its adoption:

RESOLUTION APPROVING PLAT

WHEREAS a Plat of Lot 1 Revised Revised of Tract C and Lot A Revised of Lot 2 of Tract C of R.C.L.D. Addition, formerly Lot 1 Revised of Tract C and Lot A of Lot 2 of Tract C of R.C.L.D. Addition, all located in Government Lot 1 (NE1/4 NE1/4) of Section 3, T1N, R7E, BHM, and the SE1/4 SE1/4 of Section 34, T2N, 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 1 Revised Revised of Tract C and Lot A Revised of Lot 2 of Tract C of R.C.L.D. Addition, formerly Lot 1 Revised of Tract C and Lot A of Lot 2 of Tract C of R.C.L.D. Addition, all located in Government Lot 1 (NE1/4 NE1/4) of Section 3, T1N, R7E, BHM, and the SE1/4 SE1/4 of Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, be, and the same is hereby approved and the City Finance Officer is hereby authorized to endorse on such plat a copy of this Resolution and certify to its correctness.

Dated at Rapid City, South Dakota, this 15th day of January, 2001.

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

CITY OF RAPID CITY
s/ Jim Shaw, Mayor

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

Planning Department – Hearings

The Mayor presented No. 00CA014, a request by Robert Blumenthal for Century Resources, Inc. for an **Amendment to the North Rapid Neighborhood Area Future Land Use Plan, which is an amendment to the Comprehensive Plan, to change the future land use designation on an approximate 9.232 acre parcel from Office Commercial with a Planned Commercial Development Overlay to General Commercial** on the north 327.2 feet of the N1/2 SE1/4 of Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South

Dakota; excepting therefrom the W1/2 NW1/4 SE1/4; and excepting therefrom Lot 1 of Lot B of the NE1/4 SE1/4, as shown on the plat filed in Plat Book 3, Page 103; and excepting therefrom North Boulevard Addition; and excepting therefrom Lot RU-302A of the Original Townsite of Rapid City, Pennington County, South Dakota, as shown on the Plat filed in Plat Book 14, Page 53; and excepting therefrom Lot RU-302B of the Original Townsite of Rapid City, Pennington County, South Dakota, as shown on the Plat filed in Plat Book 14, Page 94; and excepting therefrom any street or highway rights of way, located at 1400 Philadelphia Street. Motion was made by Kroeger, seconded by Hanks and carried to deny the application without prejudice.

The Mayor presented No. 00CA015, a request by Dream Design International for Doyle Estes for an **Amendment to the Elk Vale Neighborhood Area Future Land Use Plan, which is an amendment to the Comprehensive Plan, to change the future land use designation on an approximate 2.5 acre parcel from Public with an alternate designation of General Commercial with a Planned Commercial Development to Low Density Residential** on the following property: A tract of land located in the SW1/4 of the NW1/4 of the SW1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota, more fully described as follows: Beginning at the northeast corner of the SW1/4 of the NW1/4 of the SW1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota; Thence, southwesterly to the northeast corner of Tract A of Neff's Subdivision No. 4; Thence, westerly along the north line of Tract A of Neff's Subdivision No. 4, a distance of 164.98 feet, more or less, to a northwesterly corner of said Tract A; Thence N00° 19'35" E, a distance of 346.97 feet, more or less, to a point on the north line of the SW1/4 of the NW1/4 of the SW1/4 of said Section 3; Thence, easterly along the north line of the SW1/4 of the NW1/4 of the SW1/4 of said Section 3, to the point of beginning. Said tract of land contains 2.5 acres, more or less, located at the northern terminus of East 39th Street. The following Resolution was introduced, read and Kroeger moved its adoption:

RESOLUTION AMENDING THE COMPREHENSIVE PLAN
OF THE CITY OF RAPID CITY BY AMENDING THE
ELK VALE NEIGHBORHOOD AREA FUTURE LAND USE PLAN

WHEREAS the Rapid City Council held a public hearing on the 15th day of January, 2000 to consider an amendment to the Elk Vale Neighborhood Area Future Land Use Plan, which is an amendment to the Comprehensive Plan, to change the future land use designation on an approximate 2.5 acre parcel from Public with an alternate designation of General Commercial with a Planned Commercial Development to Low Density Residential, and good cause appearing therefor

BE IT RESOLVED by the Rapid City Council, pursuant to the recommendation of the Rapid City Planning commission, the Rapid City Comprehensive Plan be amended by amending the Elk Vale Neighborhood Area Future land Use Plan attached to the original hereof and filed in the Finance Office.

Dated this 15th day of January, 2001.

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

CITY OF RAPID CITY
s/ Jim Shaw, Mayor

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

The Mayor presented No. 00PD054, a request by Ennis and Associates for Mike Tennyson, Pat Hall and Ken Kirkeby for a **Major Amendment to a Planned Residential Development to reduce the side yard setback from 30 feet to 15 feet** on Lot 5 of Sandstone Ridge Subdivision and a portion of Lot 26 R-1 of Fairway Hills PRD, located in the SE1/4 of the NW1/4 of Section 15, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, as shown on the plat recorded in Book 23 of Plats on Page 187, more fully described as follows: Beginning at the northwest corner of said Lot 26 R-1, said corner being marked by a rebar with a 1019 cap, Thence, S 87°42'21" E, along the northerly property line of Lot 26 R-1, a distance of 166.92 feet to the northeasterly corner of Lot 26 R-1, said corner being marked by a rebar with a 1019 cap, Thence, S 74°13'13" W, a distance of 162.90 feet to a point on the westerly line of Lot 26 R-1, said corner being marked by a rebar with 2199 cap; Thence, N11°07'57"W, along the westerly line of Lot 26 R-1, a distance of 51.96 feet, to the point of beginning. Said tract of land contains 4,218 square feet more or less, located at the intersection of Sheridan Lake Road and Holiday Lane. Motion was made by Kroeger, seconded by Hanks and carried to continue this item until February 5, 2001.

The Mayor presented No. 00PD057, a request by SDC, Inc. for a **Major Amendment to a Planned Commercial Development to allow a motel and restaurant** on Tract A Revised, Tract C Revised and Tract D, Walpole Heights Subdivision, Section 11, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 2710 Mount Rushmore Road. Motion was made by Kroeger, seconded by Hanks and carried to continue this item until February 5, 2001.

The Mayor presented No. 00PD058, a request by Dream Design for Stoney Creek Inc. for a **Initial and Final Planned Residential Development** on a parcel of land located in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more particularly described as follows: Beginning at the NE Corner of the intersection of Sheridan Lake Road and Catron Boulevard Right-of-ways, thence N00°03'41"W, 558.15 feet to the True Point of Beginning; thence N00°03'41"W along said right of way line 362.92 feet; thence departing said right of way line, N89°21'15"E, 13.92 feet to a point lying on the southerly boundary line of Autumn Hills Subdivision; thence along said southerly boundary line the following three courses: thence N89°20'21"E, 60.09 feet; thence N89°21'08"E, 64.99 feet; thence N89°19'52"E, 84.47 feet; thence departing said southerly line, S11°18'01"E, 244.96 feet; thence S65°11'42"W along the northerly line of Lot 1 of Autumn Hills Plaza Subdivision, 298.61 feet to the True Point of Beginning, containing 1.747 acres, more or less, located approximately 1,050 feet north of the intersection of Catron Boulevard and Sheridan Lake Road. Dreyer abstained from discussion or voting on this item. Motion was made by Kroeger, seconded by Hanks and carried to continue this item until February 5, 2001.

The Mayor presented No. 00PD066, a request by Walgar Development Corp. for a **Planned Development Designation** on the following property: a portion of Tract A of Robbinsdale Addition No. 10, and a portion of the NE1/4 of the SE1/4, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at the southeast corner of Lot 16 Revised of Block 23 of Robbinsdale Addition No. 10, common with the northerly edge of right-of-way for East Minnesota Street, and the Point of Beginning; Thence, first course: N24° 39'00"W, along the easterly boundary of said Lot 16 Revised of Block 23, a distance of 113.92 feet; Thence, second course: N65° 42'16"E, a distance of 119.46 feet; Thence, third course: N67° 31'50"E, a distance of 60.09 feet; Thence, fourth course: N65° 37'01"E, a distance of 124.03 feet, to a point on the southwesterly boundary of Lot 4 of Block 24 of Robbinsdale Addition No. 10; Thence, fifth course: S24° 20'00"E, along the southwesterly boundary of said Lot 4 of Block 24, a distance of 106.08 feet, to the southwesterly corner of said Lot 4 of Block 24, common with the northerly edge of right-of-way for East Minnesota Street; Thence, sixth course: S64° 33'00"W, along the northerly edge of right-of-way for said East Minnesota Street, a distance of 302.98 feet, to the southeast corner of said Lot 16 Revised of Block 23, and the Point of Beginning; Said Parcel contains 33,335 square feet or 0.765 acres more or less, located at the intersection of Minnesota

Street and Maple Street. Richard Emerson and Dan Driscoll spoke against the proposed designation. Motion was made by Kroeger, seconded by Hanks and carried to deny the application.

The Mayor presented No. 00SV027, a request by Doug Sperlich for Dennis Zandstra for a **Variance to the Subdivision Regulations to allow lots more than twice as long as they are wide** on Lots 1R and 2R of Block 8 of Elks Country Estates (formerly Lots 1 & 2 of Block 8 of Elks Country Estates) located in N1/2 of SE1/4 of Section 16, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of Augusta Drive and Jolly Lane. Motion was made by Kroeger, seconded by Johnson and carried to approve the variance.

The Mayor presented No. 00SV028, a request by Dream Design, Inc. for Stoney Creek Inc. for a **Variance to the Subdivision Regulations to waive requirement for curb and gutter and to allow thickened edge sidewalk on one side** on Lots 1-10 of Autumn Hills Plaza II located in the SW1/4 of the NW1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located on Catron Boulevard and Sheridan Lake Road. Dreyer abstained from discussion of this item. Motion was made by Kroeger, seconded by Hanks and carried to continue this item until February 5, 2001.

The Mayor presented No. 00UR020, a request by Black Hills Heritage Festival for a **Major Amendment to a Use on Review to allow temporary structures in the Flood Hazard Zoning District for the Black Hills Heritage Festival** on Tract 20, Rapid City Greenway Tracts, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at Memorial Park - west of Fifth Street between Omaha Street and New York Street. Motion was made by Kroeger, seconded by Hanks and carried to approve the requested Use on Review, with the following stipulations: 1) Prior to initiation of the event, the Heritage Festival representatives shall submit all applicable plans to the Fire Department for approval and shall have received approval of an inspection for all tents and other facilities as required by the Fire Code; 2) Prior to initiation of the event, a copy of the evacuation plan shall be submitted to the City and Pennington County Emergency Management Department for review and approval; 3) No camping shall be permitted within the floodway or floodplain at any time; 4) All requirements of the Floodplain Development Ordinance shall be met at all times; 5) No banners shall be allowed within the public right-of-way or on fences; 6) The total number of restrooms (including handicapped accessible restrooms) to be provided shall be determined by the Building Inspections Division at the time for which a Temporary Use Permit is applied; 7) A Temporary Use Permit shall be received prior to initiation of the event each year; 8) As identified in the application, the park grounds shall be cleaned daily and shall be continually kept clear of debris and trash; 9) As identified in the application, twenty-four hour security shall be provided for the festival; 10) All requirements of Section 17.28 of the Zoning Ordinance regarding the Flood Hazard Zoning District shall be continually met including the requirements for temporary structures set forth in Section 17.28.040; 11) No fencing shall be constructed within the floodway; 12) Final vendor locations will require verification in the field due to topographic considerations and other park amenities; and, 13) An electrical permit shall be obtained for all new electrical wiring required for the festival. All such wiring shall be underground and shall be constructed and inspected in accordance with City standards.

The Mayor presented No. 00UR037, a request by the City of Rapid City for a **Major Amendment to a Use On Review to all public recreational structures, including: a softball field, an expanded parking lot, restrooms, a concession stand, a skateboard park, basketball courts, exercise stations, bike paths and lighting, as well as allowing transient amusement enterprises, including carnivals and festivals** on Tract 24 of Rapid City Greenway Tracts, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of 3rd Street and New York Street. Motion was made by Kroeger, seconded by Hanks and carried to approve the requested Use on Review Amendment, with the following stipulations: 1) A parking lot pavement section shall be

submitted for approval prior to the issuance of any grading or building permits for the parking lot expansion; 2) A grading plan shall be submitted prior to construction of any facilities identified in the site plan; 3) All grading and structures shall be kept out of the floodway; 4) All requirements of the Floodplain Development Ordinance shall be met for any construction occurring in the 100 year floodplain; 5) The applicable Morningside Drainage Basin fees shall be paid upon issuance of any building permits; 6) No buildings, structures or landscaping shall be located within fifteen feet of the existing sanitary sewer main which crosses the subject property; 7) Prior to issuance of any temporary use permits for carnivals or festivals, a site plan shall be submitted for Staff review to ensure that all requirements including off-street parking requirements are being met. All carnivals or festivals shall be located outside of the floodway with the final location subject to approval of the City; 8) Approval of this Use on Review shall expire if the use for which it was granted has ceased for a period of two years or more, or if the use as approved has not been completed within two years of approval of the Use on Review; 9) This Use on Review is approved with the understanding that the skateboard park will initially be unfenced and open at all times. However, should it become necessary, the skateboard park may be fenced, gated and locked for certain times as set forth by the Parks Department; 10) The parking lot expansion shall comply with all provisions of the Off-Street Parking Ordinance including accessible parking requirements; 11) All parking lot lighting shall be directed so as not to conflict with vehicle traffic; and, 12) Prior to issuance of any permits for development of the softball fields, a revised site plan shall be submitted identifying an eight foot wide sidewalk connecting the fields with the parking lot.

The Mayor presented No. 00UR042, a request by City of Rapid City for a **Use on Review to allow park improvements at Roosevelt Park** on Tract 27 and Tract 27B of Rapid City Greenway Tracts, Section 31, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at Roosevelt Park. Motion was made by Kroeger, seconded by Hanks and carried to continue this hearing until February 5, 2001.

Ordinances & Resolutions

The Mayor announced the meeting was open for hearing on No. 00RZ042, second reading of **Ordinance 3615**, an application by Walgar Development Corp. for a **Rezoning from Low Density Residential District to Low Density Residential II District** on the following property: a portion of Tract A of Robbinsdale Addition No. 10, and a portion of the NE1/4 of the SE1/4, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at the southeast corner of Lot 16 Revised of Block 23 of Robbinsdale Addition No. 10, common with the northerly edge of right-of-way for East Minnesota Street, and the Point of Beginning; Thence, first course: N24 39'00"W, along the easterly boundary of said Lot 16 Revised of Block 23, a distance of 113.92 feet; Thence, second course: N65 42'16"E, a distance of 119.46 feet; Thence, third course: N67 31'50"E, a distance of 60.09 feet; Thence, fourth course: N65 37'01"E, a distance of 124.03 feet, to a point on the southwesterly boundary of Lot 4 of Block 24 of Robbinsdale Addition No. 10; Thence, fifth course: S24 20'00"E, along the southwesterly boundary of said Lot 4 of Block 24, a distance of 106.08 feet, to the southwesterly corner of said Lot 4 of Block 24, common with the northerly edge of right-of-way for East Minnesota Street; Thence, sixth course: S64 33'00"W, along the northerly edge of right-of-way for said East Minnesota Street, a distance of 302.98 feet, to the southeast corner of said Lot 16 Revised of Block 23, and the Point of Beginning; Said Parcel contains 33,335 square feet or 0.765 acres more or less, located at the intersection of Minnesota Street and Maple Street. Motion was made by Johnson, seconded by Hanks and carried to deny second reading.

The Mayor announced the meeting was open for hearing on No. 00RZ054, second reading, **Ordinance 3630**, a request by Rapid City Regional Hospital for a **Rezoning from Office Commercial District to General Commercial District** on Tracts AR-1 thru AR-5 and Tracts AR-7 thru AR-9 and Tract B of Regional Hospital Addition located in SW1/4 of Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 353 Fairmont

Boulevard and 2908 Fifth Street (Rapid City Regional Hospital). Motion was made by Johnson, seconded by Dreyer and carried to continue this hearing until February 5, 2001.

The Mayor announced the meeting was open for hearing on No. 00RZ055, second reading, **Ordinance 3631**, a request by Renner & Sperlich for South Elm Development for a **Rezoning from No Use District to Low Density Residential District** on Lot B of the N1/2 of Government Lot 4, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located between Elm Avenue and Parkview Drive, south of Hanover Drive. Notice of the public hearing was published in the Rapid City Journal on January 6 and January 13, 2001. Ordinance 3631, having had the first reading on January 2, 2001, it was moved by Johnson and seconded by Hadley that the title be read the second time. The following voted AYE: Hanks, Johnson, Murphy, Steinburg, Munson, Kroeger, Hadley, Dreyer and Kriebel; NO: None, whereupon the Mayor declared the motion passed and read the title of Ordinance 3631 the second time.

The Mayor announced the meeting was open for hearing on No. 00RZ056, second reading of **Ordinance 3632**, a request by Robert Blumenthal for Century Resources, Inc. for a **Rezoning from Heavy Industrial District to General Commercial District** on the following property: The north 327.2 feet of the N1/2 SE1/4 of Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; excepting therefrom the W1/2 NW1/4 SE1/4; and excepting therefrom Lot 1 of Lot B of the NE1/4 SE1/4, as shown on the plat filed in Plat Book 3, Page 103; and excepting therefrom North Boulevard Addition; and excepting therefrom Lot RU-302A of the Original Townsite of Rapid City, Pennington County, South Dakota, as shown on the Plat filed in Plat Book 14, Page 53; and excepting therefrom Lot RU-302B of the Original Townsite of Rapid City, Pennington County, South Dakota, as shown on the Plat filed in Plat Book 14, Page 94; and excepting therefrom any street or highway rights of way, located at 1400 Philadelphia Street. Motion was made by Johnson, seconded by Munson and carried to deny the second reading without prejudice.

The Mayor presented No. 00RZ057, second reading, **Ordinance 3633**, a request by Dream Design International for a **Rezoning from General Commercial District to Low Density Residential District** on the following property: a parcel of land located in Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more particularly described as follows: Beginning at the NE corner of the intersection of Sheridan Lake Road and Catron Boulevard right of ways; Thence N0°02'33"E along the easterly right of way line of Sheridan Lake Road, 760.00 feet; Thence S89°57'27"E, 255.74 feet to the True Point of Beginning; Thence S89°57'27"E, 329.10 feet; Thence S34°09'47"W, 93.93 feet; Thence N89°57'27"W, 260.81 feet; Thence N11°18'01"W, 79.31 feet to the True Point of Beginning, containing 0.526 acres, more or less, located approximately 1/4 mile north of the intersection of Catron Boulevard and Sheridan Lake Road. Dreyer abstained from discussion or voting on this issue. Motion was made by Johnson, seconded by Steinburg and carried to continue this hearing until February 5, 2001.

Ordinance 3634, Supplemental Appropriation No. 1 for 2001, having passed the first reading on January 2, 2001, it was moved by Hanks and seconded by Dreyer that the title be read the second time. Johnson spoke against the appropriation of \$125,000 for The Journey Museum. Roll call vote was taken: AYE: Dreyer, Kriebel; Kroeger, Hanks and Murphy; NO: Johnson, Munson, Steinburg and Hadley. Motion carried 5-4, but the action did not pass. Actions involving expenditure of funds require 6 affirmative votes. Motion was made by Munson and seconded by Johnson to approve second reading of Ordinance 3634, excluding the \$125,000 for the Museum. The following voted AYE: Hanks, Johnson, Murphy, Steinburg, Rolinger, Munson, Kroeger, Hadley, Dreyer and Kriebel; NO: None, whereupon the Mayor declared the motion passed and Ordinance 3634 was approved on second reading, as amended.

No. 00RZ058, First Reading, **Ordinance 3635**, a request by Renner & Sperlich for Rapid City Lodge, BPOE Order of the Elks for a **Rezone from Low Density Residential II/PRD to**

General Agriculture on the following property, was introduced: a portion of Lot 3 of Block 7 of Elks Country Estates, and a portion of Tract 1 of the E1/2 of Section 16, T1N, R8E, BHM; Pennington County, South Dakota more fully described as follows: Commencing at the southeasterly corner of Lot 3 of Block 7 of Elks Country Estates, common with the westerly boundary of Tract 3 of the E1/2 of Section 16, and the Point of Beginning; Thence first course: N86 07'00"W, along the southerly boundary of said Lot 3, a distance of 30.00'; Thence second course: N03 16'44"W, a distance of 118.81', to the southerly edge of right-of-way of Willowbend Road; Thence third course: S82 43'02"E, along the southerly edge of right-of-way of said Willowbend Road, a distance of 135.03' to the point of curve of said Tract 3; Thence fourth course: along the northerly boundary of said Tract 3, curving to the left on a curve with a radius of 270.01', a delta angle of 25 06'38", a length of 118.34', a chord bearing of S86 05'22"W, and a chord distance of 117.39', to the northwesterly corner of said Tract 3; Thence fifth course: S11 46'14"E, along the westerly boundary of said Tract 3, a distance of 97.58', to the southeasterly corner of said Lot 3 of Block 7, and the Point of Beginning. Said Parcel contains 3,354 square feet or .077 acres more or less. A portion of Lot 3 of Block 7 of Elks Country Estates, and a portion of Tract 1 of the E1/2 of Section 16, T1N, R8E, BHM; Pennington County, South Dakota more fully described as follows: Commencing at the southeasterly corner of Lot 3 of Block 7 of Elks Country Estates, common with the westerly boundary of Tract 3 of the E1/2 of Section 16, and the Point of Beginning; Thence first course: N86 07'00"W, along the southerly boundary of said Lot 3, a distance of 30.00'; Thence second course: N03 16'44"W, a distance of 118.81', to the southerly edge of right-of-way of Willowbend Road; Thence third course: S82 43'02"E, along the southerly edge of right-of-way of said Willowbend Road, a distance of 135.03' to the point of curve of said Tract 3; Thence fourth course: along the northerly boundary of said Tract 3, curving to the left on a curve with a radius of 270.01', a delta angle of 25 06'38", a length of 118.34', a chord bearing of S86 05'22"W, and a chord distance of 117.39', to the northwesterly corner of said Tract 3; Thence fifth course: S11 46'14"E, along the westerly boundary of said Tract 3, a distance of 97.58', to the southeasterly corner of said Lot 3 of Block 7, and the Point of Beginning. Said Parcel contains 3,354 square feet or .077 acres more or less, located at Elks Country Estates. Upon motion made by Johnson, seconded by Munson and carried, Ordinance 3635 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 5, 2001.

No. 00RZ059 – First Reading, **Ordinance 3636**, a request by Dream Design International for a **Rezoning from No Use District to General Agriculture District** on the following property, was introduced: A parcel of land located in Section 26, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota; more particularly described as follows: beginning at the Northeast Section Corner of said Section 26; thence N 89°55'19" W along the North line of said Section for a distance of 2652.83 feet to the North Quarter Corner, also being the True Point of Beginning of the parcel to be described; thence S 89°55'19" E for a distance of 762.68 feet, more or less, to the northwesterly right-of-way of U.S. Highway No. 16 B; thence S 53°22'32" W, along said right-of-way, for a distance of 215.04 feet; thence continuing along said right-of-way, along a curve concave to the southeast, having a central angle of 16°16'56", a radius of 2939.79 feet and a length of 835.42 feet; thence N 00°02'15" E for a distance of 716.25 feet to the True Point of Beginning; containing 5.600 acres, more or less, located approximately 1/4 mile east of the intersection of Catron Boulevard and South Highway 16. Dreyer abstained from discussion or voting on this item. Upon motion made by Johnson, seconded by Munson and carried, Ordinance 3636 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 5, 2001.

Ordinance 3619 entitled An Ordinance Amending Title 6 of Chapter 8 of the Rapid City Municipal Code of the City of Rapid City by Amending Title 6 Chapter 8 and Section 100 Regulating Vicious Dogs (Dangerous Animals), having had the first reading on November 20, 2000, it was moved by Johnson and seconded by Munson that the title be read the second

time. The following voted AYE: Hanks, Johnson, Murphy, Steinburg, Munson, Kroeger, Hadley, Dreyer and Kriebel; NO: None, whereupon the Mayor declared the motion passed and Ordinance 3619 was declared duly passed upon its second reading.

Public Works Committee

Motion was made by Kroeger, seconded by Hanks and carried to approve No. PW121300-09, Professional Service Agreement with RESPEC, Inc. to evaluate alternatives for Water Reclamation Facility **Biosolids Land Application Site Remediation Plan** WRF01-1046, in the contract amount of \$27,555.

Special Items

Hanks stated that as a result of the Council's request, the Mayor recently appointed a new board to review the issues relative to the **Journey Museum**. Funding for the museum was removed from the appropriation ordinance so where does that leave this issue? Motion was made by Kriebel and seconded by Hanks to dissolve the newly appointed board. Kriebel added that if there is no funding, there is no point in having the committee. The City subsidizes many activities in the community from swimming pools to golf courses and certainly the museum should qualify for a fraction of this subsidy. There was lengthy discussion about the operation of the museum and the suggestion that the Dahl Center be moved next to the museum. Kriebel withdrew his motion to disband the committee. Ed McLaughlin, Bill Hughes and Don Hotalling urged the Council to allow the new board to continue to function and operate so that they can formulate recommendations to the City Council. No formal action was taken.

City Attorney's Items

Motion was made by Hanks, seconded by Munson and carried to continue the **Resolution Establishing Funds** until February 5, 2001.

Bills

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

Payroll Ending 12-30, Paid 12-29-00	712,191.54
Payroll Ending 12-30, Paid 1-5-01	474,483.29
Payroll Ending 12-30, Paid 1-5-01	3,410.28
Pioneer Bank, 12-29 taxes, Paid 12-19-00	183,099.82
Pioneer Bank, 1-5 taxes, Paid 1-5-01	122,506.95
Pioneer Bank, 1-5 taxes, Paid 1-5-01	256.32
First American Administrators, 12-28 claims, paid 12-29-00	21,059.21
First American Administrators, 1-4 claims, paid 1-5-01	55,402.63
First American Administrators, 1-11 claims, Paid 1-12-01	42,993.11
Berkley Risk Admin, Dec. claims, Paid 1-4-01	31,575.67
1st National Bank, SF, SRF Payments, Paid 12-29-00	120,076.89
SD Dept. of Revenue, sales tax, Paid 1-12-01	10,666.72
SD Dept. of Revenue, sales tax, Paid 1-12-01	640.22
SD Dept. of Revenue, sales tax, Paid 1-12-01	7,927.49
City of Rapid City, postage	120.00
US Postmaster, postage	2,100.00
Wells Fargo, travel & training expense	147.40
Computer Bill List	<u>1,355,655.82</u>
Subtotal	<u>\$3,144,313.36</u>

Payroll Ending 12-30, Paid 1-5-01	2,233.92
Pioneer Bank, 1-5 taxes, Paid 1-5-01	161.22
City of Rapid City, postage	6.60
SD Retirement System, pension	193.90
City of Rapid City, postage	2.64
City of Rapid City, health insurance	691.62
IKON, copier usage	14.51
IOS Capital, copier lease	19.41
Standard Life, insurance	7.92
Total	<u>\$3,147,645.10</u>

Executive Session

Motion was made by Munson, seconded by Hanks and carried to go into executive session to discuss contractual matters.

The Council came out of executive session, but no report was made.

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

CITY OF RAPID CITY

ATTEST:

Mayor

Finance Officer

(SEAL)