

RESOLUTION NO. 2011-012
RESOLUTION ACKNOWLEDGING A CORRECTION TO THE
October 4, 2010, October 18, 2010, November 15, 2010 and December 20, 2010
COUNCIL MINUTES

WHEREAS, on October 4, 2010 the City Council approved Resolution No. 2010-131, Policy Regarding Land Transfers; and

WHEREAS, on October 18, 2010 the City Council approved Resolution No. 2010-178, Memorandum to all city employees from Mayor Alan Hanks dated February 11, 2009; and

WHEREAS, on November 15, 2010 the City Council approved Resolution No. 2010-158. Resolution Amending The Comprehensive Plan Of The City Of Rapid City; and

WHEREAS, on December 20, 2010 the City Council approved Resolution No. 2010-172A, Fixing Time and Place for Hearing on Assessment Roll for Cleanup of Miscellaneous Property and Resolution No. 2010-153B Resolution Levying Assessment for Cleanup of Miscellaneous Property; and

WHEREAS, the minutes of the October 4, 2010 Council meeting were approved on October 18, 2010; the minutes of the October 18, 2010 Council meeting were approved on November 1, 2010; the minutes of the November 15, 2010 Council meeting were approved on December 6, 2010, and the minutes of the December 20, 2010 Council meeting were approved on January 3, 2011; and

WHEREAS, the minutes of the October 4, 2010, October 18, 2010, November 15, 2010 and December 20, 2010 failed to reflect the full text for the above identified resolutions.

NOW, THEREFORE, BE IT RESOLVED by the Rapid City Common Council that the Minutes of October 4, 2010, October 18, 2010, November 15, 2010 and December 20, 2010 are corrected to reflect the full text for the following resolutions attached hereto and incorporated herein by reference: Resolution No. 2010-131, Policy Regarding Land Transfers; Resolution No. 2010-178, Memorandum to all city employees from Mayor Alan Hanks dated February 11, 2009; Resolution No. 2010-158. Resolution Amending The Comprehensive Plan Of The City Of Rapid City; Resolution No. 2010-172A, Fixing Time and Place for Hearing on Assessment Roll for Cleanup of Miscellaneous Property, and Resolution No. 2010-153B Resolution Levying Assessment for Cleanup of Miscellaneous Property.

Dated this _____ day of _____, 20__.

ATTEST:

Finance Officer

(SEAL)

CITY OF RAPID CITY

Mayor

RESOLUTION # 2010 - 131

A RESOLUTION TO ESTABLISH A POLICY TO INCLUDE COMPLETION
DATES IN REAL ESTATE TRANSFER AGREEMENTS

WHEREAS, the City of Rapid City occasionally buy, sells, donates or receives real estate; and

WHEREAS, the Rapid City Common Council has determined that it is in the best interests of the City to include definite time lines in real estate transfer agreements to insure the timely completion of each transaction; and

WHEREAS, the Rapid City Common Council has determined that it is in the best interests of the City to adopt a policy to insure that a time line is a part of future real estate transfer agreements.

NOW THEREFORE, BE IT RESOLVED by the Rapid City Common Council that it is the policy of the City of Rapid City to include in all agreements for the transfer of real estate specific dates by which the transaction must be completed.

Dated this 4th day of October, 2010

CITY OF RAPID CITY

MAYOR

ATTEST:

Finance Officer

(SEAL)

RESOLUTION NO. 2010-178

WHEREAS, Mayor Alan Hanks issued a memorandum to all city employees on February 11, 2009; and

WHEREAS, this memorandum clarified city employee's ability to discuss issues with elected officials; and

WHEREAS, this memorandum was emailed and mailed to all city employees, posted on the city website, and is included in the new employee orientation packet.

NOW, THEREFORE, BE IT RESOLVED that the City Council hereby adopts Mayor Hanks' memorandum to city employees as city policy as included below:

Memorandum to all city employees from Mayor Alan Hanks

February 11, 2009

As Mayor I want to clarify city employee's ability to discuss issues with elected officials. If you have any questions, suggestions, or concerns, please contact me at CSAC at 394-4110.

Issues of general public concern

Any City employee may speak with the Mayor or an Alderman about issues of general public concern without restriction. Matters of general public concern include things like proposed ordinances or City wide policies. Employees have a constitutional right to discuss matters of general public concern with elected representatives. The City of Rapid City has long acknowledged an employee's right to discuss matters of public concern with elected officials. The Council adopted a resolution on December 2, 2002, clearly recognizing the employee's rights to speak to elected officials on matters of public concern. A copy of the resolution is attached to this memo for your reference. As further outlined in the Council's resolution of December 2, 2002, the City will not retaliate against an employee for speaking with an elected official about a matter of general public concern.

Grievance process

Employees should be aware that the City provides a grievance process for employees to bring concerns to management. Each collective bargaining agreement contains a grievance process as does the current Non-Union Employee Policy Manual and the proposed Non-Union Employee Information Guide. Employees should be aware that the time for filing a grievance is limited and that the right to bring a grievance can be lost if the process is not invoked in a timely manner. The City will not retaliate against an employee for filing a grievance.

Employment related Issues

Employees are encouraged to address employment related issues with their direct supervisor or other supervisor in the usual chain of command. In the event an employee does not feel comfortable discussing an employment related issue with a supervisor or within the usual chain of command, the employee may discuss the issue directly with the Mayor, or with the Human Resources Director, the City Attorney or a member of the City Council who will assist the employee in bringing the issue to the Mayor. Employees should be aware of the time frame for

filing a grievance because discussions with the Mayor, or with the Human Resources Director, the City Attorney or a Council member does not constitute the filing of a grievance nor do such discussions extend the time for filing a grievance. The City will not retaliate against an employee for discussing employment related issue directly with the Mayor, or with the Human Resources Director, the City Attorney or a member of the City Council.

DATED this 18th day of October, 2010.

ATTEST:

CITY OF RAPID CITY

Mayor

Acting Finance Office

(SEAL)

**RESOLUTION AMENDING THE COMPREHENSIVE PLAN
OF THE CITY OF RAPID CITY**

WHEREAS, the Rapid City Planning Commission has reviewed the proposed amendment to the Comprehensive Plan and made a recommendation to the Rapid City Council; and

WHEREAS, the Rapid City Council held a public hearing on the 15th day of November, 2010, at which they considered the recommendation of the Planning Commission and the proposed amendment to the Comprehensive Plan; and

WHEREAS, the proposed Amendment to the Comprehensive Plan would change the land use designation from Mobile Home Residential with a Planned Residential Development to Low Density Residential for the east 33 feet of South Valley Drive right-of-way located adjacent to Lot 3M and Lot 5 of Melody Acres, all located in Section 9, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being adjacent to 2990 South Valley Drive; and

WHEREAS, it appears that good cause exists to amend the Comprehensive Plan.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the Amendment to the Comprehensive Plan to change the land use designation from Mobile Home Residential with a Planned Residential Development to Low Density Residential for the east 33 feet of South Valley Drive right-of-way located adjacent to Lot 3M and Lot 5 of Melody Acres, all located in Section 9, T1N, R8E, BHM, Pennington County, South Dakota, more generally described as being adjacent to 2990 South Valley Drive, as attached to the original hereof is hereby adopted and shall be filed with the City Finance Office.

Dated this 15th day of November, 2010.

CITY OF RAPID CITY

By: _____
Mayor

ATTEST:

Finance Officer

(SEAL)

Approved: November 15, 2010
Published: November 27, 2010
Effective: December 17, 2010

RESOLUTION #2010-172A
RESOLUTION FIXING TIME AND PLACE FOR
HEARING ON ASSESSMENT ROLL FOR
CLEANUP OF MISCELLANEOUS PROPERTY

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

1. The Assessment Roll for Cleanup of Miscellaneous Property was filed in the Finance Office on the 20th day of December, 2010. The City Council shall meet at the City / School Administration Center in Rapid City, South Dakota, on 18th day of January, 2011 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 20th day of December, 2010.

CITY OF RAPID CITY, SOUTH DAKOTA

ATTEST;

MAYOR

ACTING FINANCE OFFICER

(SEAL)

ASSESSMENT ROLL FOR
CLEANUP OF MISCELLANEOUS PROPERTY
Resolution (2010-172)

	Property Owner	Legal Description	Assessment
1.	Patricia Stark 1466 NW 113th Way Hollywood, FL 33026	Block 34 Lots 7-8 Boulevard Addition 913 Clark Street	\$232.00
2.	William & Lillian Osgood 5212 E Elm Street Black Hawk, SD 57718	Block A Lots 17-18 of Lot 1; E 60' of Lots 19-20 of Lot 1 Munderloh Subdivision 4209 W St Patrick Street	\$322.00
3.	Certificateholders CWALT Inc 7105 Corporate Drive Plano, TX 75024	Block 36 Lot 6-8 Less Lot H1 North Rapid 617 Haines Avenue	\$282.00
4.	Julia Rolph 1020 Haines Avenue Rapid City, SD 57701	Block 7 Lots 26-27 Millard Subdivision 1020 Haines Avenue	\$262.00
5.	James Olesen 5811 Sparrow Hawk Trail Rapid City, SD 57703	All Block 18 Airport Subdivision 314 Wright Street	\$302.00
6.	Matthew A Larson 101 St Patrick Street Rapid City, SD 57701	Block 4 Lot 1 and E10' of Lot 2 South Park 101 St Patrick Street	\$202.00

RESOLUTION NO. 2010-153B
RESOLUTION LEVYING ASSESSMENT FOR
CLEANUP OF MISCELLANEOUS PROPERTY

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 property cleanup is the amount stated in the proposed assessment roll.
2. The Assessment Roll for Cleanup of Miscellaneous Property 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 one annual installment bearing interest at the rate not to exceed five percent (5%).

Dated this 20th day of December, 2010

CITY OF RAPID CITY, SOUTH DAKOTA

ATTEST;

MAYOR

FINANCE OFFICER

(SEAL)

**NOTICE THAT ASSESSMENTS
ARE DUE AND PAYABLE**

NOTICE IS HEREBY GIVEN that the assessments mentioned in the assessment roll for Cleanup of Miscellaneous Properties will become due and payable at the Office of the City Finance Officer in one annual installment as fixed and determined by the governing body in said resolution, together with the interest on unpaid installments at the rate of five percent per annum, but that any such assessment or any number of installments thereof may be paid without interest, to the Finance Officer at any time within thirty (30) days at the filing of the assessment roll in the Office of the City Finance Officer on the 20th day of December, 2010. Installment payment will be credited in inverse order, last installment first.

ASSESSMENT ROLL FOR
CLEANUP OF MISCELLANEOUS PROPERTY
Resolution (2010-153)

Property Owner	Legal Description	Assessment
1. Connie & Robert Hall/Valdez Jr 204 E St Andrew St Rapid City SD 57701	Block 28 Lot 28 and Lot 29 Sunnyside Replat 204 E St Andrew Street	\$252.00
2. Henry & Sheri Sponder 720 St Anne Street Rapid City SD 57701	Tract B CD Rounds Subdivision 3435 Sturgis Road	\$202.00
3. Kenneth G & Carma L Hunter 1105 St Joseph Street Rapid City SD 57701	Block 4 E40' of W80' of Lots 1-4 Boulevard Addition 1105 St Joseph Street	\$252.00
4. Vergie Heinen 1104 Farlow Ave Rapid City SD 57701	Block 46 W90' of Lots 16, 17 and 18 North Rapid #2 1104 Farlow Avenue	\$332.00
5. William & Lillian Osgood 5212 E Elm Street Black Hawk SD 57718	Block A Lot 17-18 of Lot 1, E60' of Lots 19-20 of Lot 1 Munderloh Subdivision 4209 W Saint Patrick Street	\$462.00
6. Nancy E Sterling 2137 Elm Avenue Rapid City SD 57701	Block 10 S1/2 of Lot 1-4 & East 5' of S1/2 of Lot 5 South Park 2137 Elm Avenue	\$252.00

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| 7. | Michael J Halvorsen
240 East Nevada Drive
Rapid City SD 57701 | Block 1
Lot 17
Robbinsdale Terrace #2
240 East Nevada Drive | \$282.00 |
| 8. | Harold Bies
23138 Radar Hill Rd
Rapid City SD 57701 | All Blocks 13 & 14
Mahoney Addition
315 Lindbergh Ave
& Unaddressed Lindbergh Ave | \$262.00 |
| 9. | Clarence J Gunderson Jr
2618 Grandview Dr
Rapid City SD 57701 | Block 3
Lot 27
Robbinsdale Terrace
2618 Grandview Drive | \$302.00 |