

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota
March 19, 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, March 19, 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, Steve Rolinger, Ron Kroeger, Ray Hadley, Rick Kriebel and Mel Dreyer; the following arrived during the course of the meeting: None; and the following were absent: None.

Bid Openings

The following bids for One New Current Model Year 4 Wheel Drive, 4 Man Cab, **Rescue Vehicle** were opened on March 12, 2001:

a)	Amtech Emergency Products (bond submitted)	\$120,435.00
b)	American LaFrance of Casper (bond submitted)	\$120,569.00
c)	American Fire Rescue (bond submitted)	\$124,736.00

Staff has reviewed the bids and recommends award to Amtech. Motion was made by Steinburg, seconded by Hanks and carried to award the bid for one Rescue Vehicle to Amtech Emergency Products, the lowest responsible bidder meeting specifications, based on their low unit prices bid, for a total contract amount of \$120,435.

The following bids for **Block 5 Alley Paving (Schnasse Addition)** Project No. ST00-993 were opened on March 15, 2001:

a)	Hills Materials Company (bond submitted)	\$29,000.00
b)	M-C Construction, Inc. (bond submitted)	\$36,261.00
c)	Simon Contractors of SD (bond submitted)	\$31,127.40

Staff has reviewed the bids and recommends award to Hills Materials. Motion was made by Steinburg, seconded by Hanks and carried to award the bid for ST00-993 to Hills Materials Company, the lowest responsible bidder meeting specifications, based on their low unit prices bid, for a total contract amount of \$29,000.

The following bids for **Deadwood Avenue Erosion Control** Project No. SSD00-1022 were opened on March 15, 2001:

a)	Site Work Specialists (bond submitted)	\$17,595.75
b)	Hills Materials Company (bond submitted)	\$22,600.00
c)	J.H. Hilt Engineering (bond submitted)	\$34,650.00
d)	Quinn Construction (bond submitted)	\$21,290.00
e)	Simon Contractors of SD (bond submitted)	\$18,369.00
f)	RP&H, Inc. (bond submitted)	\$17,897.50
g)	RCS Construction (bond submitted)	\$14,000.00
h)	Shovelhead Excavating (bond submitted)	\$24,350.25
i)	Morris Construction (bond submitted)	\$11,075.00

Staff has reviewed the bids and recommends award to Morris Construction. Motion was made by Steinburg, seconded by Hanks and carried to award the bid for SSD00-1022 to Morris Construction, the lowest responsible bidder meeting specifications, based on their low unit prices bid, for a total contract amount of \$11,075.

The following bids for **Jackson Boulevard Sanitary Sewer** Reconstruction and Water Construction Project SSW00-970 and Project No. PR01-1024 were opened on March 15, 2001:

a)	Mainline Contracting (bond submitted)	\$406,450.60
b)	Excavating Specialists (bond submitted)	\$421,996.00
c)	Hills Materials Company (bond submitted)	\$382,128.43
d)	RCS Construction (bond submitted)	\$450,000.00

Staff has reviewed the bids and recommends award to Hills Materials. Motion was made by Munson, seconded by Steinburg and carried to award the bid for SSW00-970 and PR01-1024 to Hills Materials Company, the lowest responsible bidder meeting specifications, based on their low unit prices bid, for a total contract amount of \$382,128.43.

The following bids for **Skyview South Detention Pond** Project No. DR00-966 were opened on March 15, 2001:

a)	Site Work Specialists (bond submitted)	\$180,178.18
b)	Quinn Construction (bond submitted)	\$229,923.00
c)	Hills Materials Company (bond submitted)	\$217,352.30
d)	RH&P, Inc. (bond submitted)	\$295,982.00
e)	RCS Construction (bond submitted)	\$262,652.80
f)	Rapid Construction (bond submitted)	\$324,845.00
g)	Morris Construction (bond submitted)	\$173,315.30

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

The following bids for One New Current Model Year **Truck Chassis with Conventional Cab** for Mountain View Cemetery were opened at 2:30:

a)	Rapid Chevrolet (bond submitted)	\$22,609.00
	Less Trade-in	<u>-2,000.00</u>
	Total	\$20,609.00
b)	McKie Ford (bond submitted)	\$21,453.00
	Less Trade-in	<u>- 600.00</u>
	Total	\$20,853.00
c)	Dodge Town, Inc. (bond submitted)	\$22,278.00
	Less Trade-in	<u>- 700.00</u>
	Total	\$21,578.00

Staff has reviewed the bids and recommends award to Rapid Chevrolet. Motion was made by Hanks, seconded by Hadley and carried to award the bid for a Truck Chassis with conventional cab to Rapid Chevrolet, the lowest responsible bidder meeting specifications, based on their low unit prices bid, for a total contract amount of \$20,609.

The following bids for **Portable Chemical Toilet Facilities** for Various Locations were opened at 2:30:

		Sander <u>Sanitation</u>	Central States <u>Sanitation</u>
1.	3 Men-3 Women, separate sites	\$42.22 ea.	\$80.00 ea.
2.	Executive Golf Course	\$42.22 ea.	\$80.00 ea.
3.	LaCroix Links Golf Course	\$42.22 ea.	\$80.00 ea.

4A.	Silver Fox Field (4 mos.)	\$42.22 ea.	\$80.00 ea.
4B.	Canyon Lake Park (6 mos.)	\$42.22 ea.	\$80.00 ea.
4C.	32nd Street (6 mos.)	\$42.22 ea.	\$80.00 ea.
4D.	Founders Park (6 mos.)	\$42.22 ea.	\$80.00 ea.
4E.	Sioux Park & playground (6 mos.)	\$42.22 ea.	\$80.00 ea.
5.	Civic Center	\$135.00 ea.	\$20/unit/day
6.	Landfill	\$42.22 ea.	\$80.00/unit/mo.
7.	Special Events, per day	\$25.00	\$25.00
8.	Special Events, per month	\$65.00	\$80.00
9.	Hdcap. Access, spec. events	\$150.00 ea.	\$25.00/unit/day
10.	Hdcap. Access spec. events	\$150.00 per mo.	\$80/unit/mo.
11.	Clean and Sanitize, 1 per week	\$9.75	\$15.00
12.	Clean and Sanitize, 2 per week	\$19.50	\$30.00

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

The following bids for Automated Meter Reading System for Water Division were opened at 2:30:

	<u>Invensys Metering Systems</u>	<u>Sioux Pipe & Equipment</u>
1. Automatic Meter Reading system Integration Software	NC	NC
2. AMR Radio Frequency Solid State Interrogator/programmer	\$11,907.00	\$10,480.00
3. Installation & training	NC	NC
4. System Maintenance (beyond initial warranty)	\$750.00	\$750
5. System Maintenance (additional retraining)	\$187.50/hr	\$187.50/hr
6. Performance Warranties	\$589.00	\$589.00
7. AMR Meter Interface	\$125.72	\$125.00
8. AMR Meter Transceiver	\$153.07	\$138.00
9. Installation & training (additional costs for MXU)	NC	NC
10. System Maint. & Support (beyond initial warranty for hardware and software)	NC	NC
11. AMR System & call inbound	\$125.72	\$125.00
12. Software Upgrade	NC	NC
13. System Maint. & Support (beyond initial warranty)	NC	NC

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

Mayor's Items

Motion was made by Steinburg, seconded by Rolinger and carried to approve the Mayor's appointment of the following individuals to the **Zoning Board of Adjustment**: Kent Kennedy, Gary Sabers and Dave Stafford.

Motion was made by Kroeger, seconded by Hanks and carried to approve the Mayor's appointment of Brenda Cudmore to the **Mayor's Committee on Disabilities**.

Mayor Shaw presented a Certificate of Recognition to Fire Chief Gary Shepherd and commended him for 25 years of service to the community.

Library Director Greta Chapman and members of the Board of Directors of the Rapid City Library presented the City with a check in the amount of \$508,433.44. The check represents the funds raised by the Library Board for the **Library Expansion Project**.

Aldersperson Reports

Munson read a letter from Governor Janklow relative to fund raising for a World War II Memorial to be erected in Pierre. This memorial will honor WW II veterans as well as the efforts made by everyone during this time. Motion was made by Munson, seconded by Rolinger and carried to authorize an expenditure of \$5,000 from the Council Contingency Fund to be contributed to the World War II Memorial Fund.

Alcoholic Beverage License Applications

This was the time set for hearing on the application of Cowboy Casino, Inc. dba **The Boot**, 826 Main Street, for an On-Sale Liquor License and Sunday Opening Transfer (from The Boot, Inc.). 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 MG Oil Company dba **LaCrosse Street Casino No. 1**, 720 LaCrosse Street, Building A, for an On-Sale Malt Beverage License Transfer (from ETS, Inc.). 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 MG Oil Company dba **Cruiser's Casino West**, 2020 Jackson Boulevard, for an On-Sale Malt Beverage License Transfer (from ETS, Inc.). 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 MG Oil Company dba **Rushmore Casino**, 1808 Mt. Rushmore Road, for an On-Sale Malt Beverage License Transfer (from ETS, Inc.). 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 MG Oil Company dba **LaCrosse Street Casino No. 2**, 720 LaCrosse Street, Building C, for an On-Sale Malt Beverage License Transfer (from ETS, Inc.). Upon motion made by Johnson, seconded by Munson and carried, the Council approved the application.

Upon motion made by Johnson, seconded by Munson and carried, the Finance Officer was directed to publish notice of hearing on the application of RC Boston Company, LLC dba

Boston's The Gourmet Pizza Restaurant, 620 E. Disk Drive, for an On-Sale Liquor License Transfer and Sunday Opening (from individual to corporation), said hearing to be held on Monday, April 2, 2001 at 7:00 P.M.

Other

Motion was made by Johnson, seconded by Munson and carried to authorize consumption of alcoholic beverages at **The Journey Museum**, 222 New York Street, on March 29, 2001.

Consent Calendar Items

The following items were removed from the Consent Calendar:

40. No. LF031401-03 - Approve Land Information System (LIS) Task Force Bylaw changes.

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

Set for Hearing (April 2, 2001)

16. No. 01PD006 - A request by Exhaust Pros of Rapid City, Inc. for a **Major Amendment to a Planned Commercial Development to revise the sign package** on Lot 7 of SSJE Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at 1331 Jess Street
17. No. 01PD007 – A request by Canyon Lake Park, LLC for a **Planned Commercial Development - Initial and Final Development Plan** on the south half (S1/2) of Lot C and the west 165 feet of the east 495 feet of Lot A of Lot Two (2) in the SE1/4 NW1/4 of Section 9 in T1N, R7E, BHM (said Lot Two (2) sometimes referred to as the Hughes Tract) in the City of Rapid City; together with an easement for ingress, egress and parking on Lot One (1) of Lot D and on Lot One (1) of Lot Three (3) of Lot A, both in Lot Two (2) in the SE1/4 NW1/4 of Section 9, T1N, R7E, BHM (said Lot Two (2) sometimes referred to as the Hughes Tract) in the City of Rapid City, as set forth in instrument recorded March 21, 1988, in Book 33 of Misc. records on Page 7730 in the office of the Register of Deeds, Pennington County, South Dakota; and the east 125 feet of north 125 feet of Lot C of Lot Two (2) of Hughes Tract located in Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 4020 Jackson Boulevard.
18. No. 01PD008 - A request by Dream Design International for a **Planned Residential Development - Initial and Final Development Plan** on a tract of land located in the SW1/4 NE1/4 of Section 29, T1N, R7E, BHM, Pennington County, South Dakota, more fully described as follows: Beginning at the Northeast corner of Lot One (1) of Block Two (2) of Red Rock Estates, Rapid City, Pennington County, South Dakota, as shown on the plat recorded on October 5, 2000 and filed in Plat Book 29 on Page 202; Thence, North 75 degrees; 02 minutes, 00 seconds East, along the northerly edge of the dedicated right-of-way shown as Muirfield Drive, a distance of 52.00 feet to the easterly edge of said right-of-way and the point of beginning; Thence, North 75 degrees, 02 minutes, 00 seconds East, a distance of 160.00 feet; Thence South 14 degrees, 58 minutes, 00 seconds East, a distance of 449.76 feet; Thence South 75 degrees, 02 minutes, 00 seconds West, a distance of 160.00 feet; Thence North 14 degrees, 58 minutes, 00 seconds West, along the easterly edge of Muirfield right-of-way, a distance of 449.76 feet, to the point of beginning. Said tract of land contains 1.65 acres, more or less, located west of Sheridan Lake Road northeast of the intersection of Prestwick Road and Muirfield Drive.
19. No. 01PD009 - A request by Al Berreth for Rapid City Regional Hospital for a **Major Amendment to a Planned Residential Development to increase the lot coverage from 30% to 31.6%** on Lot 1 of Block 1 of Fox Run Subdivision, Section 13, T1N,

- R7E, BHM, Rapid City, Pennington County, South Dakota, located at 605 Fox Run Drive.
20. No. 01UR009 - A request by Janet Determan for a **Use on Review to allow a Child Care Center in the Low Density Residential Zoning District** on the east 18.1 feet of Lot 10 and the west 43.4 feet of Lot 11, Block 7, Robbinsdale Terrace Addition No. 2, Section 12, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 18 Fairmont Boulevard.

Public Works Committee Items

21. PW031401-01 – Approve the bid award of One (1) New Current Model Year Vacuum Street Sweeper for the Street Division to the lowest responsible bidder meeting specifications, Sanitation Products, Inc. for the low unit price bid of \$162,294 less \$10,000 trade-in for a total contract amount of \$152,294.
22. PW031401-02 – Approve the bid award of One (1) New Current Model Year 10' Dump Truck for the Street Division to the lowest responsible bidder meeting specifications, Eddie's Truck Sales for the low unit price bid of \$55,994 less \$500 trade-in for a total contract amount of \$55,494.
23. PW031401-03 – Approve the bid award of One (1) New Current Model Year 13' Tandem Dump Truck for the Street Division to the lowest responsible bidder meeting specifications, Eddie's Truck Sales for the low unit price bid of \$82,057 less \$4,500 trade-in for a total contract amount of \$77,557.
24. PW031401-04 – Approve the bid award of One (1) New Current Model Year Sander Truck with Plow for the Street Division to the lowest responsible bidder meeting specifications, Sanitation Products, Inc. for the low unit price bid of \$75,926 less \$1,000 trade-in for a total contract amount of \$74,926.
25. PW031401-05 – Approve Change Order No. 01F for PM99-876, 1999 Roadway Marking Contract with Traffic Safety Services, Inc. for a decrease of \$2,073.08.
26. PW031401-06 – Authorize staff to advertise for bids for a Copy Management Program for Color and Black/White copiers for Public Works and Finance Departments.
27. PW031401-07 – Authorize staff to advertise for bids for PR01-1089, Rapid City Ice Arena Project.
28. PW031401-08 – Authorize staff to advertise for bids for IDP01-1094, Rapid City Public Library Expansion Project.
29. PW031401-09 – Authorize the Mayor and Finance Officer to sign a South Dakota Department Of Transportation Financial Agreement for Horst Property Erosion Control Project.
30. PW031401-10 – Authorize the Mayor and Finance Officer to sign a Professional Service Agreement with TSP Three, Inc. to Design ST01-871, Highway 16/Tish Drive Infrastructure Improvements Project for an amount not to exceed \$33,941.50.
31. PW031401-11 – Authorize the Mayor and Finance Officer to sign Amendment No. 01 to Professional Service Agreement with Renner & Sperlich Engineering Company to Design W00-947, Sheridan Lake Road and Sunset Vista Road Water Main Extension Project for an amount not to exceed \$7,171.10.
32. PW031401-13 – Authorize the Mayor and Finance Officer to sign a Professional Service Agreement with Wyss Associates, Inc. for Schematic Design PR01-1098, Memorial Park Improvements Phase I Project for an amount not to exceed \$3,920.
33. PW031401-14 – Approve Out-Of-The-Dust Fund Request for ST01-1103, pave 145' of alley in Block 7, Schnasse Addition between East North and East Watertown Streets from Herman to Milwaukee Street for an amount not to exceed \$3,000.
34. Convene a Special Council meeting on Monday, March 26, 2001 at 7:00 P.M. in the Council Chambers to discuss the Proposed Sewer Rate Increase.

- 35. No. 01CA001 – Approve the following Resolution Approving Major Street Plan Revisions:

RESOLUTION
A RESOLUTION APPROVING MAJOR STREET PLAN REVISIONS

WHEREAS the Major Street Plan must be current and periodically revised in order to be an effective planning document; and

WHEREAS revisions to the Major Street Plan have been drafted based on the research and study of the City of Rapid City Staff with input from the City Planning Commission and City Council; and

WHEREAS state law provides for amendments and additions to portions of the comprehensive plan of which the Major Street Plan is a part thereof; and

WHEREAS the Rapid City Planning Commission has carefully considered the amendments to the Major Street Plan, and held public hearing in accordance with SDCL 11-6-17, and has recommended approval to the Rapid City Council; and

WHEREAS the Rapid City Council has also carefully considered the amendments to the Major Street Plan, and has also held a public hearing in accordance with SDCL 11-6-18;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF RAPID CITY that the attached amendment to the Major Street Plan for the City of Rapid City be, and is hereby, approved with the removal of Wildwood Drive and the Wildwood Drive Extension from the Major Street Plan as a Collector Street.

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

THE RAPID CITY COUNCIL
s/ Jim Shaw, Mayor

- 36. No. 01CA002 – Approve the following Resolution Approving Major Street Plan Revisions:

RESOLUTION
A RESOLUTION APPROVING MAJOR STREET PLAN REVISIONS

WHEREAS the Major Street Plan must be current and periodically revised in order to be an effective planning document; and

WHEREAS revisions to the Major Street Plan have been drafted based on the research and study of the City of Rapid City Staff with input from the City Planning Commission and City Council; and

WHEREAS state law provides for amendments and additions to portions of the comprehensive plan of which the Major Street Plan is a part thereof; and

WHEREAS the Rapid City Planning Commission has carefully considered the amendments to the Major Street Plan, and held public hearing in accordance with SDCL 11-6-17, and has recommended approval to the Rapid City Council; and

WHEREAS the Rapid City Council has also carefully considered the amendments to the Major Street Plan, and has also held a public hearing in accordance with SDCL 11-6-18;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF RAPID CITY that the attached amendment to the Major Street Plan for the City of Rapid City be, and is hereby, approved with the realignment of certain collector roads west of Rapid City Regional Airport.

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

CITY OF RAPID CITY
s/ Jim Shaw, Mayor

Legal & Finance Committee Items

- 37. No. LF031401-01 - Approve Travel Request for Sue Fox to attend Fingerprint Pattern Interpretation and Identification School May 20-26, 2001, in Scottsdale, AZ.
- 38. Authorize staff to advertise for bids for special investigative technology equipment.
- 39. No. LF031401-02 - Authorize Mayor and Finance Officer to sign Addendum No. 2 Agreement for Professional Services Between the Rapid City Area Metropolitan Planning Organization and the Alliance of Architects and Engineers.
- 41. No. LF031401-04 - Approve Rapid City - Pennington County GIS Information Policy.
- 42. No. LF031401-05 - Approve Travel Request for Don Jarvinen, GIS Analyst, to attend ESRI Introduction and Customizing ArcIMS Training Seminar at St. Paul, Minnesota, in an amount of \$3,181.
- 43. No. 01RD002 - Approve the following Resolution for Road Name Change from North Street to Fillmore Street.

RESOLUTION RENAMING NORTH STRET TO FILLMORE STREET

BE IT RESOLVED by the city of Rapid City that the portion of the dedicated Nrth Street right-of-way located adjacent to Blocks 15,1 6 and 17 or North Rapid Addition, NW1/4 of Section 36, T2N, R7E, BHM, Pennington County, South Dakota, as shown on the plat filed in the Steel File in the Office of Register of Deeds of Pennington County, South Dakota, on May 15, 1907, shall be and hereby is named Fillmore Street.

Dated this 19th day of March, 2001.

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

CITY OF RAPID CITY
s/ Jim Shaw, Mayor

- 44. No. 01RD003 - Approve the following Resolution for Road Name Change on the Private and Public Roadways located within Springbrook Acres Subdivision:

RESOLUTION RENAMING ROADS

BE IT RESOLVED by the City of Rapid City that the private and public roadways all located within Springbrook Acres Subdivision, Sections 15 and 22, T1N, R7E, BHM, Pennington County, South Dakota, as shown on various plats filed in the Office of the Register of Deeds of Pennington County, South Dakota, shall be and hereby are named as follows: Spring Brook Road, Hose Creek Road, Hidden Timber Road, Happy Hollow Road, Lookout Mountain Road, Mystic Mountain Road, Bobtail Gulch Road, Cuyahogo Road, Mountain Meadow Road, Nugget Gulch Road, Buffalo Berry Road, Jenny Gulch Road, Buckhorn Road, Redfern Road, Crown Hill, Castle Creek, Dakoming, Foothill Drive and Estates Drive.

Dated this 19th day of March, 2001.

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

CITY OF RAPID CITY
s/ Jim Shaw, Mayor

- 45. No. LF031401-06 - Authorize Mayor and Finance Officer to sign Professional Services Agreement with F and G Janitorial.
- 46. No. LF031401-07 - Approve Change Order in the amount of \$12,460 for Downtown Node Reconstruction Project.
- 47. No. LF031401-08 - Authorize staff to work with Federal Beef Processors on the leasing of city land, defining the area, and lease payments with the proposed agreement to be brought back to the March 28, 2001, Legal and Finance Committee meeting.
- 48. No. LF031401-09 - Approve Resolution Declaring Property Surplus.

RESOLUTION DECLARING PROPERTY SURPLUS

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

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

Cemetery
1984 Dodge Dump Truck, VIN No. 1B6MD34W2ES299366

Milo Barber Transportation Center
Tables (6) and Benches (8) from old restaurant area

Mayor's Office
Computer, Inv. No. 13088
Gateway Pentium II Processor, Inv. No. 15445

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

Dated this 19th day of March, 2001.

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

CITY OF RAPID CITY
s/ Jim Shaw, Mayor

- 49. No. LF031401-10 - Approve Resolution Canceling Checks or Warrants Not Presented for Payment within Two Years of Date of Issuance.

RESOLUTION CANCELING CHECKS OR WARRANTS NOT PRESENTED
FOR PAYMENT WITHIN TWO YEARS OF DATE OF ISSUANCE

WHEREAS SDCL 9-23-21 authorizes the governing body, by resolution, to cancel any check or warrant not presented for payment within two years of the date of issuance;

NOW, THEREFORE, BE IT RESOLVED that the checks described in Appendix A, totaling \$995.03, which have not been presented for payment within two years from the date of issuance, be canceled:

Dated this 19th day of March, 2001.

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

THE CITY COUNCIL
s/ Jim Shaw, Mayor

- 50. No. LF031401-11 - Approve Resolution Declaring Property Surplus.

RESOLUTION DECLARING PROPERTY SURPLUS

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

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

Fire Department

- Surplus land previously sold, Inv. No. 00010
- Part of Radio Console sold to Fall River County, Inv. No. 53080
- Radio Console sold to Fall River County, Inv. No. 11635
- Radio (disposed of), Inv. No. 11659
- Radio (lost), Inv. No. 18195
- Miscellaneous items sold at auction or scrapped: Inv. Nos. 00005, 13742, 14016, 14339, 15055, 15082, 15204, 15305, 15206, 15116, 15233, 04295,

Parks Department

- Tennis Court Attendant Building, Inv. No. 00054
- Tennis Court Striping – Sioux Park, Inv. No. 07067
- Sioux Park Tennis Court Improvement, Inv. No. 17872
- Sioux Park Tennis Court Lighting, Inv. No. 00485
- 25 HP Pump, Inv. No. 07931
- 25 HP Pump, Inv. No. 07932
- Computer, Inv. No. 17845
- Computer, Inv. No. 17961

Meadowbrook Golf Course

- Carpet in Pro Shop, Inv. No. 18043
- Cash Register, Inv. No. 09922
- Scan Talk Software, Inv. No. 14173
- Cash Register, Inv. No. 08486
- Computer, Inv. No. 17846
- Computer, Inv. No. 13683
- IBM Printer, Inv. No. 12421
- Epson Printer, Inv. No. 10958
- IBM Monitor, Inv. No. 10959
- IBM Printer, Inv. No. 13610
- Lanier Copy Machine, Inv. No. 14137

Miscellaneous

The following items were discarded, sold at auction, or traded for new equipment: 5294, 13610, 13946, 14946, 4534, 8584, 17220, 18043, 8486, 10958, 14173, 12421, 17846, 10959, 5294, 1476, 18782, 0011, 4900, 4901, 4902, 8033, 8034, 8035, 9445, 9681, 17580, 17732, 11941, 11945, 8586, 00000, 3800, 4187

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

Dated this 19th day of March, 2001.

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

CITY OF RAPID CITY
s/ Jim Shaw, Mayor

51. No. LF031401-12 - Approve the addition of 1 FTE for a Laboratory Technician at the Water Reclamation Plant.
52. No. LF031401-13 - Approve the addition of 1 FTE in the Personnel Office for a Human Resources Clerk.
53. No. LF031401-14 - Approve Request for funding from the Council Contingency in the amount of \$6,500 to fund the remodeling of the mail room to provide office space for the Community Development Department.
54. No. LF031401-15 - Acknowledge request by BE Development Company, LLC and Skyline Pines Development Company, LLC to withdraw from Loan and Infrastructure Development Agreements for SkyView South and SkyView North Developments and for Skyline Pines Development, both dated August 21, 2000.
55. Approve the following licenses: Mechanical Apprentice: Douglas Amick, Terry Hendricksen, Mark Sigler; Mechanical Installer: Marvin H. Anderson, D. Mike Austin, Brian Bies, Terry A. Borr, Mark L. Chilstrom, Franklin G. Durst, Doug Frisk, Ron Lineweber, David C. Marrs, David A. McLane, Jeffrey A. Murphy, Harlan E. Olson, Philip G. Pulse, Dale Schulte, John B. Thompson, III; Donald P. Tischler, Jr.; Mechanical Contractor: Action Mechanical, John Hammond, Jr.; American Quality, Jeffrey A. Murphy; FBI Mechanical Electrical, Dave Willard; Jim's Plumbing & Heating, Jim Schnittgrund; The Trane Service Company, Randy Smart; Residential Contractor: Babl Construction, Gary Babl; J W Construction, John C. Wager.
56. No. LF031401-16 - Approve appointment of the following individuals to the Urban Forestry Board: Steve Harsenohri, Jim Larsen, and Lori Oines to three-year terms to expire December 31, 2003, and Bill Hankee to fill a remaining term to expire on December 31, 2001.
57. No. LF031401-17 - Approve appointment of Dawn Mashek to the Planning Commission.

Raffle

58. No. CC031901-02 – Sons of Norway, Borgund Lodge 1-532, drawing to be held on May 17, 2001.

End of Consent Calendar

The next item discussed by the Council was Item No. LF031401-03, Approval of Land Information System (LIS) **Task Force Bylaw changes**. Hanks noted that there are questions on this item. Motion was made by Hanks, seconded by Rolinger and carried to continue this item until April 2, 2001.

Public Hearings

The Mayor announced that the meeting was open for consideration of the assessment roll for Cleanup of Miscellaneous Properties. Notice of this hearing was published on March 12, 2001 and notices were mailed to affected property owners on February 20, 2001. No oral or written objections were received. The following Resolution was introduced, read and Steinburg moved its adoption:

RESOLUTION LEVYING ASSESSMENT FOR CLEANUP OF MISCELLANEOUS PROPERTIES

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 clean-up is the amount stated in the proposed assessment roll.
2. The assessment roll for Miscellaneous Property Cleanup 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 nine percent (9%).

Dated this 19th day of March, 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, Rolinger, 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 Hanks and carried to approve the recommendations contained in the Council Packet, for the following items:

60. No. 01AN003 - A request by FMG, Inc. for Commerford LLP for a **Petition for Annexation** on A tract of land located in the NW 1/4 of NW 1/4, NE 1/4 of NW 1/4, SE 1/4 of NW 1/4, SW 1/4 of NW 1/4 of Section 35, T1N, R7E, BHM and in the SE 1/4 of NE 1/4 of Section 34, T1N, R7E, BHM, Pennington County, South Dakota more particularly described as follows: Commencing at a point which is a 5/8" rebar which is the northwest corner of Section 35, T1N, R7E, BHM, Pennington County, South Dakota, Thence N89°53'06"E a distance of 283.67', more or less, along the section line to the Point of Beginning which is a 5/8" rebar with cap marked 4225 set on the north section line of Section 35, T1N, R7E and the easterly right-of-way line of US Highway 16; Thence N89°53'06"E a distance of 1,042.05', more or less, along the north section of line of Section 35, T1N, R7E, to a point; Thence S89°42'56"E a distance of 1,327.92', more or less, along the north section line of Section 35, T1N,

R7E, to a point at the N 1/4 corner of Section 35, T1N, R7E; Thence S00°00'06"E a distance of 1,338.24', more or less, along the section 1/4 line of Section 35, T1N, R7E, to a point; Thence S00°01'17"E a distance of 668.30', more or less, along the section 1/4 line of Section 35, T1N, R7E, to a point; Thence S00°01'54"E a distance of 668.47', more or less, along the north-south section 1/4 line of Section 35, T1N, R7E, to a point at the center of Section 35, T1N, R7E; Thence N89°24'46"W a distance of 1,326.32', more or less, along the east-west section 1/4 line of Section 35, T1N, R7E, to a point; Thence N89°24'46"W a distance of 1,326.32', more or less, along the east-west section 1/4 line of Section 35, T1N, R7E, to a point at the W 1/4 corner of Section 35, T1N, R7E and E 1/4 corner of Section 34, T1N, R7E; Thence S89°42'51"W a distance of 104.64', more or less, along the east-west section 1/4 line of Section 34, T1N, R7E, to a point at the intersection of the east-west section 1/4 line of Section 34, T1N, R7E and easterly right-of-way line of U.S. Highway 16; Thence northeasterly along said easterly right-of-way of US Highway 16 on a curve with a radius of 2,492.00' and an arc length of 692.47', more or less, to a point; Thence N82°41'04"W a distance of 50', more or less, along the east right-of-way line of US Highway 16 to a point; Thence N07°18'56"E a distance of 658.85', more or less, along the easterly right-of-way line of US Highway 16 to a point; Thence N07°18'56"E a distance of 1,338.03', more or less, along the easterly right-of-way line of U.S. Highway 16 to the Point of Beginning; and Lot H2 of the E1/2 of the NE1/4 of Section 34, T1N, R7E, BHM, Pennington County, South Dakota, located approximately 1/2 mile south of the intersection of Catron Boulevard and US Highway 16. (CONTINUE TO APRIL 2, 2001)

61. No. 00PL055 - A request by Wyss Associates for B.E. Development for a **Final Plat** on Lots 1 through 11 of Block 2 of Skyview North Subdivision located in the E1/2 of SE1/4 of Section 10, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the east end of Harney Road. (CONTINUE TO APRIL 2, 2001)
62. No. 00PL076 - A request by Doug Sperlich for Gary Rasmusson for a **Preliminary and Final Plat** on Lot 26 of Block 23 and Lot 6 of Block 24 of Robbinsdale Addition No. 10 (formerly a portion of Tract A of Robbinsdale Addition No. 10 and a portion of the NE1/4 of the SE1/4 of Section 13) located in the NE1/4 of the SE1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of Maple Avenue and East Minnesota Street (CONTINUE TO APRIL 2, 2001)
63. No. 00PL081 – Approve the request by Dream Design for Legacy Land Development for a **Preliminary and Final Plat**, located west of the intersection of Field View Drive and Derby Lane.

RESOLUTION APPROVING PLAT

WHEREAS a Survey Plat of Lot 5 and Lot 6 of Block 2, Lot 1 of Block 7, Lots 1 through 7 of Block 8, and dedicated Field View Drive and Preakness Street, all in the Meadows Subdivision located in Parcel B of MJK Subdivision, in the W1/2 SE1/4 of Section 18, 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 Survey Plat of Lot 5 and Lot 6 of Block 2, Lot 1 of Block 7, Lots 1 through 7 of Block 8, and dedicated Field View Drive and Preakness Street, all in the Meadows Subdivision located in Parcel B of MJK Subdivision, in the W1/2 SE1/4 of Section 18, T1N, R8E, 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 19th day of March, 2001.

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

CITY OF RAPID CITY
s/ Jim Shaw, Mayor

65. No. 00PL097 - A request by Doug Sperlich for Gary Rasmusson for a **Preliminary and Final Plat** on Lots 15, 16 and 17 of Block 28 of Robbinsdale Addition No. 10 located in the NE1/4 of the SW1/4 of Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of Annamaria Drive and Alta Vista Drive. (CONTINUE TO APRIL 2, 2001)
66. No. 00PL100 - A request by Rick Kahler for South Elm Development LLC for a **Layout, Preliminary and Final Plat** on Lot BR and Lot C of the N1/2 of Government Lot 4 (formerly a portion of Lot B of the N1/2 of Government Lot 4) located in the SW1/4 of the SW1/4 of Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located approximately 1/4 mile south of the intersection of Minnesota Street and Parkview Drive. (CONTINUE TO APRIL 2, 2001)
67. No. 00PL110 - A request by Renner & Sperlich Engineering for Buescher Frankenberg Assoc. Inc. for a **Preliminary and Final Plat** on Lots A & B of Lot 5R of Meridian Subdivision (formerly Lot 4B and Lot 5R of Meridian Subdivision) located in the SW1/4 of the SE1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of Anamosa Street and LaCrosse Street. (CONTINUE TO APRIL 2, 2001)
68. 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. (APPROVE PRELIMINARY PLAT WITH THE FOLLOWING STIPULATIONS, AND CONTINUE FINAL PLAT UNTIL APRIL 2, 2001: 1) Prior to City Council approval of the Preliminary Plat; revised engineering plans shall be submitted for review and approval; 2) Prior to City Council approval of the Final Plat, a note shall be placed on the plat stating Lots 12, 13, and 14 shall be required to install a residential style emergency turnaround to be reviewed and approved by the Rapid City Fire Department; 3) 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, 4) Prior to Final Plat approval by the City Council, surety for any required subdivision improvements that have not been completed shall be posted.
69. 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, SD, located approximately 1/2 mile north of Laurel Heights Subdivision. (CONTINUE TO APRIL 16, 2001)
70. 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, SD, 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 APRIL 2, 2001)
71. 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 APRIL 2, 2001)
72. 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 APRIL 2, 2001)
73. 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, BHM, Pennington County, SD, located 1/2 mile east of the intersection of US Highway 16 and US Highway 16B. (CONTINUE TO MAY 7, 2001)
74. No. 00PL133 - A request by ETS, Inc. for a **Layout Plat** on Lot 1, Lot 2, and Lot 3 of Tract 4 of Bradsky Subdivision No. 2 in the NW1/4 SW1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located on the east of Cambell Street north of East St. James Street. (CONTINUE TO APRIL 2, 2001)
75. No. 00PL134 - A request by Peter Hendricksen for a **Lot Split** on Lot 13R and 14R in Block 3 of Wildwood Subdivision, formerly Lot 13 and 14 in Block 3 of Wildwood Subdivision located in the W1/2 SE1/4 and the E1/2 SW1/4 of Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located 5827 Wildwood Drive. (CONTINUE TO MAY 21, 2001)
76. No. 00PL136 - A request by Doug Sperlich for Suzanne Gabrielson for a **Final Plat** on Lots 1 and 2 of Tract L of Gray's Subdivision (formerly Tract L of Gray's Subdivision) located in the N1/2 of the NW1/4 of Section 32, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the western terminus of City Springs Road. (CONTINUE TO APRIL 2, 2001)
77. No. 01PL004 - A request by Leo J. Boland for Rodney C. Egemo for a **Preliminary and Final Plat** on Tracts A, B, and C of Tract S of Forest Hills Subdivision in the SW1/4 of Section 2, T1N, R7E, BHM, Rapid City, Pennington County, SD, located at the intersection of St. Cloud and Skyline Drive. (CONTINUE TO APRIL 2, 2001)
78. No. 01PL006 - A request by D.C. Scott Co. Land Surveyors for Marjorie A. Fordyce for a **Preliminary and Final Plat** on Lot 34A and Lot 34B of Lot 34 of Lot D of Sweetbriar Heights and 9.7' wide easement for irrigation ditch and drainage in Lot 34B, located in the SE1/4 NW1/4 of Section 10, T1N, R8E of the BHM, Pennington County, South Dakota, located at the intersection of Sweetbriar Street and Knox Street. (CONTINUE TO APRIL 2, 2001)
79. No. 01PL007 - A request by Fisk Engineering for John Skulborstad and Peter Torino for a **Preliminary and Final Plat** on Lot 1 of Lot F-1, Fish Hatchery Subdivision,

Section 8, T1N, R7E, BHM, Rapid City, Pennington County, SD, located north of the Cleghorn Fish Hatchery on U.S. Highway 44 West. (CONTINUE TO APRIL 2, 2001)

80. No. 01PL008 - A request by Doug Sperlich for Black Hills Regional Food Bank for a **Preliminary and Final Plat** on Lots 1 and 2 of Block 21, Wise's Addition, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of Maple Avenue and East Adams Street. (CONTINUE TO APRIL 2, 2001)
81. No. 01PL009 - A request by James Letner for a **Final Plat** on Lots 1 and 2 and dedicated ROW of Debra Subdivision, (formerly Lots B & C of Lot 2 of OutLot 2 of the SE1/4 of the SW1/4 of Section 4, T1N, R7E, BHM and a portion of Debra Drive ROW) located in the SE1/4 of the SW1/4, Section 4, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the intersection of Clifton Street and Debra Drive. (CONTINUE TO APRIL 2, 2001)
82. No. 01PL011 - A request by City of Rapid City for a **Layout Plat** on Tract A of Tract 1 of W1/2 SW1/4, Section 23, T1N, R7E, BHM, Rapid City, Pennington County, SD, located on U.S. Highway 16 north of Golden Eagle Drive and adjacent to the Old Marine Life. (APPROVE with the following stipulations: 1) Upon submittal of the Preliminary Plat, the plat shall be revised to show a non-access easement along the service road except for the approved approach location(s); 2) Upon submittal of the Preliminary Plat, grading plans and a complete drainage plan shall be submitted for review and approval; 3) Upon submittal of the Preliminary Plat, sewer plans prepared by a Registered Professional Engineer showing the extension of sanitary sewer mains and service lines shall be submitted for review and approval; 4) Upon submittal of the Preliminary Plat, water plans prepared by a Registered Professional Engineer shall be submitted showing the extension of water mains for review and approval; 5) Upon submittal of the Preliminary Plat, complete engineering plans as specified in Section 16.20.040 of the Rapid City Municipal Code shall be submitted for review and approval. In particular, a complete street design plan shall be submitted showing the location of utilities, storm drainage, curb and gutter, and sidewalk improvements; 6) Prior to submittal of the Preliminary Plat, the applicant shall review the potential vacation of that portion of Golden Eagle Drive located adjacent to proposed Lot D with the Engineering Division and the Planning Department; 7) Prior to Final Plat approval by the Planning Commission, major drainage easements shall be shown on the plat as required by the Engineering Division; 8) Prior to Final Plat approval by the City Council, the section line highway shall be improved or a Subdivision Regulations Variance shall be obtained to waive improving that portion of the section line highway located north of the proposed interior road; 9) Upon submittal of the Preliminary Plat, access locations, crossover locations and turn lane locations shall be submitted for review and approval; 10) Prior to Final Plat approval by the City Council, all necessary road improvements along U. S. Highway 16 and the service road shall be completed; 11) Upon submittal of the Preliminary Plat, a fire hydrant design plan showing the location of fire hydrants and water lines, including the size of the proposed water lines, shall be submitted for review and approval; 12) Upon submittal of the Preliminary Plat, a revised subdivision name shall be submitted for review and approval; 13) Upon submittal of the Preliminary Plat, the proposed road shall be named; 14) Prior to Final Plat approval by the City Council, the property shall be rezoned as identified on the adopted Southwest Connector Neighborhood Future Land Use Plan; 15) Prior to Final Plat approval by the City Council, a subdivision estimate form shall be submitted for review and approval; 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 and the subdivision inspection fee shall be paid.

END OF PLANNING CONSENT CALENDAR

The Mayor presented No. 00PL089, a request by Dream Design International for a **Final Plat** located at the current western terminus of South Pitch Drive and Solitaire Drive. The following Resolution was introduced, read and Kroeger moved its adoption:

RESOLUTION APPROVING PLAT

WHEREAS a Plat of Lots 10, 11, 12, 13, 14 and 15 of Block 3; Lot 8 of Block 4; Lots 3, 4, 5, 6, 7, 8, 9 and 10 of Block 5; Lots 4, 5, 6, 7 and 18 of Block 6; and Lot 7 of Block 7 of Valley Ridge Subdivision, and dedicated South Pitch Drive, Pennington Street, Haakon Street and Major Drainage Easements located in NE1/4 SE1/4 of Section 3, T1N, R8E, BHM, Pennington County, South Dakota was filed with the Finance Officer for the purpose of examination and approval by the governing body, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Plat of Lots 10, 11, 12, 13, 14 and 15 of Block 3; Lot 8 of Block 4; Lots 3, 4, 5, 6, 7, 8, 9 and 10 of Block 5; Lots 4, 5, 6, 7 and 18 of Block 6; and Lot 7 of Block 7 of Valley Ridge Subdivision, and dedicated South Pitch Drive, Pennington Street, Haakon Street and Major Drainage Easements located in NE1/4 SE1/4 of Section 3, T1N, R8E, BHM, 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 19th day of March, 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 Hadley. The following voted AYE: Hanks, Johnson, Murphy, Steinburg, Rolinger, Munson, Kroeger, Hadley, Dreyer and Kriebel; NO: None, whereupon said Resolution was declared duly passed and adopted.

The Mayor presented No. 01PL010, a request by Ferber Engineering Company for Richard O. Stahl for a **Layout Plat** on Lots 1-6 of Stahl Victorian Addition, formerly Tracts J, K, L, M and N of Lot 6 of Block 19, Boulevard Addition of the N1/2 of Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the southwest corner of the intersection of West Street and South Street. Motion was made by Kroeger, seconded by Hanks and carried to continue until April 2, 2001.

Planning Department – Hearings

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 2710 Mount Rushmore Road. Motion was made by Kroeger, seconded by Hanks and carried to continue this item until April 2, 2001.

The Mayor presented No. 01PD003, a request by Fisk Engineering for John Skulborstad and Peter Torino for a **Planned Commercial Development - Initial and Final Development**

Plan on Lot 1 of Lot F-1, Fish Hatchery Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located north of the Cleghorn Fish Hatchery on U.S. Highway 44 West. Motion was made by Kroeger, seconded by Hanks and carried to continue this item until April 2, 2001.

The Mayor presented No. 01PD004, a request by Ferber Engineering Company for Richard O. Stahl for a **Planned Residential Development - Initial and Final Development Plan** on Lots 1-6 of Stahl Victorian Addition, formerly Tracts J, K, L, M and N of Lot 6 of Block 19, Boulevard Addition of the N1/2 of Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the southwest corner of the intersection of West Street and South Street. Motion was made by Kroeger, seconded by Hanks and carried to continue this item until April 16, 2001.

The Mayor presented No. 01PD005, a request by Dream Design International for a **Planned Residential Development - Initial and Final Development Plan** on Lots 1 thru 3 of Block 2; Lots 1 thru 23 of Block 3; and Lots 2 and 3 of Block 4 all located in Stoney Creek Subdivision Phase I, Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located south of the current terminus of Winterset Drive and Stoney Creek Drive. Dreyer abstained from discussion or voting on this item. Motion was made by Kroeger, seconded by Hanks and carried to approve the Development Plan, with the following stipulations: 1) Prior to City Council approval of the Final Development Plan, drainage information shall be submitted for review and approval; 2) Prior to issuance of grading permits or building permits, revisions to construction plans shall be made and any additional required easements shall be dedicated by miscellaneous document; 3) Prior to issuance of a Certificate of Occupancy, all fire codes shall be met; 4) Prior to issuance of a building permit, signs shall be posted along Princeton Court and Yale Court to preclude parking in the cul-de-sac bulbs; 5) An Air Quality Permit shall be obtained prior to any development work or construction in excess of one acre; 6) A building permit shall be obtained prior to any construction and a Certificate of Occupancy shall be obtained prior to occupancy; 7) Upon submittal of a building permit, Architect/Engineered stamped plans shall be submitted; 8) Prior to Planning Commission approval of the Final Development Plan, a landscaping plan shall be submitted for review and approval. In particular, a substantial landscaping buffer including berms, shrubs and trees shall be provided along the east side of Bendt Drive; 9) Prior to Planning Commission approval of the Final Development Plan, a sign and lighting package shall be submitted for review and approval. The sign package shall include the location, height and size, and setback dimensions of any and all proposed signs to be located within the development; 10) Prior to Planning Commission approval of the Final Development Plan, a revised site plan shall be submitted for review and approval to show a 49 foot wide right-of-way on Princeton Court and Yale Court; or the site plan shall be revised to show an off-street parking area for visitors; 11) A minimum 15 foot front yard setback for all principal structures and a minimum 18 foot setback for all garages(s) shall be provided on Princeton Court, Yale Court and Harvard Avenue. A minimum 25 foot front yard setback for all structures shall be maintained on Winterset Drive; 12) All provisions of the Low Density Residential Zoning District shall be met unless otherwise authorized; and, 13) The Planned Residential Development shall allow single family residential use.

The Mayor presented No. 01SV001, a request by Renner & Sperlich Engineering for Mayer Radio for a **Variance to the Subdivision Regulations to waive the requirement for all improvements to the access** 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. Motion was made by Kroeger, seconded by Hanks and carried to continue this item until April 2, 2001.

The Mayor presented No. 01SV002, a request by Gary Renner for Suzanne Gabrielson for a **Variance to the Subdivision Regulations to waive the requirement for all improvements to Section Line and Access Easement** on Tract L of Gray's Subdivision, Section 32, T2N,

R7E, BHM, Rapid City, Pennington County, South Dakota, located at the western terminus of City Springs Road. Motion was made by Kroeger, seconded by Hanks and carried to continue this item until April 2, 2001.

The Mayor presented No. 01SV004, a request by D.C. Scott Co. Land Surveyors for Marjorie A. Fordyce for a **Variance to the Subdivision Regulations to waive the requirement for curb, gutter, sidewalks and street light conduit and to allow a lot more than twice as long as it is wide** on Lot 34A and Lot 34B of Lot 34 of Lot D of Sweetbriar Heights and 9.7' wide easement for irrigation ditch and drainage in Lot 34B, located in the SE1/4 NW1/4 of Section 10, T1N, R8E of the BHM, Pennington County, South Dakota, located at the intersection of Sweetbriar Street and Knox Street. Motion was made by Kroeger, seconded by Hanks and carried to continue this item until April 2, 2001.

The Mayor presented No. 01SV005, a request by Fisk Engineering for John Skulborstad and Peter Torino for a **Variance to the Subdivision Regulations to waive the requirement for sewer, water, street light conduit and sidewalks** on Lot 1 of Lot F-1, Fish Hatchery Subdivision, Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located north of the Cleghorn Fish Hatchery on U.S. Highway 44 West. Motion was made by Kroeger, seconded by Hanks and carried to continue this item until April 2, 2001.

The Mayor presented No. 01SV006, a request by Ferber Engineering Company for Richard O. Stahl for a **Variance to the Subdivision Regulations to allow curb, gutter and sidewalk on one side of the alley and sidewalk on one side of Stahl Court and to waive the street light conduit** on Lots 1-6 of Stahl Victorian Addition, formerly Tracts J, K, L, M and N of Lot 6 of Block 19, Boulevard Addition of the N1/2 of Section 2, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the southwest corner of the intersection of West Street and South Street. Motion was made by Kroeger, seconded by Hanks and carried to continue this item until April 16, 2001.

The Mayor presented No. 01UR002, a request by Brendan Casey for a **Use on Review to allow mini storage units in the General Commercial District** on Lots X and Y of Schlottman Addition, located in SE1/4 of SE1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located west of the intersection of East St. Patrick Street and Valley Drive. Motion was made by Kroeger, seconded by Hanks and carried to continue this item until April 16, 2001.

The Mayor presented No. 01UR003, a request by Davis Engineering for Gary and Shirley Wolff for a **Use on Review to allow a mobile home park in the Medium Density Residential District** on SW1/4 SW1/4 and the N8/10ths of W1/4 SE1/4 SW1/4 of Section 20, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located 2780 143rd Avenue. Motion was made by Kroeger, seconded by Hanks and carried to continue this item until April 16, 2001.

The Mayor presented No. 01UR004, a request by Shooters, Inc. for a **Use On Review to allow an On-Sale Liquor Establishment in conjunction with a full service restaurant** on Lot 2 of Lot K-3 of Marshall Heights Tract located in the SW1/4 of Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located 1803 LaCrosse Street. Motion was made by Kroeger, seconded by Hanks and carried to deny this application.

The Mayor presented No. 01UR005, a request by Country Fair, LLC for a **Major Amendment to a Use on Review to allow temporary structures (arts and crafts festival) in the Flood Hazard Zoning District** on Tracts 1-3 and Lots A and B of Tract 3 of Rapid City Greenway Tracts located in Sections 8 and 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located Canyon Lake Park. Motion was made by Kroeger and seconded by Hanks to approve the request with the following stipulations: 1) Prior to issuance of a temporary use permit, the Country Fair representatives shall submit all applicable plans to the Fire

Department for review and approval; 2) Prior to initiation of the event, the County Fair shall have received approval of an inspection for all tents and other facilities as required by the Fire Code; 3) 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; 4) No camping shall be permitted within the floodway or floodplain at any time; 5) All requirements of the Floodplain Development Ordinance shall be met at all times; 6) No banners shall be allowed within the public right-of-way or on fences; 7) 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; 8) A Temporary Use Permit shall be received prior to initiation of the event each year; 9) As identified in the application, the park grounds shall be cleaned daily and shall be continually kept clear of debris and trash; 10) As identified in the application, twenty-four hour security shall be provided for the festival; 11) 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; 12) The Use On Review shall be effective for a period of one year from date of approval subject to renewal; 13) That no portion of the event shall occur on the bridge; 14) That the event shall be limited to the hours as follows: Saturday from 9:00 a.m. to 5:00 p.m. and Sunday from 10:00 a.m. to 4:00 p.m.; and, entertainment provided on the island shall be limited to the hours of 12:00 p.m. to 5:00 p.m.; 15) That all parking of vehicles shall be restricted to the developed parking lots in Canyon Lake Park and not on public streets or unpaved portions of the park, and that no parking signs to enforce this requirement shall be posted. Applicant shall work with the Police Department to determine the number of required signs and their placement; 16) That the applicant shall submit the date of the event six months before the start of the festival to the Parks Division for their review and approval; 17) That all booths along northern bike path shall maintain a minimum twenty foot setback from the bike path and a ten foot setback from all other paths; 18) Prior to issuance of a temporary use permit, the applicant shall provide a traffic control plan for the parking at the Blessed Sacrament Church for review and approval; 19) Final vendor locations will require verification in the field due to topographic considerations and other park amenities; and, 20) That the activity be limited to a maximum of 90 booths and that the location of the booths shall be in the areas identified on the site plan. Substitute motion was made by Hadley and seconded by Rolinger to approve the Major Amendment to the Use on Review with the stipulations listed above, except Nos. 12, 14, 15, 16, 17 and 18. He explained that this is a fairness issue and the Country Fair should be treated the same as the Heritage Festival. Hanks suggested that this issue be referred to the Public Works Committee for continued discussion. This is the first year for the Country Fair to be operated in Canyon Lake Park and that is probably the reason for the longer list of stipulations. Second substitute motion was made by Hanks and seconded by Rolinger to refer this issue to the Public Works Committee for review. Bjerke stated that he would check into the availability and cost of temporary flashing lights which could be used for a pedestrian crossing on Jackson Boulevard during this event. Kroeger asked that staff also check into the cost of providing power at the Canyon Lake location for this event. Roll call vote was taken on the substitute motion to refer to Committee: AYE: Steinburg, Hanks, Munson, Johnson and Murphy; NO: Dreyer, Kriebel, Kroeger, Rolinger and Hadley. Shaw declared the motion failed and discussion continued on the substitute motion. Blaise Emerson from the Planning Department explained that the stipulations on parking were added to ensure that the applicants work with Blessed Sacrament Church on the parking issues. The hours of operation are the same as those submitted by the applicant. The request to schedule events at least 6 months in advance will allow administration to coordinate events in the park system. The setback from the bike path was added as a stipulation because this is the only trail going through the park in this area. The request for a traffic control plan was made because there is no traffic control signal in this area as there is on 5th Street for the Heritage Festival. Emerson explained that staff reviews each case based on use and where it is located. That is the reason for different stipulations. Connie Hall indicated that this show will not use a lot of power because they don't have a lot of food booths and only light entertainment. Hall added that her biggest concern is having to go through the use on review

process again next year. This is a very time consuming and costly process and no one objected to the proposal during the first hearing process. Hall added that she has absolutely no problem working with City staff on any problems that arise. Discussion continued on the differences between the Heritage Festival and the Country Fair, the two locations and the stipulations that are being deleted. Roll call vote was taken on the substitute motion to approve with the revised stipulation list: AYE: Steinburg, Dreyer, Kriebel, Kroeger, Munson and Hadley; NO: Hanks, Johnson, Rolinger and Murphy. Substitute motion carried, 6-4.

The Mayor presented No. 01UR006, a request by Samuel J. and Faye E. Bice for a **Use on Review to allow a caretakers residence in the Light Industrial Zoning District** on Lot 2 of Lot K of Bice Subdivision located in the NW1/4 of the SW1/4 of Section 5, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located 1220 1/2 Creek Drive. Motion was made by Kroeger, seconded by Hanks and carried to continue this hearing until April 16, 2001.

The Mayor presented No. 01UR007, a request by Les Sackreiter for Black Hills BMX for a **Major Amendment to a Use On Review to amend the Robbinsdale Park Master Plan to allow a storage area, shelter, announcing tower and lighting** on Robbinsdale Park located in the SW1/4 SE1/4 and E1/2 SW1/4 of Section 7, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located Robbinsdale Park. Motion was made by Kroeger, seconded by Hanks and carried to approve the requested Use on Review, with the following stipulations: 1) A Building Permit shall be obtained prior to any construction; 2) A Certificate of Occupancy shall be obtained prior to occupying the building addition; 3) The lighting shall be designed and installed to reflect away from the adjacent residential areas and the existing softball fields; 4) That usage of the lighting shall be limited to Thursday evenings from 6:00 p.m. to 10:00 p.m. during June, July and August and any expansion of these hours will require a Major Amendment to the Use on Review; 5) That "No-Parking" signs shall be posted on the park access road to the east and north of the BMX Track; and, 6) Prior to City Council approval, a Continuance Operation Compliance Plan application shall be submitted.

The Mayor presented No. 01UR008, a request by RCS Construction for a **Use on Review to allow a warehouse in excess of 5000 square feet and to allow delivery vehicles rated at more than one and one half ton capacity in the General Commercial Zoning District** on Lots 1 and 2 of Carefree Subdivision, NE1/4 of Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located immediately north of 2220 Eglin 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 issuance of a Building Permit, detailed septic system plans for Lots 2 and 3 of Carefree Subdivision shall be submitted for review and approval; 2) Prior to issuance of a Building Permit, detailed construction plans shall be submitted for review and approval; 3) Prior to issuance of a Building Permit, three sets of Architectural/Engineer stamped plans shall be provided; 4) Prior to issuance of a Building Permit a complete sign package shall be submitted and approved by the Building Inspection Division; 5) That no Off-Premise signs shall be allowed on the property; 6) A Building Permit shall be obtained prior to any construction; 7) A Certificate of Occupancy shall be obtained prior to occupying the building; 8) Prior to issuance of a Building Permit the applicant shall identify on the site plan the location of all fire hydrants within a 500 foot radius; 9) Prior to issuance of a Building Permit, Lots 2 and 3 of Carefree Subdivision shall be designated as a Developmental Lot by the Planning Director; 10) Prior to issuance of a Building Permit a landscaping plan identifying a landscaping buffer of no less than ten coniferous trees on the west property line of Lot 2 of Carefree Subdivision; 11) A minimum setback of 58 feet from the north property line of Lots 1 and 2 of Carefree Subdivision shall be provided and, a revised site plan shall be submitted prior to issuance of a Building Permit; 12) Prior to issuance of a Building Permit the 8 foot minor drainage and utility easements between Lots 1 and 2 of Carefree Subdivision shall be vacated; and, 13) An Air Quality Construction Permit shall be obtained if more than one acre of surface area is disturbed prior to the issuance of any building permits or grading permits.

Ordinances & Resolutions

The next item discussed by the Council was No. 01RZ001, second reading of **Ordinance 3641**, a request by Fisk Engineering for John Skulborstad for a **Rezoning from the Park Forest District to the Office Commercial District** on the following property: a portion of Lot F-1 of Fish Hatchery Subdivision, located in the N1/2 of the SE1/4 and in the NE1/4 of the SW1/4 of Section 8, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Beginning at the northeast corner of Lot F-1 of Fish Hatchery Subdivision; Thence, S 51 degrees 31 minutes 28 seconds W, a distance of 210.39 feet more or less, along the Highway 44 Right-of-Way to a point of curvature; Thence, following the Highway 44 Right-of-Way along a curve to the right, said curve has a radius of 1095.92 feet and a length of 110.78 feet, chord bearing of S 54 degrees 23 minutes 15 seconds W, a chord distance of 110.73 feet more or less; Thence, N 42 degrees 46 minutes 16 seconds W, 268.89 feet more or less to the north line of Lot F-1 of Fish Hatchery Subdivision; Thence, S 89 degrees 44 minutes 15 seconds E, 437.33 feet more or less, along the north line of Lot F-1 to the point of beginning. Said tract of land contains 1.00 Acres, more or less, located west of the intersection of Jackson Boulevard and Chapel Lane. Motion was made by Johnson, seconded by Munson and carried to continue this hearing until April 2, 2001.

The Mayor presented No. 01RZ003, second reading of **Ordinance 3646**, a request by Fisk Engineering for Ken Berglund for a **Rezoning from General Agriculture District to Park Forest District** on the north 825 feet of the NE1/4 SE1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located 5501 Berglund Road. Motion was made by Johnson, seconded by Munson and carried to continue this hearing until April 16, 2001.

The Mayor announced the meeting was open for hearing on No. 01RZ004, second reading of **Ordinance 3649**, a request by David Howard for a **Rezoning from General Commercial District to High Density Residential District** on Lots 12 and 13 of Block 4 of Denman's Subdivision, Section 1, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located 209 East Saint Joseph Street. Motion was made by Johnson and seconded by Munson to deny second reading of this ordinance. David Howard appeared before the Council and stated that he has not had any serious offers to lease or buy this property as commercial since 1997. Many of the buildings in this area are residential, or hotels that rent units by the month. Howard added that he has had offers if the property could be used for residential. He has talked to all of the surrounding property owners and no one has an objection to a residential zoning for this property. Kriebel noted that there is high density residential zoning all round this area which is natural because of its proximity to the School of Mines. Emerson explained that this area has been identified as commercial since 1968 and staff feels that this zoning should continue along St. Joseph Street. Incorporating residential into commercial districts could create conflicts with traffic, parking, etc. Pam Lang from the Planning Commission noted that if this rezone were approved, it would be spot zoning in the middle of general commercial. While the Planning Commission empathized with the applicant, they felt the appropriate zoning for this area should be general commercial. Kriebel stated that with only a few exceptions, this area is used as residential (whether non-conforming uses or not). Upon vote being taken, the motion to deny failed with Johnson voting AYE. Motion was made by Johnson, seconded by Munson and carried to continue second reading of this ordinance until May 7, 2001 to allow the applicant to submit application for amendment to the Comprehensive Plan. Upon vote being taken, the motion carried unanimously.

No. 01RZ005, first reading of **Ordinance 3651**, a request by Canyon Lake Park, LLC for a **Rezoning from Medium Density Residential District to General Commercial District** on the east 125 feet of north 125 feet of Lot C of Lot Two (2) of Hughes Tract located in Section 9, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 4009 Lakeview Drive, was introduced. Upon motion made by Johnson, seconded by Hadley and carried,

Ordinance 3651 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 held on Monday, April 2, 2001 at 7:00 P.M.

No. 01RZ006, first reading of **Ordinance 3652**, a request by Gary Renner for Rapid City School District for a **Rezoning from Low Density Residential District to Light Industrial District** on NE1/4 of the SE1/4 of the NE1/4 less the east 400 feet, Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located on the west side of S.D. Highway 79 between East Fairmont Boulevard and East Minnesota Street, was introduced. Upon motion made by Johnson, seconded by Hadley and carried, Ordinance 3652 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 held on Monday, April 2, 2001 at 7:00 P.M.

Ordinance 3648 (No. 01OA002) entitled An Ordinance Amending Section 16.08.030 of the Rapid City Municipal Code by Setting Forth Procedures for Minor Plats, having passed the first reading on March 5, 2001, 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, Rolinger, Munson, Kroeger, Hadley, Dreyer and Kriebel; NO: None, whereupon the Mayor declared the motion passed and Ordinance 3648 was declared duly passed upon its second reading.

Ordinance 3650 (No. 01OA003) entitled An Ordinance Amending Section 17.40.030 of the Rapid City Municipal Code by Adding Recreational Facilities to the List of Uses Permitted on Review in the Office Commercial Zoning District, was introduced. Upon motion made by Johnson, seconded by Munson and carried, Ordinance 3650 was placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, April 2, 2001.

Legal & Finance Committee Items

The Mayor presented No. 00RD003, an 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, located south and west of Wildwood Subdivision. The following Resolution was introduced, read and Johnson moved its adoption:

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

BE IT RESOLVED by the City of Rapid City that 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 be, and is hereby, renamed to Shooting Star Trail.

DATED this 19th day of March, 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 Hadley. The following voted AYE: Hanks, Johnson, Murphy, Steinburg, Rolinger, Munson, Kroeger, Hadley, Dreyer and Kriebel; NO: None, whereupon said Resolution was declared duly passed and adopted.

Public Works Committee Items

The Mayor presented No. PW022801-04, staff recommendations for SSW00-943, Wildwood Water Transmission Main and Sewer Main Extension Project. Bjerke explained the handout containing the recommendations. Motion was made by Kroeger, seconded by Dreyer and carried to adopt the recommendations.

Special Items and Items from Visitors

Ted Grant of 5320 Carriage Hills Place appeared before the Council and requested authorization to **construct a 36' driveway** rather than the 20' required by city code. This will allow him to extend the driveway in such a way to contain the drainage and keep it from running into his garage. He explained that the problem exists because the developer was not required to put in curb and gutter when the property was platted. As a result, whenever it rains, mud and water run over this property. They have installed drainage pipes, but they get congested with the mud and rocks and do not take care of the problem. Bjerke stated that he is not aware of this issue. Hanks suggested that this issue be discussed at the next committee meeting. This will give staff time to review the property and make recommendations. Grant indicated that he will be out of town for the next month or so. Discussion continued. Motion was made by Hanks, seconded by Munson and carried to allow a driveway up to 36' in width.

Police Department

Motion was made by Rolinger, seconded by Hanks and carried to authorize the Police Department to submit of a "**Cops More**" Grant. The grant will be used to upgrade technology at the Department.

City Attorney

A proposed **Settlement Agreement** with Richard Curtis (No. CC031901-04) was submitted by the Attorney's Office. Motion was made by Kriebel, seconded by Hanks and carried to authorize the Mayor and Finance Officer to sign the Settlement Agreement.

Bills

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

Payroll Ending 03-10, Paid 03-16-01	496,936.33
Payroll Ending 03-10, Paid 03-16-01	3,508.18
Pioneer Bank, 03-16 taxes, Paid 03-16-01	127,690.90
Pioneer Bank, 03-16 taxes, Paid 03-16-01	263.36
First American Administrators, 03-08 claims, paid 03-09-01	75,190.57
First American Administrators, 03-15 claims, paid 03-16-01	135,692.25
Berkley Administrators, Feb. claims, paid 03-05-01	35,300.16
West Forty Realty, land purchase, paid 3-8-01	1,000.00
US Postmaster, billing postage	1,400.00
Computer Bill List	1,452,922.49
Subtotal	<u>\$2,329,904.24</u>

Payroll Ending 03-10, Paid 03-16-01	2,307.41
Pioneer Bank, 3-16 taxes, Paid 3-16-01	171.59
Carquest Auto Parts, oil change	14.45
City of Rapid City, postage	14.96
Condrey & Associates, wage study	84.00
IKON Office Solutions, copier usage	21.27
IOS Capital, copier lease	21.08
McKie Ford, van repairs	19.36
Simpson's Printers, newsletter	79.50
SD Retirement System, pension	200.10
Standard Life, insurance	7.92
Total	<u>\$2,332,845.88</u>

As there was no further business to come before the Council at this time, the meeting adjourned at 9:20 P.M.

CITY OF RAPID CITY

ATTEST:

Mayor

Finance Officer

(SEAL)