

PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota

March 20, 2006

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 20, 2006 at 8:23 P.M.

The following members were present: Mayor Jim Shaw and the following Alderpersons: Mike Schumacher, Ray Hadley, Karen Olson, Bill Okrepkie, Tom Johnson, Ron Kroeger, Bob Hurlbut, Malcom Chapman and Sam Kooiker. The following Alderpersons arrived during the course of the meeting: None; and the following were absent: Deb Hadcock.

Staff members present included Finance Officer Jim Preston, City Attorney Jason Green, Public Works Director Dirk Jablonski, Police Chief Craig Tieszen, Fire Chief Gary Shepherd, Parks & Recreation Director Jerry Cole, and Administrative Assistant Jackie Gerry.

APPROVE MINUTES

Chapman moved, second by Okrepkie and carried to approve the minutes of March 6, 2006 and special Council of March 9, 2006.

ADOPTION OF THE AGENDA

The following items were added to the agenda:

- Garbage collection services, Alderman Schumacher
- 2006 Local Board of Equalization, Finance Officer Preston
- Executive Session to discuss contractual matters

Johnson moved, second by Kroeger and carried to adopt the agenda as amended.

GENERAL PUBLIC COMMENT

Steve Brenden, 3310 Harmony Lane addressed his issue of the number of variances being granted and suggested developers should be required to follow the regulations.

Tim Collins, Rapid City spoke of his limited income, unemployment, transportation needs and the assistances he has received.

PUBLIC HEARINGS

The Mayor presented No. 05CA018, a request by City of Rapid City for an **Amendment to the Comprehensive Plan amending the Major Street Plan by eliminating and realigning several collector and arterial roads** all located in Sections 23, 24, 25, 26, 34, 35 and 36 in T1N, R7E, BHM, Pennington County, South Dakota, and Sections 19, 29, 30, 31 and 32, T1N, R8E, BHM, Pennington County, South Dakota, and Sections 1, 2, 3, 11 and 12, T1S, R7E, BHM, Pennington County, South Dakota, and Sections 5, 6, 7, 8, 17 and 18, T1S, R8E, BHM,

Pennington County, South Dakota, located south of Minnesota Street, north of Spring Creek Road, east of US Highway 16 and west of SD Highway 79. Olson moved, second by Chapman and carried to continue to the April 3, 2006 Council meeting.

The Mayor presented No. 05CA054, a request by City of Rapid City for a **Amendment to the Comprehensive Plan to adopt the Red Rock Canyon Drainage Basin Design Plan** on Red Rock Canyon Drainage Basin, located in all or portions of Sections 7, 8, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31 and 32, T1N, R7E, and Sections 25 and 37, T1N, R6E, BHM, Pennington County, South Dakota, located between Rapid Creek and Spring Creek in and adjacent to the Western Corporate Limits of the City of Rapid City. The following resolution was introduced, read and Olson moved its adoption:

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 6th day of March, 2006 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 adopt the Red Rock Canyon Drainage Basin Design Plan for all or portions of Sections 7, 8, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31 and 32, T1N, R7E, and Sections 25 and 37, T1N, R6E, BHM, Pennington County, South Dakota;

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

NOW THEREFORE, BE IT RESOLVED by the Rapid City Common Council that the Comprehensive Plan of the City of Rapid City be amended to adopt the Red Rock Canyon Drainage Basin for all or portions of Sections 7, 8, 16, 17, 18, 19, 20, 21, 28, 29, 30, 31 and 32, T1N, R7E, and Sections 25 and 37, T1N, R6E, BHM, Pennington County, South Dakota as attached to the original hereof and that such amendment be filed with the City Finance Office.

Dated this 20th day of March, 2006.

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

CITY OF RAPID CITY
s/ Jim Shaw, Mayor

The motion for the adoption of the forgoing resolution was second by Johnson. The following voted AYE: Schumacher, Hadley, Olson, Okrepkie, Johnson, Kroeger, Hurlbut, Chapman, and Kooiker; NO: None; whereupon said resolution was declared duly passed and adopted.

The Mayor presented No. 06CA001, a request by Designworks, Inc. for Founder's Park, LLC to consider an application for an **Amendment to the Comprehensive Plan to revise the Major**

Street Plan to eliminate West Street as a collector street on the unplatted portion of the W1/2 NW1/4 SE1/4 and Block 1 of North Riverside Addition; all located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 1350 West Chicago. The following resolution was introduced, read and Olson moved its adoption:

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 6th day of March, 2006, 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 revise the Major Street Plan to eliminate West Street as a collector street, on the unplatted portion of the W1/2 NW1/4 SE1/4 and Block 1 of North Riverside Addition; all located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; and

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

NOW THEREFORE, BE IT RESOLVED by the Rapid City Common Council that the Major Street Plan component of the Comprehensive Plan of the City of Rapid City be amended to eliminate West Street as a collector street on the unplatted portion of the W1/2 NW1/4 SE1/4 and Block 1 of North Riverside Addition; all located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota as attached to the original hereof and that such amendment be filed with the City Finance Office.

Dated this 20th day of March, 2006.

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

CITY OF RAPID CITY
s/ Jim Shaw, Mayor

The motion for the adoption of the forgoing resolution was second by Chapman. The following voted AYE: Schumacher, Hadley, Olson, Okrepkie, Johnson, Kroeger, Hurlbut, Chapman, and Kooiker; NO: None; whereupon said resolution was declared duly passed and adopted.

The Mayor presented No. 06SV001, a request by Centerline for Founder's Park, LLC for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement, and to dedicate additional Right-of-Way along the access easements and to waive the requirement to install sidewalk along both sides of the internal streets as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 1, 2 and 3 of Founder's Park Subdivision, located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted

portion of the W1/2 NW1/4 SE1/4 and Block 1 of North Riverside Addition; all located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 1350 West Chicago. Olson moved, second by Hurlbut and carried that the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement along the 60 foot wide road easement be approved; That the Variance to the Subdivision Regulations to waive the requirement to install curb, gutter sidewalk, street light conduit, water, sewer and to reduce the right-of-way/easement widths from 49 feet to 20 feet and 24 feet, respectively, for the proposed private access easement be approved with the following stipulation: The private access easement shall be constructed with a minimum 20 foot wide paved surface; That the Variance to the Subdivision Regulations to waive the requirement to install sidewalk along both sides of the commercial street be approved with the following stipulation: A sidewalk shall be provided along one side of the street; and, An Exception is hereby granted to allow a five foot wide curb side sidewalk in lieu of a four foot wide property line sidewalk along the commercial street as per the Street Design Criteria Manual.

The Mayor presented No. 06SV005, a request by Centerline, Inc. for PLM Development, LLC for a **Variance to the Subdivision Regulations to reduce the pavement width from 27 feet to 24 feet and reduce the Right-of-Way width from 52 feet to 49 feet as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 1 thru 92, PLM Subdivision, Phase 2A, Section 13 T1N, R7E, Rapid City, Pennington County, South Dakota, legally described as the SW1/4 SW1/4 less N1/2 N1/2 N1/2 N1/2 SW1/4 SW1/4; the unplatted balance of the N1/2 NW1/4; and the unplatted balance of the SW1/4 NW1/4, Section 13 T1N, R7E, Rapid City, Pennington County, South Dakota, located south of Minnesota Street and west of Fifth Street. Olson moved, second by Johnson and carried to deny.

The Mayor presented No. 06SV008, a request by Dream Design International, Inc. for a **Variance to the Subdivision Regulations to waive the requirement to reduce the Right-of-Way width on Shooting Star Trail from 76 feet to 68 feet and request a Variance for sidewalk on both sides of the road as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 10 thru 21, Block 2; Lots 2 thru 8, Block 9; Lots 1 thru 4, Block 13, Red Rock Meadows Subdivision, (formerly the unplatted portion of the E1/2 NW1/4 NW1/4), Section 28, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted portion of the E1/2 NW1/4 NW1/4, Section 28, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the northern terminus of Cog Hill Lane. Olson moved, second by Kroeger and carried to deny without prejudice.

The Mayor presented No. 06SV009, a request by Sperlich Consulting, Inc. for Richard Huffman and James and Patricia Mirehouse for a **Variance to the Subdivision Regulations to waive the requirement to install sewer along Park Drive; to waive the requirement to dedicate additional Right-of-Way along Park Drive; and, to waive the requirement to install a ten foot wide planting screen easement along Park Drive as per Chapter 16.16 of the Rapid City Municipal Code** on Lot 5R of Lot 3, Block 4, Grandview Tract, formerly Lot 5 of Lot 3, Block 4, Grandview Tract, Lot 4R, Block 2, Parkridge Village No. 2, formerly a portion of Lot 4, Block 2, Parkridge Village No. 2, all located in the SW1/4 NE1/4, NW1/4 NE1/4, SE1/4 NW1/4, Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot 5 of Lot 3, Block 4, Grandview Tract, and a portion of Lot 4, Block 2, Parkridge Village No. 2; all located in the SW1/4 NE1/4, NW1/4 NE1/4, SE1/4 NW1/4, Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 3821 Park Drive and 3810 Ponderosa Court. Olson moved, second by Kroeger and carried that the Variance to the

Subdivision Regulations to waive the requirement to install sewer from Park Drive be approved; That the Variance to the Subdivision Regulations to waive the requirement to dedicate a ten foot wide planting screen easement along Park Drive be approved; and, That the Variance to the Subdivision Regulations to waive the requirement to dedicate additional Right-of-Way along Park Drive be denied.

The Mayor presented No. 06SV010, a request by Renner & Associates for Sean Doyle for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalks, street light conduit, water, sewer, pavement on Harmony Heights or the access easement; a variance to the Subdivision Regulations to not dedicate additional Right-of-Way along Harmony Heights or the Access Easement as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 1 and 2, Block 1, Harmony Heights No. 2, formerly the NE1/4 NE1/4 SW1/4, less Tract 8R, Harmony Heights, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the NE1/4 NE1/4 SW1/4, less Tract 8R, Harmony Heights, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located south of the intersection of Vista Ridge Road and Harmony Heights Lane. Olson moved, second by Kroeger and carried to deny without prejudice.

PUBLIC WORKS COMMITTEE ITEMS

The Mayor presented No. PW031406-01A, an **Exception to the Street Design Criteria Manual** Section 8.2.1-B to allow a 30-foot width entrance off Mount Rushmore Road for property located at 2222 Mt. Rushmore Road; No. PW031406-01B, an **Exception to the Street Design Criteria Manual** to allow a 40-foot wide driveway for the east service entrance to the property off of Meade Street for property located at 2222 Mt. Rushmore Road; No. PW031406-01C, an **Exception to the Street Design Criteria Manual** Section No. 8.2.1-H to allow three (3) driveways for property located at 2222 Mt. Rushmore Road; and No. PW031406-01D, an **Exception to the Street Design Criteria Manual** to relocate the Mt. Rushmore Road driveway to allow a reduction in the driveway minimum corner clearances for property located at 2222 Mt. Rushmore Road. Bob and Sam Fischer, Fischer Furniture outlined the improvements to a 50 year old building as a new addition to the front of the structure with a small warehouse at the rear of the structure for unloading carpet. Two of the three approaches fronting Mt. Rushmore Road are to be eliminated with the third approach being relocated to the south of the alley access. Fischer indicated an approach on Meade Street is proposed as a 40-foot wide access, but has agreed to a 35-foot wide access and a second access on Meade Street will accommodate truck traffic. Fischer indicated their concern is for traffic safety, but without good access to a business there is a detrimental effect to the business. Discussion ensued relative to the alley access, when it was pointed out that the alley serves the neighboring business and this could create some confusion about how to access the Fischer business. It was also suggested that the visibility of the alley access is not good. City Planner Vick Fisher indicated that parking regulations require that there be a border around a parking lot, and this would preclude of the use of the alley as an access to the business. In response to a question from Alderman Chapman, City Planner Fisher explained that there is a minimum 150-foot requirement between the alley and the approach, and pointed out that the City Council is being asked to grant an exception to that requirement. Community Planning Coordinator Dominicak distributed a handout from Traffic Engineering showing the conflicts of the turning radius and turning movements into the approach closest to the alley.

Johnson moved, second by Okrepkie to approve **No. PW031406-01A**, an Exception to the Street Design Criteria Manual Section 8.2.1-B to allow a 30-foot width entrance off Mount Rushmore Road for property located at 2222 Mt. Rushmore Road; **No. PW031406-01B**, an Exception to the Street Design Criteria Manual to allow a 35-foot wide driveway for the east service entrance to the property off of Meade Street for property located at 2222 Mt. Rushmore Road; **No. PW031406-01C**, an Exception to the Street Design Criteria Manual Section No. 8.2.1-H to allow three (3) driveways for property located at 2222 Mt. Rushmore Road; and **No. PW031406-01D**, an Exception to the Street Design Criteria Manual to relocate the Mt. Rushmore Road driveway to allow a reduction in the driveway minimum corner clearances for property located at 2222 Mt. Rushmore Road. The question was called by Alderman Chapman, there being no objection a vote was taken. Motion carried.

Olson moved, second by Kooiker to set the Information Committee meeting for Wednesday, April 5, 2006 at 12:30 p.m. Alderman Chapman noted his unavailability for this meeting. Motion carried.

In response to a question from Alderman Schumacher about a Wal-Mart Petition submittal, City Attorney Green explained the deadline for submittal is March 31, 2006 at 5:00 P.M., and assured the Council members that every effort will be made to present any petitions to the Council at their regular April 3, 2006 meeting.

At the request of Alderman Schumacher, Street Superintendent Brumbaugh briefed the Council on the City's snow removal of March 12 – 14, 2006, explaining that they applied chemical to arterials, hills with steep grades and emergency routes. He indicated plowing began on hills noting arterials did not require plowing. Alderman Schumacher suggested the City needs to re-evaluate the plowing of arterial streets, for safety sake.

The Mayor presented No. PW031406-14, Phase I, Downtown Area Improvement Project and recognized Public Works Director Jablonski, who asked for some indication from the City Council at the end of the report, as to whether the project is headed in the right direction. Brian Volken, enVison Design indicated this project will significantly improve the utilities in downtown Rapid City, as well as change the image of the downtown area. Volken reported the number of public meetings attended to present the project and the amount of feedback received. Kim Hauk, Severson & Associates, a public relations firm reported that there were four things that came out of their survey. There was support for a pedestrian / bicycle friendly downtown, historical feel of the downtown with plants, streetscape, benches, lighting, and underground electrical wiring; but there was concern about accessibility during the construction and parking. Curt Huus, Project Manager outlined the project boundaries as Kansas City Street – Omaha Street, Mt. Rushmore Road to East Boulevard. The project is designed to be constructed in four phases, with the first phase being Kansas City Street between 5th and 8th Streets; and First between Kansas City Street and Omaha Street. Mike Bender, Wyss Associates, landscape architect indicated the streetscape is being modeled after Main and St. Joseph Streets with corner parks, pedestrian level lighting, benches, trash receptacles, crosswalks and paving patterns with color concrete. Responding to questions from Alderman Okrepkie, it was explained that there would be an irrigation system in the nodes for watering vegetation and the Parks Division will maintain the nodes and plantings. Huus indicated the proposal is to continue a bike route through the downtown area. Indicated looking at four options for bike lanes on Kansas City Street and reviewed those options with the aid of an overhead. He reviewed the concept of reverse diagonal parking, whereby a vehicle would back into a parking space; similar to parallel

parking. Huus indicated this parking concept is being used in other communities. Huus reported construction costs for Phase I as an estimated \$3 Million and indicated pavement takes the greatest percentage of the construction cost. Brian indicated the next step is to meet with the property owners affect by Phase I of the project, complete the final design, bid the project, and begin construction during the tourist off-season – November. He explained that there are still several outstanding issues that need to be resolved, one being whether there should be parking meters in this area and the other is the power lines in the alley.

Olson moved, second by Kroeger to (No. PW031406-05), authorize the Mayor and Finance Officer to sign a Professional Services Agreement with the Alliance of Architects and Engineers for Settlement of Claims Relating to the Construction of the City's Co-composting Facility for an amount not to exceed \$19,779.00. Upon a roll call vote, the motion carried with the following voting AYE: Olson, Okrepkie, Johnson, Kroeger, Hurlbut, and Chapman; NO: Kooiker, Schumacher, and Hadley.

Public Works Director Jablonski reported on the Solid Waste Issues explaining the existing co-compost stockpiles are being mixed, using soil with the idea of diluting the odor and making it a more practical product for individuals to use. He indicated they have given some of the co-compost away. He also indicated they are attempting to move the stockpiles further away from the residential areas, while still keeping it on-site. Jablonski explained that they are slowing the production of the co-compost.

GROWTH MANAGEMENT DEPARTMENT ITEMS

The Mayor presented No. CC030606-03 - direction to staff regarding the Lamplighter Inn following discussion of International Building Code Board of Appeals. City Attorney Green indicated that the issue comes down to the fact that City staff has been given conflicting direction regarding the issuance of a building permit for the Lamplighter Inn. He reminded the members of the City Council about their previous determination that the building needed to be sprinkler. He indicated that subsequent to the City Council's passage of an ordinance that made the Development Appeals Review Board (DARB) the International Building Code Board of Appeals, the applicant resubmitted the application and the Board of Appeal said to proceed with the issuance of the building permit, indicating that the Lamplighter Inn did not need to be sprinkled. Green sought direction from the Council. Alderman Johnson indicated that he was comfortable in upholding the decision made by the DARB, and explained that the City Council appoints Boards to make decisions. Schumacher moved, second by Johnson to direct staff to accept the decision of the International Building Code Board of Appeals regarding the Lamplighter Inn. Alderman Hurlbut suggested that this situation amounts to a fire trap; and that this is an attempt to circumvent the process that was in place at the time, that required the sprinkling of the structure. In response to a question from Alderman Hurlbut, Fire Chief Shepherd explained that the use of the Lamplighter Inn was changed. Kitchenettes were added to the rooms, and that changed the occupancy type and makes it a higher risk structure. Upon a roll call vote, the motion carried with the following voting AYE: Okrepkie, Johnson, Kroeger, Chapman, Kooiker, Schumacher, and Hadley; NO: Hurlbut and Olson.

ORDINANCES & RESOLUTIONS

Ordinance No. 5137 (No. LF020106-22A), Modifying the Term of Service for the Members of the Rapid City Regional Airport Board by Amending Section 2.72.020 and 2.72.030 of the Rapid

City Municipal Code having passed first reading on March 6, 2006, it was moved by Chapman, second by Kooiker that the title be read the second time. The following voted AYE: Schumacher, Hadley, Olson, Okrepkie, Johnson, Kroeger, Hurlbut, Chapman, and Kooiker; NO: None, whereupon the Mayor declared the motion passed and Ordinance No. 5137 was declared duly passed upon its second reading.

Ordinance No. 5139 (No. LF030106-19), Creating the Division of Community Development Within the City Attorney's Office by Amending Chapter 2.16 of the Rapid City Municipal Code and by Amending Section 2.47.040 of the Rapid City Municipal Code and by Repealing Chapter 2.24 of the Rapid City Municipal Code having passed first reading on March 6, 2006, it was moved by Chapman, second by Johnson that the title be read the second time. The following voted AYE: Schumacher, Hadley, Olson, Okrepkie, Johnson, Kroeger, Hurlbut, Chapman, and Kooiker; NO: None, whereupon the Mayor declared the motion passed and Ordinance No. 5139 was declared duly passed upon its second reading.

Ordinance No. 5140 (No. LF030106-25), Increasing the Allowed Length for a Common Path of Egress Travel in R-2 Occupancies by Adding Section 15.12.727 to the Rapid City Municipal Code having passed first reading on March 6, 2006, it was moved by Chapman, second by Okrepkie that the title be read the second time. The following voted AYE: Schumacher, Hadley, Olson, Okrepkie, Johnson, Kroeger, Hurlbut, Chapman, and Kooiker; NO: None, whereupon the Mayor declared the motion passed and Ordinance No. 5140 was declared duly passed upon its second reading.

Ordinance No. 5142 (No. 06RZ004), a request by Centerline for PLM Development, LLC for a **Rezoning from General Agriculture District to Low Density Residential District** on the unplatted portion of the SW1/4 SW1/4, less the N1/2 N1/2 N1/2 N1/2 SW1/4 SW1/4, Section 13, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located south of Minnesota Street and West of Fifth Street was introduced. Upon a motion made by Chapman, second by Olson and carried, Ordinance No. 5142 was placed upon its first reading and the title was fully and distinctly read, and second reading set for Monday, April 3, 2006 at 7:00 P.M.

Ordinance No. 5143 (No. 06RZ005), a request by Dream Design International, Inc. for a **Rezoning from Low Density Residential District to Medium Density Residential District** on the northern 550 feet of Lot B, Morningside Addition, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located adjacent to the North side of Thrush Drive and west of the intersection of Gold Street and Thrush Drive was introduced. Upon a motion made by Chapman, second by Johnson and carried, Ordinance No. 5143 was placed upon its first reading and the title was fully and distinctly read, and second reading set for Monday, April 3, 2006 at 7:00 P.M.

Ordinance No. 5144 (No. 06RZ006), a request by Kensington Heights, LLC for a **Rezoning from General Agriculture District to Low Density Residential District** on Lots 7 thru 10, Block 3, Kensington Heights Subdivision and the adjacent Right-of-Way; and the unplatted balance of the SE1/4 SW1/4 SW1/4, all located in Section 18, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at the southern terminus of Field View Drive was introduced. Upon a motion made by Chapman, second by Johnson and carried, Ordinance No. 5144 was placed upon its first reading and the title was fully and distinctly read, and second reading set for Monday, April 3, 2006 at 7:00 P.M.

CONTINUED ITEMS CONSENT CALENDAR – Items 26-41

Okrepiek moved, second by Olson and carried to continue the items as indicated.

Continue the following items until April 3, 2006:

26. No. 05PL157 - A request by Britton Engineering & Land Surveying for Prairiefire Investments, LLC for a **Preliminary Plat** on Lots 1 and 2, Block 4, Prairiefire Subdivision, located in NE1/4, Section 26, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of the SE1/4 NE1/4, less the Eisenbraun Subdivision, Winton Subdivision and less the E54.4' for Anderson Road Right-of-Way, all located in the NE1/4, Section 26, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at the western terminus of Mondo Street.
27. No. 05PL159 - A request by Britton Engineering for Prairiefire Investments, LLC for a **Preliminary Plat** on Lots 11-14, Block 1; Lots 4-11, Block 2; Lots 5-8, Block 3; Lots 3-8, Block 4; Prairiefire Subdivision, located in the NE1/4, Section 26, T1N, R8E, BHM, Pennington County, South Dakota, legally described as a portion of NE1/4 NE1/4 less a portion of Lot 8 and all of Lot 9 of Eisenbraun Subdivision less Winton Subdivision; all of SE1/4 NE1/4 less Eisenbraun Subdivision, less Winton Subdivision and less right-of-way; all in Section 26, T1N, R8E, BHM, Pennington County, South Dakota, located at the western terminus of Mondo Street.
28. No. 05SV060 - A request by Britton Engineering & Land Surveying for Prairiefire Investments, LLC for a **Variance to the Subdivision Regulations to waive the requirement to install sewer, curb, gutter, sidewalk, streetlight conduit; and dedicate additional right-of-way; and allow platting one half of a right-of-way** on Lots 1 and 2, Block 4, Prairiefire Subdivision, located in NE1/4, Section 26, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as a portion of the SE1/4 NE1/4, less the Eisenbraun Subdivision, Winton Subdivision and less the E54.4' for Anderson Road Right-of-Way, all located in the NE1/4, Section 26, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at the western terminus of Mondo Street.
29. No. 05SV061 - A request by Britton Engineering for Prairiefire Investments, LLC for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit and sewer as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 11-14, Block 1; Lots 4-11, Block 2; Lots 5-8, Block 3; Lots 3-8, Block 4; Prairiefire Subdivision, located in the NE1/4, Section 26, T1N, R8E, BHM, Pennington County, South Dakota, legally described as a portion of NE1/4 NE1/4, less a portion of Lot 8 and all of Lot 9 of Eisenbraun Subdivision less Winton Subdivision; all of SE1/4 NE1/4 less Eisenbraun Subdivision, less Winton Subdivision and less right-of-way; all in Section 26, T1N, R8E, BHM, Pennington County, South Dakota, located at the western terminus of Mondo Street.
30. No. 06PL003 - A request by Dream Design International, Inc. for a **Preliminary Plat** on Lots 10 thru 21 of Block 2; Lots 2 thru 8 of Block 9; Lots 1 thru 4 of Block 13 of Red Rock Meadows Subdivision, Section 28, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted portion of the N1/2 of the NW1/4 of the

NW1/4 of Section 28, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the northern terminus of Dunsmore Road.

31. No. 06PL011 - A request by D.C. Scott Surveyors, Inc., for William Morrison for a **Preliminary Plat** on Lots 1, 2 and 3 of Morrison Subdivision (formerly Parcel B of Lot 3), located in the SW1/4 SW1/4 of Section 14, T1N, R8E, BHM, Pennington County, South Dakota, legally described as Parcel B of Lot 3, located in the SW1/4 SW1/4 of Section 14, T1N, R8E, BHM, Pennington County, South Dakota, located adjacent to the north side of Green Valley Drive and east of Reservoir Road.
32. No. 06PL014 - A request by D. C. Scott Surveyors, Inc. for West River Electric Association for a **Preliminary Plat** on Lot 1R of Neff's Subdivision No. 3 (formerly Lot 1 of Neff's Subdivision and the unplatted portion of the SW1/4 SW1/4), Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot 1 of Neff's Subdivision No. 3 and the unplatted portion of the SW1/4 SW1/4, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at 400 Elk Vale Road.
33. No. 06SV004 - A request by D.C. Scott Surveyors, Inc., for William Morrison for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement and to waive the requirement to dedicate a ten foot wide planting screen easement as per Chapter 16.16 of the Rapid City Municipal Code** on Parcel B of Lot 3, located in the SW1/4 SW1/4 of Section 14, T1N, R8E, BHM, Pennington County, South Dakota, located adjacent to the north side of Green Valley Drive and east of Reservoir Road.
34. No. 06SV006 - A request by D.C. Scott Surveyors, Inc. for West River Electric Association for a **Variance to the Subdivision Regulations to waive the requirement to install curb gutter, sidewalk, street light, sewer, water and additional pavement and to waive the requirement to provide a ten foot wide planting screen easement as per Chapter 16.16 of the Rapid City Municipal Code** on Lot 1R of Neff's Subdivision No. 3 (formerly Lot 1 of Neff's Subdivision and the unplatted portion of the SW1/4 SW1/4), Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot 1 of Neff's Subdivision No. 3 and the unplatted portion of the SW1/4 SW1/4, Section 34, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at 400 Elk Vale Road.
35. No. 06VE001 - A request by Dream Design International, Inc. for a **Vacation of the Non-Access Easement** on Lots 1 and 4 of Block 20; and Lot 1 of Block 19, Red Rock Estates, located in the NE1/4 SE1/4, Section 29, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at the northwest corner of the intersection of Portrush Road and Kennemer Drive and at the northeast and northwest corners of the intersection of Portrush Road and Ainsdale Court.
36. No. 06VR001 - A request by Centerline for Founder's Park, LLC for a **Vacation of Right-of-Way** on the West Street Right-of-Way adjacent to Philadelphia Street and West Chicago Street, located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 1350 West Chicago.

Continue the following items until April 17, 2006:

37. No. 04PL185 - A request by Black Hills Surveying for a **Preliminary Plat** on Lots 4 and 5 of Owen Hibbard Subdivision, all located in the W1/2 SW1/4, Section 23, T1N, R7E, BHM, Rapid City Pennington County, South Dakota, legally described as the unplatted portion of Tract A of Tract 1, all located in the W1/2 SW1/4, Section 23, T1N, R7E, BHM, Rapid City Pennington County, South Dakota, located at the intersection of Promise Road and Golden Eagle Drive.
38. No. 06PL021 - A request by Fisk Land Surveying & Consulting Engineers for Cedar Investment Property, LLC for a **Layout Plat** on Lots 1 thru 4, Cedar Subdivision and Dedicated Right-of-Way, formerly the unplatted portion of the NE1/4 SW1/4 NE1/4, Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted portion of the NE1/4 SW1/4 NE1/4, Section 34, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located east of the intersection of Plant Street and Deadwood Avenue.
39. No. 06PL025 - A request by Wyss Associates, Inc. for Canyon Springs, LLC for a **Preliminary Plat** on Lots 1 thru 87, Block 1; Lot 1, Block 2, Canyon Springs Preserve, less Lot 1 of Firehouse Subdivision and the "Nemo" Road right-of-way, formerly the unplatted portion of the S1/2 SE1/4 and NE1/4 SE1/4 of Section 22; SW1/4 of Section 23; and the NW1/4 NW1/4 of Section 26, T2N, R6E, BHM, Pennington County, South Dakota, legally described as a tract of land located in the S1/2 SE1/4 and NE1/4 SE1/4 of Section 22; SW1/4 of Section 23; and the NW1/4 NW1/4 of Section 26; T2N, R6E, BHM, Pennington County, South Dakota, located adjacent to the west side of Nemo Road.
40. No. 06SV011 - A request by Wyss Associates, Inc. for Canyon Springs, LLC for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and pavement as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 1 thru 87, Block 1; Lot 1, Block 2, Canyon Springs Preserve, less Lot 1 of Firehouse Subdivision and the "Nemo" Road right-of-way, formerly the unplatted portion of the S1/2 SE1/4 and NE1/4 SE1/4 of Section 22; SW1/4 of Section 23; and the NW1/4 NW1/4 of Section 26, T2N, R6E, BHM, Pennington County, South Dakota, legally described as a tract of land located in the S1/2 SE1/4 and NE1/4 SE1/4 of Section 22; SW1/4 of Section 23; and the NW1/4 NW1/4 of Section 26; T2N, R6E, BHM, Pennington County, South Dakota, located adjacent to the west side of Nemo Road.

Continue the following items until May 1, 2006:

41. No. 05VR015 - A request by Peter Hendricksen for a **Vacation of Right-of-Way** on Sunnyside Avenue Right-of-Way lying adjacent to Lots 1 thru 14; the Poplar Avenue Right-of-Way lying adjacent to Lots 14, 15 and 20 foot alley Right-of-Way; and the 20 foot alley Right-of-Way lying adjacent to Lots 8 thru 14 and Lots 15 thru 21, all located in Block 11, Plainsview Second Addition, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at the southeast corner of the intersection of Poplar Street and Sunnyside Avenue.

End of Continued Items Consent Calendar

CONSENT CALENDAR ITEMS – 42-84

The following items were removed from the Consent Calendar:

42. No. PW022806-08 Deny a request for an exception to the Standard Specifications for Public Works to use HDPE Pipe for a water distribution system in Canyon Springs Reserve Subdivision.
64. No. LF031506-04 Approve proposed changes to "Tax Increment Financing in Rapid City, A Guide for Applicants".
66. Acknowledge report on the South Dakota Municipal League District Nine meeting, April 19, 2006 at 6:00 P.M. in New Underwood, SD
72. Approve recommendation of staff to supply 800 cubic yards of co-compost material to the National Cemetery at an internal cost not to exceed \$1,500 and to request staff to bring a report on this item to the City Council meeting on April 3, 2006.
77. No. 06PL001 - A request by Designworks, Inc. for Founder's Park, LLC for a **Layout Plat** on Lots 1, 2 and 3 of Founder's Park Subdivision, located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted portion of the W1/2 NW1/4 SE1/4 and Block 1 of North Riverside Addition; all located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 1350 West Chicago.
81. No. 06PL022 - A request by Dream Design International, Inc. for a **Preliminary Plat** on Lots 28 and 29, Forest Park Estates, formerly all of Lot 25R, Forest Park Estates; and all of Lot B Revised, all located in the E1/2 SW1/4, Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as all of Lot 25R, Forest Park Estates; and all of Lot B Revised, all located in the E1/2 SW1/4, Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 4231 Starlite Drive.

Hadley moved, second by Olson and carried to approve the following items as they appear on the Consent Calendar.

Public Works Committee Consent Items

43. No. PW031406-02 The following companies submitted Informal Quotes for Highway 16 Erosion Damage Repair Project No. W06-1569: J.H. Hilt Engineering; Three Sons Landscaping, Inc.; and Black Hills Hydro-Turf, Inc. The project is awarded to Three Sons Landscaping, Inc. for the low unit prices bid for a total contract amount of \$2,777.76.
44. No. PW031406-13 Approve Change Order No. 4 for East Mall Drive Project No. ST03-1334 to Heavy Constructors for an increase of \$70,692.50.
45. No. PW031406-03 Authorize staff to advertise for bids for United Field Drainage Project No. DR01-1144; CIP No. 50610.
46. No. PW031406-04 Authorize the Mayor and Finance Officer to sign a Professional Engineering Services Contract with Burns & McDonnell Engineering Company, Inc. for the Utility System Master Plan – Phase II; Project Number PW05-1447 in an amount not to exceed \$1,555,714.00.
47. No. PW031406-06 Authorize the Mayor and Finance Officer to sign Amendment No. 1 to a Professional Services Agreement with the Alliance of Architects and Engineers for the Downtown Improvement Project, Kansas City Reconstruction Project No. for a name

- change to enVision design, changing in the scope and schedule for a decrease in the amount of \$35,995.00.
48. No. PW031406-07 Authorize the Mayor and Finance Officer to sign a Professional Services Agreement with Dream Design International for Professional Engineering Services for East Highway 44 & Elk Vale Watermain Loop Project No. W03-1248; CIP #50371 for an amount not to exceed \$117,980.00.
 49. No. PW031406-08 Authorize the Mayor and Finance Officer to sign a Professional Services Agreement with TSP, Inc. to provide Construction Documents and Construction Observation and Administration Services for the East Saint Louis Street Reconstruction Project No. SSW05-1309; CIP #50468 for an amount not to exceed \$70,928.00.
 50. No. PW031406-09 Authorize the Mayor and Finance Officer to sign a Professional Services Agreement with Geiger Architecture for a Preliminary Assessment of the Big Bend Power Plant in Founder's Park for an amount not to exceed \$2,000.00.
 51. No. PW031406-10 Authorize the Mayor and Finance Officer to sign a Professional Services Agreement with Burns & McDonnell for Design, bidding, and construction services for Jackson Springs Phase 1A Implementation Plan; Project No. W05-1425.1A; CIP #50570 for an amount not to exceed \$50,918.00.
 52. No. PW031406-11 Acknowledge the Utility System Master Plan Phase I Findings Report.
 53. No. PW031406-12 Accept the engineering report titled "Evaluation Report Phase 1A Existing Jackson Springs Infiltration Gallery Customer Water Supply" by Burns & McDonnell Engineering Co., Inc. and Ferber Engineering Co., Inc.
 54. Approve the submittal of a grant application to Federal Transit Administration for 2006 Operating Assistance for the Rapid Transit System.
 55. Acknowledge the report on changing the Rapid Transit System bus colors of the fixed route buses
 56. No. PW031406-14 Approve Travel Request for Dave McFarland to attend NAFA's Fleet Management Institute Conference in Orlando, FL, May 6 – 10, 2006 for an approximate amount of \$2,252.08.

Legal & Finance Committee Consent Items

57. No. LF031506-01 Approve appointment of Scott Sogge to the Historic Preservation Commission.
58. No. LF031506-02 Approve Travel Request for Jon Dicks to attend National Forensic Academy in Knoxville, TN, September 8-November 17, 2006, in an approximate amount of \$6,906.
59. No. LF031506-12 Authorize Mayor and Finance Officer to Sign Agreement for Emergency Response of the Pennington County/Rapid City Mobile Command Center.
60. No. LF031506-03 Approve Travel Request for Dustin Willett to attend Critical Care Paramedic Class in Baltimore, MD, July 15-29, 2006, in an approximate amount of \$2,326.
61. No. LF030106-07 Declare Medtronic the sole source provider for defibrillators.
62. No. LF030106-08 Declare Stryker the sole source provider for ambulance cots.
63. Authorize staff to apply for the 2006 Assistance to Firefighters Grant from the Department of Homeland Security.
65. No. LF031506-05 Authorize the Mayor and Finance Officer to sign Rapid City D-FAST License Agreement for an amount not to exceed \$35,150.
67. Authorize the Mayor and Finance Officer to sign a Partial Release and Discharge regarding Lot 1 in Block 2 of Minnesota Park Subdivision, City of Rapid City, Pennington

- County, South Dakota, between Walgar Development Corporation and the City of Rapid City.
68. Authorize the Mayor and Finance Officer to sign a Partial Release and Discharge regarding Lot 19 in Block 6 of Robbinsdale Addition No. 10 in the City of Rapid City, Pennington County, South Dakota, between Walgar Development Corporation and the City of Rapid City.
69. No. LF031506-07 Authorize the Mayor and Finance Officer to sign Maintenance Service Agreement with Automated Maintenance Systems, Inc. for Janitorial Services at Water Reclamation.
70. No. LF031506-08 Authorize the Mayor and Finance Officer to sign Addendum to Cost Sharing Agreement with JR Investments, LLC.
71. No. LF031506-09 Approve Resolution Regarding Utility Construction Fees (Highway 16 Water Main Extension).

RESOLUTION

WHEREAS, Rapid City Municipal Code Section 13.04.095 and SDCL Section 9-47-16 allows the Common Council to impose water construction fees for connection to the water utility in certain areas; and

WHEREAS, water mains have been extended along Highway 16 from Fox Run Drive to Fairmont Boulevard per City plans filed under City Project No. W01-1159, Highway 16 Water Main Extension, as shown on Exhibit A, attached hereto and incorporated herein; and

WHEREAS, the City oversized the water mains from a 10" diameter main to a 12" diameter main under City Project W01-1159 to provide additional capacity to accommodate future surrounding area growth. The City constructed the Project with total costs incurred by the City of \$231,530.25; and

WHEREAS, water main oversize costs associated with the Highway 16 Water Main Extension, City Project No. W01-1159, should be apportioned according to the benefit each property receives; and

WHEREAS, the water main oversize costs totaling \$231,530.25 will be proportioned to the properties identified in Exhibit A according to the benefits to accrue to such property before such property shall be served with such facilities; and

WHEREAS, these utility construction fees are based on the benefits that accrue to such property, and should be established on a per-acre system. "Benefiting areas" include those properties that will benefit from increased water main diameter to service the regional area, and do not necessarily directly abut newly constructed water mains. Thus, these properties may need to extend additional water mains at their cost prior to connecting to this infrastructure; and

WHEREAS, the Common Council finds, after conducting a comprehensive investigation of the areas benefited by the construction of the water mains associated with the Highway 16 Water Main Extension, City Project No. W01-1159, that such utility

construction fees are appropriate and in the best interests of the City, community, and the water utility.

NOW, THEREFORE, be it resolved that utility construction fees are hereby imposed on the property that benefits from the construction of the water mains associated with Highway 16 Water Main Extension, City Project No. W01-1159; and

BE IT FURTHER RESOLVED that the property shown in Exhibit A shall be required to pay its proportional share of the oversize and project costs of construction of the water mains associated with Highway 16 Water Main Extension, City Project No. W01-1159, prior to being served with City water; and

BE IT FURTHER RESOLVED that the benefiting properties currently owned by Riddles, dba JR Investments LLC and R&R Realty LLP, have paid its pro rata share and therefore owe no further construction fees as part of this resolution for parcels within current PINs 3711400010, 3711400012, 3711400013, and 3711400014 and legally described as:

Tract C, Revised, Walpole Heights Subdivision, located in Section 11 of T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, consisting of 5.65 acres more or less; and

Lot AB of the E1/2 of the SE1/4 of Section 11 of T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, consisting of .4 acres more or less; and

Tract A, Revised, Less Lot H8, Tract D, Walpole Heights Subdivision, located in Section 11 of T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, consisting of 3.18 acres more or less; and

Lot AB1 of the NE1/4SE1/4 of Section 11 of T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, consisting of .45 acres more or less; and

BE IT FURTHER RESOLVED that the property shown on Exhibit A as benefiting property shall pay \$1,931.83 per acre prior to connection to the City's water main; and

BE IT FURTHER RESOLVED that all water construction fees collected as established herein shall accrue to the water utility enterprise fund; and

BE IT FURTHER RESOLVED that such utility construction fees shall remain in effect until such time as the balance of City's project costs totaling \$231,530.25 is collected, at which time this Resolution and the utility construction fee shall automatically expire.

Dated this 20th day of March, 2006.

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

CITY OF RAPID CITY
s/ Jim Shaw, Mayor

73. No. LF031506-10 Acknowledge Raffle Request from Crazy Horse.

74. No. LF031506-11 Authorize Mayor and Finance Officer to sign Order Form with Thomson West for Westlaw Services.
75. No. LF031506-16 Acknowledge Raffle Request from Secretary of State.
76. Approve the following licenses: House Mover: Ron Huntley, Huntley Construction and Geoff Hooper, Dakota Hills Housemoving; Mobile Home Park: Ash Avenue Mobile Home Park, Jennie Rosenkranz; and Brookdale Mobile Home Estates, Brenda Draper-Manager; Mechanical Contractor: Josh Eccleston, One Way Service Pro's; Electrical Apprentice: Gerald Quinn, Michael Chon, Justin Schafer, Robert Draine, Gene Pesicka, Clayton Ness, and Paul Camblin; Electrical Journeyman: Harlan Bossman; Electrical Master: Emmett Vliem and Mark Brodrick; Electrical Contractor: David Taylor, Taylor Electric; Gas Contractor: Russell Ochsner; Mechanical Appliance Specialist: Todd Goodrich; Mechanical Apprentice: Troy Hastings; Residential Contractor: William E Thompson, Western SD Community Action; Phil Harvey, Phil Harvey Construction; Mark Bradsky, Canyon Development; Timothy Lane, Silver Mountain Co.; Jim Oyler, Black Mountain Builders Inc.; Robert Brandt, Mountaintop Construction; and Daniel Bestgen, Wood Hut; Plumbing Contractor: Daryl Aston, Action Mechanical; Brad Bilka, Pine Tree Plumbing Inc.; Brian Boock, By the Boock Plumbing; Dennis Brown, DB Plumbing; Tim Callahan, Callahan Plumbing & Heating; Kevin Curl, Diamond C Mechanical; Andrew Danner, A D Mechanical; John Drewitz, JKD Plumbing; Douglas Ficken, D & T Professional Plumbing Co. Inc.; Jack Franke, Day & Night Plumbing; Jason Franke, Day & Night Plumbing; Thomas Hagemann, Action Mechanical; John Hammond Jr., Action Mechanical; Benjamin (Bruce) Hartley; Scott Hartman, Wolff's Plumbing & Heating; Jeff Heil, Heil Mechanical Inc.; Rod Holmes, Holmes Plumbing Inc.; Steve Hughes, Hughes Plumbing; Paul Iseminger, Western Mechanical Service; Robert Kenzy, Kenzy Plumbing; Kim Kerns, Metro Plumbing Inc.; Kelly Klein, Hills Plumbing & Heating; Frank Krohmer, Krohmer Plumbing; Henry Niemann, Hank's Plumbing; Larry L Olson, Olson's Plumbing & Heating; Wayne Piebenga, Wyo-Dak Plumbing & Heating; Gary Pleinis, Pleinis Plumbing; Steve Prestjohn, Black Hawk Plumbing & Heating; James Rensch, Rushmore Plumbing Services Inc.; David Rohrer, Plumber Dave; Jim Schnittgrund, Jim's Plumbing & Heating Inc.; Wesley Scholl, Scholl Plumbing & Heating Inc.; John Shook, Action Mechanical; Scott Smith, Aqua Plumbing & Heating; Allan Spodnik, Custom Plumbing; Doug Van Dierendonck, Doug's Plumbing; Dennis Walz, Dede's Faucet Repair; and Elmer Wiege, Wiege Plumbing Repair; Plumbing Plumber: Robert Bandy, Gerald Barry, Thurman Blackbird, Joel Brown, Jerome Bryant, Andrew Chado, Bernard Curl, Rick DeHaven, Roger Friedrichsen, Roger Goehner, Hilmen Hanson, Daniel Hartman, Gergory Hartman, Tim Hillestad, Leo Kline, Rodney Lagasse, Cecil Lewton, Jef Mattern, Dan Michael, Bruce Nash, Michael Ogren, Scott Piebenga, Douglas Ries, Lloyd James Roscamp, Travis Sales, Tim Scholl, John Shorter, Jim Shuman, Leonard Roy Smith, Brian Ulmer, Timothy Lee Van Buren, and Duane Venable; Plumbing Apprentice: Marlon Bordeaux, Marc Dummermuth, Larry Haney, James Haynes, Benjiman Kirkland, Clifford Larson, Dustin Maher, Travis Neal, Aaron Olson, Julian Postelnicu, Marvin Tisdall, Daniel Tribby, and Andrew Wood; Water Softening Contractor: Gary Robinson, Watertree Inc.; Refuse Collection: Bradley Dumpster Service, Mark or Lucile Bradley; Kieffer Sanitation, Inc, Alan & Cliff Kieffer; Sander Sanitation Service, Timothy J Sander; Refuse Disposal: Salomon Sanitation, Donna Salomon; Sewer and Water Journeyman: Wesley Hall; Trenching Contractor: Daniel S. Lundeen, Lundeen Construction Services.

Growth Management Department Consent Items

78. No. 06PL004 - A request by Dream Design International, Inc. for a **Preliminary Plat** on Lots 1 thru 7 of Marlin Industrial Park, located in Lot A Lot A of the NE1/4 of the NW1/4 less Lot H1 and less the Right-of-Way and the unplatted portion of the NW1/4 of the NE1/4 of Section 20, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot A of the NE1/4 of the NW1/4 less Lot H1 and less the Right-of-Way and the unplatted portion of the NW1/4 of the NE1/4 of Section 20, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at the southeast corner of the intersection of Elk Vale Road and Old Folsom Road. (APPROVE PRELIMINARY PLAT WITH THE FOLLOWING STIPULATIONS: 1. An exception to the Street Design Criteria Manual to allow a cul-de-sac length to 1316 feet in lieu of 1200 feet in an industrial area and to allow more than 200 trips per day on the cul-de-sac is hereby granted; 2. Prior to start of construction an Air Quality permit shall be obtained; 3. Prior to Preliminary Plat approval by City Council, all necessary changes shall be made to the construction plans as identified on the redlined drawings. In addition, the redlined drawings shall be returned to the Growth Management Department; 4. Prior to start of construction, access easements for utilities shall be obtained and recorded with the Register of Deeds and a copy shall be submitted to Growth Management; 5. Prior to start of construction, a South Dakota Department of Transportation approach permit for Creek Drive shall be obtained and a copy submitted to Growth Management; 6. Prior to start of construction, a grading permit from the South Dakota Department of Transportation for work in the right-of-way along Elk Vale Road shall be obtained and a copy submitted to Growth Management; 7. Prior to Preliminary Plat approval by City Council, the Iowa, Chicago & Eastern Railroad Corporation shall enter into an agreement with the City of Rapid City to allow the construction of City water and sewer lines in the Railroad right-of-way. In addition the agreement shall be recorded at the Register of Deeds Office; 8. Upon submittal of the Final Plat application, a cost estimate for the subdivision improvements shall be submitted for review and approval; and; 9. Upon submittal of the Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid.)
79. No. 06PL012 - A request by Boschee Engineering for Mike Gould for a **Layout Plat** on Lots 1 thru 16, Darlington Estates, formerly that portion of the NE1/4 lying west of the Railroad Right-of-Way; and the N1/2 NW1/4, Section 34, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, legally described as that portion of the NE1/4 lying west of the Railroad Right-of-Way; and the N1/2 NW1/4, Section 34, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at the southeast corner of the intersection of Old Folsom Road and Lamb Road. (APPROVE LAYOUT PLAT WITH THE FOLLOWING STIPULATIONS: 1. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show an access easement and/or right-of-way along the first 275 feet of Lots 4 and 5. In addition, construction plans shall be submitted for review and approval showing the access easement and/or right-of-way with a minimum width of 49 feet and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained or the plat document shall be revised to reconfigure the lots eliminating the flagpole configuration; 2. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show an access easement and/or right-of-way along the first 650 feet of Lots 14 and 15. In addition, construction plans shall be submitted for review and approval showing the access easement and/or right-of-way with a minimum width of 49 feet and constructed with a minimum 24 foot wide paved surface,

curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained or the plat document shall be revised to reconfigure the lots eliminating the flagpole configuration; 3. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to waive the requirement to provide intermediate turnaround(s) every 600 feet as per the Street Design Criteria Manual or the plat document shall be revised accordingly; 4. Prior to Preliminary Plat approval by the City Council, a Variance to the Subdivision Regulations shall be obtained to allow a lot twice as long as it is wide or the plat document shall be revised to comply with the length to width requirement; 5. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show the 55 foot diameter emergency turn-around easement as right-of-way or the plat document shall be revised eliminating the flagpole lot configuration(s) from the easement; 6. Upon submittal of a Preliminary Plat application, the plat document be revised eliminating the flagpole configuration of Lot 2; 7. Upon submittal of a Preliminary Plat application, a grading plan and an erosion and sediment control plan for all improved areas shall be submitted for review and approval; 8. Upon submittal of a Preliminary Plat application, a drainage plan shall be submitted for review and approval. In particular, the drainage plan shall provide on-site detention as needed. In addition, the plat document shall be revised to provide drainage easements as necessary; 9. Upon submittal of a Preliminary Plat application, a geotechnical report including pavement design shall be submitted for review and approval. In addition, the geotechnical report shall identify recommendations for the large deep embankment area; 10. Upon submittal of a Preliminary Plat application, 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 or a Variance to the Subdivision Regulations shall be obtained. If individual on-site wastewater systems are proposed, then an on-site wastewater plan prepared by a Professional Engineer demonstrating that the soils are suitable for on-site wastewater systems must be submitted for review and approval; 11. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review. If a shared well and/or a community water facility is proposed then it shall be designed as a public water system or a Variance to the Subdivision Regulations shall be obtained. In particular, the water system shall be constructed and designed to provide adequate fire and domestic flows. In addition, the plat document shall be revised to show utility easement(s) as needed; 12. Upon submittal of a Preliminary Plat application, a utility master plan including public and private utilities shall be submitted for review and approval; 13. Upon submittal of a Preliminary Plat application, road construction plans for Lamb Road shall be submitted for review and approval. In particular, the street shall be located in a minimum 100 foot right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained. In addition, the plat document shall be revised to show the dedication of 17 additional feet of right-of-way; 14. Upon submittal of a Preliminary Plat application, road construction plans for Hidalgo Court and Kimberwick Road shall be submitted for review and approval. In particular, the road construction plans shall show the streets located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, street light conduit, water and sewer or the streets shall be located in a minimum 45 foot wide right-of-way and constructed with a minimum 20 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained. If on-street parking is not provided, the developer shall

provide visitor parking at the rate of one paved parking stall per dwelling located within three hundred feet of the residence and the street shall be posted with no parking signs. In addition, a turnaround shall be provided at the end of the street with a minimum 110 foot wide diameter easement or right-of-way and constructed with a minimum 96 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water or a Variance to the Subdivision Regulations shall be obtained; 15. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow a 1,260 foot long cul-de-sac with no intermediate turnarounds in lieu of a maximum 1,200 foot long cul-de-sac with an intermediate turnaround every 600 feet as per the Street Design Criteria Manual or the plat document shall be revised accordingly; 16. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show the section line highway relocated to Lamb Road and Old Folsom Road as approved by the Pennington County Board of Commissioners; 17. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show the dedication of 17 additional feet of right-of-way for Old Folsom Road or a Variance to the Subdivision Regulations shall be obtained; 18. Upon submittal of a Preliminary Plat application, the plat document shall be revised to reconfigure Lots 7 and 8 to allow access to each lot from Hidalgo Court. In addition, the plat document shall be revised to reconfigure Lots 9, 10, 15 and 16 to allow access to each lot from Kimberwick Road; 19. Upon submittal of a Preliminary Plat application, the plat document shall be revised to show a non-access easement along Old Folsom Road and Lamb Road and the first 115 feet of Hidalgo Court and Kimberwick Road as they extend south from Lamb Road as per the Street Design Criteria Manual or an Exception shall be obtained; 20. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval; 21. Prior to submittal of a Preliminary Plat application, the property shall be rezoned by Pennington County to a zoning district that allowed the proposed lot sizes or the plat document shall be revised accordingly; 22. Prior to submittal of a Final Plat application, the applicant shall submit proof of the legal entity which will provide the mechanism for street maintenance and snow removal. In particular, an agreement with Pennington County shall be submitted for review and approval indicating that the proposed street shall be accepted by Pennington County for road maintenance and snow removal; or evidence shall be submitted for review and approval that a road district has been established in accordance with SDCL 31-12A-1; or a legally binding agreement shall be submitted for review and approval by the City Council which guarantees sufficient financial commitment to provide these services; 23. Upon submittal of a Final Plat application, the plat document shall be revised to show a ten foot wide planting screen easement along Old Folsom Road and Lamb Road or a Variance to the Subdivision Regulations shall be obtained. In addition, the planting screen easement shall not conflict with utility easement(s); 24. Upon submittal of a Final Plat application, a note shall be placed on the plat document stating that "a reserve drainfield area shall be identified upon submittal of a building permit" and that "on-site wastewater disposal systems shall be mound systems, holding tanks or evapotranspiration systems only if percolation and profile information is not sufficient for conventional systems"; and, 25. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid.)

80. No. 06PL013 - A request by Centerline, Inc. for PLM Land Development, LLC for a **Layout Plat** on Lots 1 thru 92, PLM Subdivision, Phase 2A, Section 13 T1N, R7E, Rapid City, Pennington County, South Dakota, legally described as the SW1/4 SW1/4 less N1/2

N1/2 N1/2 N1/2 SW1/4 SW1/4; the unplatted balance of the N1/2 NW1/4; and the unplatted balance of the SW1/4 NW1/4, Section 13 T1N, R7E, Rapid City, Pennington County, South Dakota, located south of Minnesota Street and west of Fifth Street. (APPROVE LAYOUT PLAT WITH THE FOLLOWING STIPULATIONS: 1. An Exception to allow a five foot wide curb side sidewalk in lieu of a four foot wide property line sidewalk is hereby granted with the stipulation that a minimum five foot wide clear area be maintained along the sidewalk with no encroachments, including mailboxes or other appurtenances; 2. Upon submittal of a Preliminary Plat application, a geotechnical report including pavement design shall be submitted for review and approval. In addition, the geotechnical report shall include soils resistivity test results. If the results indicate severe potential towards corrosion of buried metal, then information shall be provided identifying that corrosion protection per Rapid City Standard Specifications is adequate protection or additional corrosion protections shall be provided as needed for buried water system metal fixtures; 3. Upon submittal of a Preliminary Plat application, a grading plan and an erosion and sediment control plan for all improved areas shall be submitted for review and approval; 4. Upon submittal of a Preliminary Plat application, a drainage plan in accordance with the South Robbinsdale Drainage Basin Plan shall be submitted for review and approval. In addition, the drainage plan shall demonstrate that the design flows do not exceed pre-developed flows or on-site detention shall be provided. If on-site detention is required, then design calculations and details for the detention shall be submitted for review and approval. In addition, the plat document shall be revised to provide drainage easements as necessary; 5. Upon submittal of a Preliminary Plat application, a utility master plan including public and private utilities shall be submitted for review and approval; 6. Upon submittal of a Preliminary Plat application, 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 or a Variance to the Subdivision Regulations shall be obtained. The plat document shall also be revised to provide utility easements as needed; 7. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the water plans shall demonstrate that adequate fire and domestic flows are being provided. The plat document shall also be revised to provide utility easements as needed; 8. Upon submittal of a Preliminary Plat application, road construction plans for the east- west street located in the northern portion of the property shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained; 9. Upon submittal of a Preliminary Plat application, road construction plans for the proposed 30 foot wide access and utility easement shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or the street shall be located in a minimum 45 foot wide easement and constructed with a minimum 20 foot wide paved surface, curb, gutter, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained. If on-street parking is not provided, the developer shall provide visitor parking at the rate of one paved parking stall per dwelling located within three hundred feet of the residence and the street shall be posted with no parking signs. In addition, the construction plans shall identify the construction of a

permanent turnaround at the end of the access and utility easement with a minimum 110 foot diameter right-of-way and a minimum 96 foot diameter paved surface or a hammerhead turnaround as approved by the Fire Department or a Variance to the Subdivision Regulations shall be obtained; 10. Upon submittal of a Preliminary Plat application, road construction plans for Enchanted Pines Drive shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained; 11. Upon submittal of a Preliminary Plat application, road construction plans for Stumer Road shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained; 12. Upon submittal of a Preliminary Plat application, road construction plans for the cul-de-sac street located in the southern portion of the property shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 49 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer. In addition, the construction plans shall identify the construction of a permanent turnaround at the end of the cul-de-sac with a minimum 110 foot diameter right-of-way and a minimum 96 foot diameter paved surface or a Variance to the Subdivision Regulations shall be obtained; 13. Upon submittal of a Preliminary Plat application, road construction plans for the north-south street located in the western portion of the property shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 52 foot wide right-of-way and constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained; 14. Upon submittal of a Preliminary Plat application, road construction plans for the north-south section line highway and the east-west section line highway shall be submitted for review and approval. In particular, the road construction plans shall show the streets constructed with a minimum 27 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained or the section line highways shall be vacated; 15. Prior to submittal of a Preliminary Plat application, the plat document shall be revised providing access to the northern portion of the subject property and to an area located east of the cul-de-sac street or these areas shall be incorporated into the adjacent proposed lot(s); 16. Prior to submittal of a Preliminary Plat application, the applicant shall coordinate access points with the property owners for those properties located west of the subject property and the Rapid City School District property and the Youth and Family Services property located east of the subject property; 17. Prior to Preliminary Plat approval by the City Council, an Exception shall be obtained to allow a 950 foot long cul-de-sac with no intermediate turnarounds in lieu of an intermediate turnaround every 600 feet as per the Street Design Criteria Manual or the plat document shall be revised accordingly; 18. Prior to submittal of a Preliminary Plat application, the US Highway 16 Neighborhood Area Future Land Use Plan shall be revised to allow the proposed densities or the plat document shall be revised accordingly; 19. Prior to Preliminary Plat approval by the City Council, a Variance to the Subdivision Regulations shall be obtained to allow a lot length greater than twice the lot width or the plat shall be revised to comply with the length to width requirement; 20. Upon submittal of a

Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval; 21. Prior to submittal of a Final Plat application, the plat document shall be revised to provide non-access easements in compliance with the Street Design Criteria Manual; 22. Prior to submittal of a Final Plat application, the applicant shall submit street names to the Emergency Services Communication Center for review and approval. In addition, the plat document shall be revised to show the approved street names; 23. Prior to submittal of a Final Plat application, the plat title shall be revised replacing "PLM Subdivision Phase 2A" with an acceptable subdivision heading as per the Register of Deed's Office, such as "PLM Subdivision #2"; and, 24. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid.)

82. Authorize the Mayor and Finance Officer to sign the waiver of right to protest a future assessment for the installation of water along a portion of Ponderosa Court as it abuts Lot 5 of Lot 3, Block 4, Grandview Tract, all located in the SW1/4 NE1/4, NW1/4 NE1/4, SE1/4 NW1/4, Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota. (06PL023)
83. No. 06PL023 - A request by Sperlich Consulting, Inc. for Richard Huffman and James and Patricia Mirehouse for a **Layout Plat** on Lot 5R of Lot 3, Block 4, Grandview Tract, formerly Lot 5 of Lot 3, Block 4, Grandview Tract, and a portion of Lot 4, Block 2, Parkridge Village No. 2; Lot 4R, Block 2, Parkridge Village No. 2, formerly a portion of Lot 4, Block 2, Parkridge Village No. 2, all located in the SW1/4 NE1/4, NW1/4 NE1/4, SE1/4 NW1/4, Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as Lot 5 of Lot 3, Block 4, Grandview Tract, and a portion of Lot 4, Block 2, Parkridge Village No. 2; and a portion of Lot 4, Block 2, Parkridge Village No. 2, all located in the SW1/4 NE1/4, NW1/4 NE1/4, SE1/4 NW1/4, Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 3821 Park Drive and 3810 Ponderosa Court. (APPROVE LAYOUT PLAT WITH THE FOLLOWING STIPULATIONS: 1. Upon submittal of a Preliminary Plat, construction plans showing the extension of a sewer main from Park Drive to Ponderosa Court shall be submitted for review and approval or a Variance to the Subdivision Regulations must be obtained. In addition, the plat document shall be revised to show public utility easements as needed; 2. Prior to submittal of a Final Plat application, the applicant shall sign a waiver of right to protest any future assessment for the installation of water along Ponderosa Court to serve proposed Lot 5R; 3. Upon submittal of a Preliminary Plat, the plat document shall be revised to show the dedication of 20 additional feet of right-of-way along Park Drive or a Variance to the Subdivision Regulations shall be obtained; 4. Upon submittal of a Preliminary Plat, a note be placed on the plat document stating that "a detailed grading and drainage plan for Lot 4R shall be submitted for review and approval prior to issuance of a building permit. In addition, the top of the driveway shall not exceed the existing elevation of the existing detention cell embankment"; 5. Upon submittal of a Preliminary Plat, the plat document shall be revised to show the major drainage easement following the 3434 elevation contour; 6. Upon submittal of a Preliminary Plat, a cost estimate for any required subdivision improvements shall be submitted for review and approval; 7. Upon submittal of a Preliminary Plat, the existing drainage structure with elevations shall be shown on the topographic information and submitted for review and approval; 8. Upon submittal of a Preliminary Plat, the plat document shall be revised to provide a ten foot

wide planting screen easement along Park Drive or a Variance to the Subdivision Regulations shall be obtained; and, 9. Upon submittal of the Final Plat, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid.)

84. No. 06PL024 - A request by Renner & Associates for Sean Doyle for a **Layout Plat** on Lots 1 and 2, Block 1, Harmony Heights No. 2, formerly the NE1/4 NE1/4 SW1/4, less Tract 8R, Harmony Heights, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the NE1/4 NE1/4 SW1/4, less Tract 8R, Harmony Heights, Section 26, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located south of the intersection of Vista Ridge Road and Harmony Heights Lane. (LAYOUT PLAT BE DENIED WITHOUT PREJUDICE.)

END OF CONSENT CALENDAR

Hadley moved, second by Okrepkie and carried to (No. PW022806-08), deny a request for an exception to the Standard Specifications for Public Works to use HDPE Pipe for a water distribution system in Canyon Springs Reserve Subdivision.

The Mayor presented No. LF031506-04, proposed changes to "Tax Increment Financing in Rapid City, A Guide for Applicants". Community Planner Bulman distributed a revised document pointing out an omission that stipulates that if an application is denied, resubmission of the request can not occur for thirty days from the date of denial. City Attorney Green, in response to questions from Alderman Johnson, explained that State statute requires that the Planning Commission conduct a public hearing, and that the Planning Commission recommend boundaries to the City Council. If the Planning Commission does not recommend boundaries, the City Council has nothing to act upon. When boundaries are recommended, the Planning Commission is required to forward a project plan. He advised that the City Council can amend both the boundaries and the project plan. Johnson moved, second by Olson to approve the proposed changes to "Tax Increment Financing in Rapid City, A Guide for Applicants". Motion carried.

Johnson moved, second by Olson and carried to acknowledge a report on the South Dakota Municipal League District Nine meeting, April 19, 2006 at 6:00 P.M. in New Underwood, SD.

Kroeger moved, second by Olson and carried to approve recommendation of staff to supply 800 cubic yards of co-compost material to the National Cemetery at an internal cost not to exceed \$1,500 and to request staff to bring a report on this item to the City Council meeting on April 3, 2006.

The Mayor presented No. 06PL001, a request by Designworks, Inc. for Founder's Park, LLC for a **Layout Plat** on Lots 1, 2 and 3 of Founder's Park Subdivision, located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as the unplatted portion of the W1/2 NW1/4 SE1/4 and Block 1 of North Riverside Addition; all located in Section 35, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 1350 West Chicago. Olson moved, second by Hadley to approve the Layout Plat with the following stipulations: 1. Upon submittal of a Preliminary Plat application, a geotechnical report including pavement design shall be submitted for review and approval. In addition, the geotechnical report shall include soils resistivity test results. If the results indicate severe potential towards corrosion

of buried metal, then information shall be provided identifying that corrosion protection per Rapid City Standard Specifications is adequate protection or additional corrosion protections shall be provided as needed for buried water system metal fixtures; 2. Upon submittal of a Preliminary Plat application, a grading plan and an erosion and sediment control plan for all improved areas shall be submitted for review and approval; 3. Upon submittal of a Preliminary Plat application, a drainage plan in compliance with the Morningside Drainage Basin Plan shall be submitted for review and approval. In addition, the drainage plan shall demonstrate that the design flows do not exceed pre-developed flows or on-site detention shall be provided. If on-site detention is required, then design calculations and details for the detention shall be submitted for review and approval. In addition, the plat document shall be revised to provide drainage easements as necessary; 4. Upon submittal of a Preliminary Plat application, a utility master plan including public and private utilities shall be submitted for review and approval. In particular, the master plan shall identify sanitary sewer service to the entire project and demonstrate the ability to serve developable property within the collection basin outside of the boundaries of the property; 5. Upon submittal of a Preliminary Plat application, 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 or a Variance to the Subdivision Regulations shall be obtained. The plat document shall also be revised to provide utility easements as needed; 6. Upon submittal of a Preliminary Plat application, water plans prepared by a Registered Professional Engineer showing the extension of water mains shall be submitted for review and approval or a Variance to the Subdivision Regulations shall be obtained. In addition, the water plans shall demonstrate that adequate fire and domestic flows are being provided. The plat document shall also be revised to provide utility easements as needed; 7. Upon submittal of a Preliminary Plat application, road construction plans for the north-south commercial street shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 59 foot wide right-of-way and constructed with a minimum 26 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained; 8. Upon submittal of a Preliminary Plat application, road construction plans for West Street shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 76 foot wide right-of-way and constructed with a minimum 40 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained or the street shall be vacated. If the street is vacated, than a Comprehensive Plan Amendment to the Major Street Plan shall be obtained eliminating West Street as a collector street; 9. Upon submittal of a Preliminary Plat application, road construction plans for the 60 foot wide road easement shall be submitted for review and approval. In particular, the road construction plans shall show the street constructed with a minimum 24 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained or the easement shall be vacated. If the easement is vacated, then an alternate street connection shall be provided to the adjacent property located west of the subject property; 10. Upon submittal of a Preliminary Plat application, road construction plans for the proposed private access easement extending west from the commercial street to the southwest corner of the subject property shall be submitted for review and approval. In particular, the road construction plans shall show the street located in a minimum 49 foot wide right-of-way and/or easement and constructed with a minimum 20 foot wide paved surface, curb, gutter, sidewalk, street light conduit, water and sewer or a Variance to the Subdivision Regulations shall be obtained; 11. Upon submittal of a Preliminary Plat application, construction plans for the proposed 15 foot wide pedestrian access easement shall be submitted for review and approval. In particular, the construction plans shall show the

construction of an eight foot wide sidewalk. In addition, the Parks and Recreational Department shall review and approve that portion of the pedestrian access proposed to be located through the adjacent City park. The City Council shall also review and approve the use of the City property for the location of pedestrian access. In addition, a SDCL 11-6-19 Review shall be submitted for review and approval for the construction of a sidewalk on public property or the construction plans for the sidewalk shall be included with the Preliminary Plat of the subject property; 12. Prior to the start of any development, a Floodplain Development Permit and a 404 Permit shall be obtained if and as needed; 13. Upon submittal of the Preliminary Plat application, 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 or a Variance to the Subdivision Regulations waiving the requirement to provide a central water system shall be obtained. In addition, the International Fire Code shall be continually met; 14. Upon submittal of a Preliminary Plat application, a cost estimate of the subdivision improvements shall be submitted for review and approval; 15. Prior to submittal of a Final Plat application, the plat document shall be revised to provide non-access easements in compliance with the Street Design Criteria Manual; 16. Prior to submittal of a Final Plat application, the applicant shall submit street names to the Emergency Services Communication Center for review and approval. In addition, the plat document shall be revised to show the approved street names; and, 17. Upon submittal of a Final Plat application, surety for any required subdivision improvements that have not been completed shall be posted and the subdivision inspection fees shall be paid. Steven Brenden, Rapid City noted his concerns about an encroachment into the floodplain and a need for a larger access easement. Upon a vote being taken on the motion to approve, the motion carried.

The Mayor presented No. 06PL022, a request by Dream Design International, Inc. for a **Preliminary Plat** on Lots 28 and 29, Forest Park Estates, formerly all of Lot 25R, Forest Park Estates; and all of Lot B Revised, all located in the E1/2 SW1/4, Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, legally described as all of Lot 25R, Forest Park Estates; and all of Lot B Revised, all located in the E1/2 SW1/4, Section 16, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 4231 Starlite Drive. Hadley moved, second by Olson and carried to continue the Preliminary Plat to the April 3, 2006 Council meeting.

ALCOHOLIC BEVERAGE LICENSE APPLICATIONS

The Mayor announced the meeting was open for hearing on the listed applications for Alcoholic Beverage Licenses to operate within the City of Rapid City, South Dakota. No comments or objections were voiced. Chapman moved, second by Johnson and carried to close the public hearing.

Chapman moved, second by Kroeger and carried to approve the following alcohol license application:

85. **American Red Cross** for a special Wine License for an event scheduled March 29, 2006 at the Elks Theater, 512 6th Street
86. **Black Hills Community Theatre, Inc.** for a special Wine License for an event scheduled April 1, 2006 at the Dahl Arts Center, 713 7th Street
87. **Rapid City Library Foundation, Inc.** for a special Wine License for an event scheduled April 8, 2006 at the Rapid City Library

88. M. G. Oil Company dba **Clock Tower Lounge**, 2525 West Main Street for a Retail (On-Sale) Liquor License transfer from Alta-Lee, Inc. dba Clock Tower Lounge
89. Red Rock Golf Club, LLC dba **Red Rock Golf Club**, 6520 Birkdale Drive for a Retail (On-Sale) Liquor License transfer from Century Motels, Inc. dba **Howard Johnson Express Inn & Suites**, 950 North Street
90. Mary Jane or Oliver Freimark dba **Embers B-B-Q**, 5412 Hwy. 16 for a Retail (On-Off Sale) Malt Beverage License
91. Mary Jane or Oliver Freimark dba **Embers B-B-Q**, 5412 Hwy. 16 for a Retail (On-Sale) Wine License

Set for Hearing (April 3, 2006)

Chapman moved, second by Kroeger and carried, and the Finance Officer was directed to publish notice of hearing on the following application, said hearing to be held as follows:

92. **Rapid City Fine Arts Center, Inc.** for a special Beer & Wine License for an event scheduled April 14, 2006 at the Dahl Arts Center, 713 7th Street
93. **Rapid City Fine Arts Center, Inc.** for a special Beer & Wine License for an event scheduled April 21, 2006 at the Dahl Arts Center, 713 7th Street
94. **Rapid City Fine Arts Center, Inc.** for a special Beer & Wine License for an event scheduled April 22, 2006 at the Dahl Arts Center, 713 7th Street
95. **Rapid City Fine Arts Center, Inc.** for a special Beer & Wine License for an event scheduled April 23, 2006 at the Dahl Arts Center, 713 7th Street
96. **South Dakota Democratic Party** for a special Beery & Wine License for an event scheduled April 12, 2006 at the Prairie Edge, 606 Main Street
97. **Native American Journalists Foundation, Inc.** for a special Beer & Wine License for an event scheduled June 6, 2006 at the Prairie Edge, 606 Main Street
98. **United Downtown Association** for a special Beer License for an event schedule July 1, 2006 on 6th Street between Rapid Street and Main Street
99. **Rushmore German Club** for a special Beer License for an event schedule August 18 – 26, 2006 at the Central States Fair, 800 San Francisco Street

ITEMS FROM COUNCIL MEMBERS/LIAISON REPORTS

Alderman Hadley explained that Storm Sewer Maintenance was discussed during a Storm Water Phase II Committee meeting. Hadley pointed out the number of existing storm sewers, indicating these inlets are in dire need of maintenance because they have filled with silt, leaves and other debris. As these storm water inlets become a problem, City staff is dispatched to perform the needed maintenance. Hadley suggested it will take a substantial amount of money to clean out the storm sewers; but once all the storm sewers have been cleaned, a routine maintenance program might not be costly. He suggested that eventually the City Council will have to do something to clean out the storm sewers. Hadley moved, second by Olson to request staff to bring forward, a proposal during the budget process, to clean out the storm sewers inlets and also a cost as to what a yearly maintenance would be to keep those up. Motion carried.

Alderman Chapman addressed the Council agenda format pointing out the late night meetings, and indicated his concern stemmed from the criticism of the Rapid City Journal on the Wal-Mart issue. Chapman reported visiting with a member of the Journal editorial staff who offered several suggestions that he believed worthy of consideration. Chapman suggested a half-day

Council Retreat to work on the Council agenda format and ask that the Mayor's Office coordinate this retreat. He explained that the retreat should be held after the election and before the new Council is seated, June 21 – 30, 2006. Elkins believed a Council Retreat should be standard after each election. Chapman moved, second by Schumacher to have the Mayor's Office coordinate a half-day retreat, and recommended dates of June 21 – 30, 2006. Motion carried.

Alderman Schumacher addressed garbage collection for Monday's customers, explaining that the City has made the decision not to collect the garbage because of the snow storm; and Monday's customers would have to wait until the following week. Schumacher questioned the difference between this situation and a holiday week when efforts are condensed to accomplish the Monday to Friday garbage collection. He suggested there will be extra garbage for the following Monday, which could create a problem for City workers. Alderman Hadley reported receiving a complaint from a concerned citizen. Hadley indicated that he is not opposed to extending the collection service and paying overtime on Saturday to get the task done. Hadley moved, second by Johnson to request staff to work on the issue of garage collection for Monday's customers. Motion carried.

FINANCE OFFICER'S ITEMS

Finance Officer Preston reported the 2006 Local Board of Equalization will convene Wednesday, March 22, 2006 from 1:00 P.M. to 4:00 P.M.; and Thursday, March 23, 2006 from 8:00 A.M. to 12:00 P.M. at the Pennington County Courthouse in the Commissioner's Meeting Room

BID AWARDS

The following companies submitted bids for No. CC030606-02 Block 8 Alley Paving - West Boulevard Addition Project No. ST03-1330 / CIP No. 50595 opened February 28, 2006: Mainline Contracting, Hills Materials Company and R.C.S. Construction, Inc. Staff reviewed the bids and recommends award to R.C. S. Construction, Inc. Kroeger moved, second by Johnson and carried to approve the bid award of Block 8 Alley Paving - West Boulevard Addition Project No. ST03-1330 to the lowest responsible bidder meeting specifications, R.C.S. Construction, Inc. for the low unit prices bid for a total contract amount of \$72,373.40.

The following companies submitted bids for No. CC030606-02 6th Street and Hillcrest Drive Water Main Extension Project No. W05-1521 / CIP No. 50614 opened February 28, 2006: Hills Materials Company, Quinn Construction, Mainline Contracting, Simon Contracting of South Dakota, Inc., and R.C.S. Construction, Inc. Staff reviewed the bids and recommends the bid award be referred to the April 3, 2006 Council meeting. Kroeger moved, second by Olson and carried to continue the bid award to the April 3, 2006 Council meeting.

The following companies submitted bids for No. CC032006-02 Skyline Drive and Tower Road Intersection Reconstruction Project No. ST02-1238 / CIP No. 50405-1238 opened March 14, 2006: Simon Contractors of South Dakota, Inc., Hills Materials Company, and R.C. S. Construction, Inc. Staff reviewed the bids and recommends award to R.C.S. Construction, Inc. Olson moved, second by Kroeger and carried to approve the bid award of Skyline Drive and Tower Road Intersection Reconstruction Project No. ST02-1238 to the lowest responsible

bidder meeting specifications, R.C.S. Construction, Inc. for the low unit prices bid for a total contract amount of \$70,981.00.

The following companies submitted bids for No. CC032006-02 Water Reclamation Facility Paving and Sidewalk Project No. WRF04-1407 / CIP No. 50578 opened March 14, 2006: Simon Contractors of South Dakota, Inc., Hills Materials Company and R.C.S. Construction, Inc. Staff reviewed the bids and recommends award to Simon Contractors of South Dakota, Inc. Olson moved, second by Okrepkie and carried to approve the bid award of Water Reclamation Facility Paving and Sidewalk Project No. WRF04-1407 to the lowest responsible bidder meeting specifications, Simon Contractors of South Dakota, Inc. for the low unit prices bid for a total contract amount of \$151,444.30.

The following companies submitted bids for No. CC032006-02 2006 Street Painting Contract Project No. PM06-1566 / CIP No. 50594 opened March 14, 2006: Traffic Services Company, LLC, Bestway Traffic, Inc., and United Rentals Highway Technologies, Inc. Staff reviewed the bids and recommends award to Traffic Services Company, LLC. Kroeger moved, second by Olson and carried to approve the bid award of 2006 Street Painting Contract Project No. PM06-1566 to the lowest responsible bidder meeting specifications, Traffic Services Company, LLC for the low unit prices bid for a total contract amount of \$80,797.80.

The following companies submitted bids for No. CC032006-02 2006 Street Marking Contract Project No. PM06-1567 / CIP No. 50593 opened March 14, 2006: Traffic Services Company, LLC, Bestway Traffic, Inc., and United Rentals Highway Technologies, Inc. Staff reviewed the bids and recommends award to United Rentals Highway Technologies, Inc. Kroeger moved, second by Okrepkie and carried to approve the bid award of 2006 Street Marking Contract Project No. PM06-1567 to the lowest responsible bidder meeting specifications, United Rentals Highway Technologies, Inc for the low unit prices bid for a total contract amount of \$51,451.00.

The following companies submitted bids for No. CC032006-02 One (1) New Current Model Year Tandem Dump Truck, Street Division opened March 14, 2006: West River International, Inc., Sanitation Products, Inc., and Eddie's Truck Sales, Inc. Staff reviewed the bids and recommends award to Sanitation Products, Inc. Kroeger moved, second by Okrepkie and carried to approve the bid award One (1) New Current Model Year Tandem Dump Truck to the lowest responsible bidder meeting specifications, Sanitation Products, Inc. for the low unit price bid for a contract amount of \$98,567.00, less Trade-In for \$16,300.00 for a total contract amount of \$82,267.00.

The following companies submitted bids for No. CC032006-02 One (1) New Current Model Year Tandem Flatbed Truck, Street Division opened March 14, 2006: West River International, Inc., Sanitation Products, Inc., and Eddie's Truck Sales, Inc. Staff reviewed the bids and recommends award to Sanitation Products, Inc. Kroeger moved, second by Johnson and carried to approve the bid award of One (1) New Current Model Year Tandem Flatbed Truck to the lowest responsible bidder meeting specifications, Sanitation Products, Inc. for the low unit price bid for a total contract amount of \$66,453.00.

The following companies submitted bids for No. CC032006-02 One (1) New Current Model Year Vacuum Street Sweeper, Street Division opened March 14, 2006: Sheehan Mack Sales & Equipment, Inc., and Sanitation Products, Inc. Staff reviewed the bids and recommends award to Sheehan Mack Sales & Equipment, Inc. Johnson moved, second by Okrepkie and carried to

approve the bid award of One (1) New Current Model Year Vacuum Street Sweeper to the lowest responsible bidder meeting specifications, Sheehan Mack Sales & Equipment, Inc. for the low unit price bid for a contract amount of \$183,552.00, less Trade-In for \$30,000.00 for a total contract amount of \$153,552.00.

The following companies submitted bids for No. CC032006-02 Ready Mixed Concrete, Various City Departments opened March 14, 2006: Hills Materials Company. Staff recommends all bids be rejected and staff authorized to readvertise for bids. Hadley moved, second by Olson and carried to reject all bids and authorize staff to advertise for bids.

The following companies submitted bids for No. CC032006-02 Limestone Gravel, Various City Departments opened March 14, 2006: Pete Lien & Sons and Hills Materials Company. Staff reviewed the bids and recommends award to Pete Lien & Sons. Hadley moved, second by Schumacher and carried to approve the bid award of Limestone Gravel to the lowest responsible bidder meeting specifications, Pete Lien & Sons for the low unit prices bid.

The following companies submitted bids for No. CC032006-02 Hot Mixed Asphaltic Concrete and Asphalt Maintenance Mixtures, Various City Departments opened March 14, 2006: Hills Materials. Staff recommends all bids be rejected and staff authorized to readvertise for bids. Hadley moved, second by Schumacher and carried to reject all bids and authorize staff to advertise for bids.

The following companies submitted bids for No. CC032006-02 Handheld, Mobile TwoWay Radios / Pagers, Various City Departments opened March 14, 2006: Western Communications, Inc. Staff recommends all bids be rejected and staff authorized to readvertise for bids. Hadley moved, second by Olson and carried to reject all bids and authorize staff to advertise for bids

APPROVAL OF BILLS

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

Payroll Paid Ending 03-04-06, Paid 03-10-06	709,222.82
Payroll Paid Ending 03-04-06, Paid 03-10-06	3,408.80
Pioneer Bank, Taxes Paid 03-10-06	169,751.01
Pioneer Bank, Taxes Paid 03-10-06	235.42
Berkley Risk Administrators, February claims	31,047.22
First Administrators, claims paid 03-08-06	201,497.52
First Administrators, claims paid 03-15-06	45,909.65
Black Hills Power & Light, electricity	19,330.48
Montana Dakota Utilities, gas	12,495.45
West River Electric Association, electricity	14,379.29
United States Postmaster, postage	800.00
Computer Bill List	<u>3,422,167.50</u>
Subtotal	\$4,630,245.16
Payroll Paid Ending 03-04-06, Paid 03-10-06	2557.60
Pioneer Bank, Taxes Paid 03-10-06	195.66

CITY COUNCIL

MARCH 20, 2006

Charles Braunersrither, volunteer stipend	150.00
City of Rapid City, postage	2.27
City of Rapid City, health insurance	733.00
Prairie Wave Communications, telephone	33.38
Simpson's Printing, newsletter	100.00
SD Retirement Systems, pension	306.84
Standard Life, life insurance	7.92
Subtotal	<u>\$4,634,331.83</u>
Medtronic, defibrillators	19,375.00
Stryker, ambulance cots	<u>10,572.00</u>
Total	<u>\$4,664,278.83</u>

CITY ATTORNEY'S ITEMS

Olson moved, second by Okrepkie and carried to go into Executive Session at 11:37 P.M. to discuss contractual matters. The Council came out of Executive Session with all members present. No report was given.

ADJOURN

As there was no further business to come before the Council at this time, the meeting adjourned at 11:37 P.M.

CITY OF RAPID CITY

ATTEST:

Finance Office

Mayor

(SEAL)