

PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota

December 20, 2010

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, December 20, 2010 at 7:00 P.M.

The following members were present: Mayor Alan Hanks and the following Alderpersons: Bonny Petersen, Ron Weifenbach, Dave Davis, Deb Hadcock, Ron Kroeger, Aaron Costello, Sam Kooiker, Bill Waugh and Jordan Mason; and the following Alderpersons arrived during the course of the meeting: None; and the following were absent: Gary Brown.

Staff members present included Acting Finance Officer Jeff Barbier, City Attorney Jason Green, City Engineer Dale Tech, Growth Management Director Marcia Elkins, Police Chief Steve Allender, Fire Chief Mike Maltaverne, Parks and Recreation Director Jerry Code and Administrative Coordinator Sharlene Mitchell

ADOPTION OF AGENDA

The following items were added to the agenda:

- FY 2011 Council Salary
- Report on LNI

Motion was made by Waugh, second by Costello and carried to adopt the agenda as amended.

APPROVE MINUTES

Motion was made by Hadcock, second by Davis and carried to approve the minutes of the November 29, 2010 Special Council meeting and December 6, 2010 Regular Council meeting.

AWARDS AND RECOGNITIONS

Mayor Hanks presented the Veteran of the Month award to Graling P. Carmichael in recognition of his efforts and dedication to his country and community.

GENERAL PUBLIC COMMENT

No comments were received.

NON-PUBLIC HEARING ITEMS -- Items 3 - 68

Motion was made by Mason, second by Costello and carried to open the public comment on Items 3 – 53. No comments were received.

CONSENT ITEMS – Items 3 - 48

The following items were removed from the Consent Items:

11. No. PW121410-14 – Update on October 18, 2010, Resolution

Motion was made by Kooiker, second by Hadcock and carried to approve Items 3 – 48 as they appear on the Consent Items with the exception of Item 11.

Alcoholic Beverage License Applications Set for Hearing (January 3, 2011)

3. Youth & Family Services, Inc. DBA Youth & Family Services, Inc. for a Special Event Wine and Malt Beverage License for an Event Scheduled for February 18, 2011 and February 19, 2011, 120 East Adams Street

4. Dakota Celts Inc. DBA Dakota Celts, Inc. for a Special Event Wine and Malt Beverage License for an Event Scheduled for January 22, 2011, Celts Hall, Pennington County Fairgrounds (801 San Francisco Street)
5. Ixtapa LLC DBA Ixtapa, 603 Omaha Street for Retail (on-off sale) Malt Beverage
6. Ixtapa LLC DBA Ixtapa, 603 Omaha Street for Retail (on-off sale) Wine
7. Dealer Exchange Inc DBA Kaktus Kim's, Rushmore Mall Space 478 for a Retail (on-off sale) Malt Beverage Transfer from TADY LLC DBA Sports Buzz, 2010 Mt Rushmore Road
8. Dealer Exchange Inc DBA Kaktus Kim's, Rushmore Mall Space 478 for a Retail (on-off sale) Wine

Public Works Committee Consent Items

9. No. PW121410-01 – Approve the Request for Wood Chips from the Journey Museum
10. No. PW121410-04 – Approve Resolution of Support for Calvin Coolidge Historical Marker/Plaque in the 600 Block of Columbus Street
12. No. PW121410-05 – Approve Change Order No. 1F to Layne Christensen Company for Well No. 10 Pump Replacement, Project No. W10-1889 / CIP No. 50831, for a decrease of \$1,583.95.
13. No. PW121410-06 – Approve Change Order No. 1F to Mainline Contracting Inc. for Tomahawk Drive Sanitary Sewer Extension, Project No. SS10-1905 / CIP No. 50843, for a decrease of \$7,241.55.
14. No. PW121410-07 – Approve Change Order No. 1F to RCS Construction for Robbinsdale – Oak Avenue, Oak Drive, and Oakland Street Reconstruction, Project No. ST09-1824 / CIP No. 50424, for a decrease of \$38,536.20.
15. No. PW121410-08 – Approve Change Order No. 2 to Mainline Contracting Inc. for Robbinsdale – E. St. Francis Street, E. St. Anne Street, and Birch Avenue Reconstruction, Project No. ST09-1823 / CIP No. 50424, for a decrease of \$32,630.55.
16. No. PW121410-13 – Approve Change Order No. 1 to Tru-Form Construction, Inc. for Eglin Street Extension, Project No. ST05-1470 / CIP No. 50560, for an increase of \$13,026.69.
17. No. PW121410-09 – Authorize Staff to Advertise for Bids for Automated Containers for Solid Waste. Estimated cost: \$50,000.00.
18. No. PW121410-10 – Authorize Staff to Advertise for Bids for Heights Drive Sanitary Sewer Main Extension, Project No. SS09-1831 / CIP No. 50777. Estimated cost: \$883,000.00.
19. No. PW121410-11 – Authorize Mayor and Finance Officer to Sign a Funding Agreement between the City of Rapid City and SD Department of Transportation, Urban Surface Transportation Program, for Letting and Construction of Mall Drive Reconstruction – Lowes Driveway to Lacrosse Street, State Project No. P 1608(04), PCN 01FP, City Project No. ST08-1753 / CIP No. 50646.

- 20. No. PW121410-12 – Authorize Mayor and Finance Officer to Sign a Professional Services Agreement with FMG, Inc. for the North Pinedale Reservoir for Good Samaritan Society Saint Martin’s Village, Project No. W10-1890 / CIP No. 50832, in the amount of \$108,775.00.
- 21. No. 10VE014 - Autumn Hills Subdivision – Approve a request by Jon and Julie Lafleur for a **Vacation of a portion of a Utility Easement** for Lot 17 of Block 1 of Autumn Hills Subdivision located in the W1/2 NW1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4801 Summerset Drive.

RESOLUTION NO. 2010 - 182
 RESOLUTION OF VACATION OF A PORTION OF A UTILITY EASEMENT

WHEREAS it appears that a portion of the utility easement on Lot 17 of Block 1 of Autumn Hills Subdivision located in the W1/2 NW1/4 of Section 22, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located at 4801 Summerset Drive, is no longer needed; and

WHEREAS the owner(s) of the above-described property desire that said portion of the major drainage easement be vacated and released.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the portion of the utility easement heretofore described, as shown on Exhibit "A", attached hereto and incorporated herein, is not needed and is hereby vacated.

Dated this 20th day of December, 2010.

ATTEST:
s/ Jeff Barbier
 Acting Finance Officer

CITY OF RAPID CITY
s/ Alan Hanks
 Mayor

(SEAL)

Legal & Finance Committee Consent Items

- 22. No. LF121510-15 – Authorize Mayor and Finance Officer to sign Trademark License Agreement with City of Presidents Foundation.
- 23. No. LF121510-18 – Confirm appointment of Monte Loos and James W. Olson to the Rapid City Public Library Board of Trustees with their terms to expire December 31, 2013.
- 24. No. LF121510-19 – Confirm appointment of Christian Haugo and John Herr to the Rushmore Plaza Civic Center Board with their terms to expire January 1, 2014.
- 25. No. LF121510-20 – Confirm appointment of Tom Loomis, Marsha Hengen, and Evan Gallentine and the reappointment of John Brockelsby, Neal Larson, and Chuck Parkinson to The Journey Museum Board of Directors.
- 26. No. LF121510-21 – Confirm reappointment of Charles Tinant to the Parks and Recreation Advisory Board.
- 27. No. LF121510-23 – Confirm reappointment of Steve Malone to the Rapid City Board of Adjustment.

- 28. No. LF121510-24 – Confirm appointment of David Grundstrom and the reappointment of Jim Bickett and Scott Sogge to the Rapid City Residential Contractor Board.
- 29. No. LF121510-25 – Confirm appointment of Eric Christianson as the Planning Commission Representative to the Sign Code Board of Appeals, contingent upon his service on the Planning Commission, to fill the unexpired term of Gary Brown who was elected to the City Council, and confirm the reappointment of Jim Jackson, alternate, and Kyle Mattison Blada, alternate to the Sign Code Board of Appeals.
- 30. No. LF121510-26 – Confirm reappointment of Eric Farrar, Dennis Hettich, and Gene Hunter to the Rapid City Sign Contractor Board.
- 31. No. LF121510-27 – Confirm reappointment of Cathy Druckrey to the Rapid City Urban Forestry Board.
- 32. No. LF121510-28 – Confirm appointment of Heather C. Knox and the reappointment of Duane Baumgartner and L. Eric James to the Historic Preservation Commission.
- 33. No. LF121510-29 – Confirm reappointment of George Thompson and Steve Street and Appointment of Rick Clegg and Lee Seaman to the Mechanical Board.
- 34. No. LF121510-30 – Confirm appointment of David Hillard to the Opportunity Capture Fund Oversight Board.
- 35. No. LF121510-02A – Approve Amended Resolution Adopting a Five Year Plan for the Rapid City Economic Development and Civic Improvements Fund.

RESOLUTION NO. 2010-179
AMENDED RESOLUTION ADOPTING A FIVE YEAR PLAN FOR THE RAPID CITY
ECONOMIC DEVELOPMENT AND CIVIC IMPROVEMENTS FUND

WHEREAS, the City of Rapid City is required to adopt a five year plan before expending funds from the Rapid City Economic Development and Civic Improvements Fund; and

WHEREAS, the City of Rapid City has been presented with recommendations from three citizens committees on the expenditure of funds from the Economic Development and Civic Improvement Fund; and

WHEREAS, the City of Rapid City Common Council has considered the recommendations of the three citizen committees; and

WHEREAS, the Rapid City Common Council has held public hearings on the proposed plan; and

WHEREAS, the Rapid City Common Council approved a Resolution Adopting a Five Year Plan for the Rapid City Economic Development and Civic Improvements Fund on September 7, 2010; and

WHEREAS, the Rapid City Common Council deems it in the best interest of the City of Rapid City to amend the plan.

NOW, THEREFORE, BE IT RESOLVED by the Rapid City Common Council that the five year plan for expenditure funds from the Rapid City Economic Development and Civic Improvement Fund is amended

as shown on the project list, attached hereto and incorporated herein by reference, and is hereby adopted as amended.

Dated this 20th day of December, 2010.

ATTEST:
s/ Jeff Barbier
Acting Finance Officer

CITY OF RAPID CITY
s/ Alan Hanks
Mayor

(SEAL)

- 36. No. CC122010-04 – Acknowledge discussion of pay increases for Step 22 and above.
- 37. No. LF121510-16 – Approve Event Permit for Alex Johnson Hotel for New Year’s Eve Ball Drop.
- 38. No. LF121510-17 – Approve Event Permit for Cardiac Services, Rapid City Regional Hospital for February Freeze 5K Fun Run/Walk.
- 39. No. 04TI009 – Approve Resolution No. 2010-166 to Dissolve Tax Increment Financing District No. 48 Located west of S. Valley Drive, south of SD Highway 44 and north of E. St. Charles Street and S. Valley Drive right-of-way.

RESOLUTION NO. 2010-166
A RESOLUTION DISSOLVING TAX INCREMENT DISTRICT
NUMBER FORTY EIGHT

WHEREAS, the City of Rapid City created Tax Increment District Number Forty Eight on November 15, 2004; and

WHEREAS, there are no longer any reimbursable project costs remaining to be paid; and

WHEREAS, the City Council of the City of Rapid City is authorized to dissolve this Tax Increment District pursuant to SDCL 11-9-46 (2),

NOW, THEREFORE, BE IT RESOLVED by the City of Rapid City that Tax Increment District Number Forty Eight be and is hereby dissolved.

BE IT FURTHER RESOLVED that any funds which are deposited in the Tax Increment District Number Forty Eight Special Fund, pursuant to SDCL 11-9-31, be distributed as provided by SDCL 11-9-45.

Dated this 20th day of December, 2010.

ATTEST:
s/ Jeff Barbier
Acting Finance Officer

CITY OF RAPID CITY
s/ Alan Hanks
Mayor

(SEAL)

- 40. No. LF121510-03 – Approve Request for Proposal for Historic Preservation Commission Design Guidelines.

- 41. Acknowledge the following volunteers for workmen’s compensation purposes: Cody Wounded Shield, Dillon Beach, and Jane Kampfe.
- 42. No. LF121510-05 – Approve renewal of insurance premium.
- 43. No. LF121510-06 – Approve Resolution Declaring Property Surplus.

RESOLUTION NO. 2010-170
RESOLUTION DECLARING PROPERTY SURPLUS

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

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

Engineering Services

HP Photosmart C5550 printer – broken, unrepairable

Fire Department

GE	GE MVS	7925786	11671
GE	GE MVS	7890585	11691
GE	GE MVS	1075517	no tag
GE	GE MVS	7932144	11670
GE	GE MVS	7925787	11681
GE	GE MVS	7932145	11669
GE	GE MVS	7932143	11683
GE	GE MVS	7887282	11692

5 federal signal informers removed from RCFD stations

Police Department

ICOM	F21	443874	11475
ICOM	F21	411958	11424
ICOM	F21	474478	no tag
ICOM	F21	442215	11471
ICOM	F21	466330	no tag
ICOM	F21	414265	11447
ICOM	F21	411960	11425
ICOM	F21	414263	11444
ICOM	F21	441486	11494
ICOM	F21	443878	11479
ICOM	F21	442217	11480
ICOM	F21	412949	11469
ICOM	F21	412693	11429
ICOM	F21	412229	11448
ICOM	F21	465967	no tag
ICOM	F21	414108	11456
ICOM	F21	412697	11434
ICOM	F21	414101	11458
ICOM	F21	411655	11427
ICOM	F21	474479	no tag
ICOM	F21	414105	11468

ICOM	F21	465965	no tag	
ICOM	F21	440645	11485	
ICOM	F21	442220	11474	
ICOM	F21	442210	11478	
ICOM	F21	414106	11457	
ICOM	F21	441481	11426	
ICOM	F21	414267	11455	
ICOM	F21	442216	11477	
ICOM	F21	413680	11412	
ICOM	F21	412695	11438	
ICOM	F21	458558	no tag	
ICOM	F21	412228	11451	
ICOM	F21	474849	no tag	
ICOM	F21	441482	11493	
ICOM	F21	413679	11411	
ICOM	F21	441485	11496	
ICOM	F21	474850	no tag	
ICOM	F21	414107	11460	
ICOM	F21	412700	11432	
ICOM	F21	442212	11476	
ICOM	F21	442213	11465	
ICOM	F21	465968	no tag	
ICOM	F21	466328	no tag	
ICOM	F21	442218	no tag	
ICOM	F21	474471	no tag	
ICOM	F21	443876	11466	
ICOM	F21	411953	11436	
MOTOROLA	GP300	174FHGE741		16518
MOTOROLA	GP300	174FWGE760		16510
MOTOROLA	GP300	174FWGE745		16520
MOTOROLA	GP300	174TTJK732		no tag
MOTOROLA	GP300	174FUL9731		no tag
MOTOROLA	GP300	174FWGE743		16521
MOTOROLA	GP300	174TTJK700		no tag
MOTOROLA	GP300	174FRU3812		no tag
MOTOROLA	GP300	174TTJK7898		no tag
MOTOROLA	GP300	174ISG2379		no tag
MOTOROLA	GP300	174FRU3885		no tag
MOTOROLA	GP300	174FRU3867		13594
MOTOROLA	MT1000	749ATE1064		14667
MOTOROLA	MT1000	749RSQD276		no tag
MOTOROLA	MT1000	749ATE1052		no tag
MOTOROLA	MT1000	749ATE1055		no tag
MOTOROLA	MT1000	749ATE1070		14661
MOTOROLA	MT1000	749ASQ0274		no tag
MOTOROLA	P1225	475YDJ2063		10359
MOTOROLA	P1225	475FXJ2535		16622
MOTOROLA	P1225	475YCJ3500		18315
MOTOROLA	P1225	475YDY0358		11418
MOTOROLA	P1225	475YDJ2112		10361
MOTOROLA	P1225	475YCY4353		10358
MOTOROLA	P1225	475YCJ3455		10307
MOTOROLA	P1225	475YDY1300		11415

MOTOROLA	P1225	475YDJ1994	10355
MOTOROLA	P1225	475YCY6129	10336
MOTOROLA	P1225	475YCJ3519	10314
MOTOROLA	P1225	475YCJ3460	10290
MOTOROLA	P1225	475YCJ3506	10308
MOTOROLA	P1225	475YCY4264	10353
MOTOROLA	P1225	475YDY0368	11413
MOTOROLA	P1225	475YDJ2095	10360
MOTOROLA	P1225	475YCY4318	10335
MOTOROLA	P1225	475YCY4167	10327
MOTOROLA	P1225	475YDJ1563	10356
MOTOROLA	P1225	475YDY1309	no tag
MOTOROLA	P1225	475FXJ2523	16623
MOTOROLA	P1225	475YCY6146	no tag
MOTOROLA	P1225	475FCC1595	10310
MOTOROLA	P1225	475YCJ6824	10311
MOTOROLA	P1225	475YCJ3521	10306
MOTOROLA	P1225	475YDY0370	11414
MOTOROLA	P1225	475YCJ3502	10317
MOTOROLA	P1225	475YDY1213	11420
STANDARD	HX381	7yu360039	16777
STANDARD	HX381	15u800014	10274
STANDARD	HX381	78u310317	16671
STANDARD	HX381	16u820116	10281
STANDARD	HX381	02u660106	10208
STANDARD	HX381	75u280038	16634
STANDARD	HX381	7yu360062	16770

MOTOROLA Mitrek 433HJC0263 no tag
 4 old GE repeater power supplies
 4 old Motorola power supplies
 Zetron model 32 paging encoder

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

Dated this 20th day of December, 2010.

ATTEST:
s/ Jeff Barbier
 Acting Finance Officer

CITY OF RAPID CITY
s/ Alan Hanks
 Mayor

(SEAL)

- 44. No. LF121510-08 – Authorize staff to advertise for bids for PR08-6017 Rapid City Greenway Trails and Pedestrian Facilities Project; estimated cost \$2,312,278.
- 45. No. LF121510-11 – Acknowledge raffle request from Rapid City Downtown Association.
- 46. No. LF121510-12 – Acknowledge raffle request from the American Heart Association.
- 47. No. LF121410-13 – Acknowledge raffle request from Western Dakota Tech Fire Science Club.

Growth Management Department Consent Items

48. No. 10PL062 – Acknowledge applicants withdrawal of request by D.C. Scott Co. Land Surveyors for Kelly Flannery for a **Layout Plat** for Lots 2 and 3 of Flannery Subdivision, legally described as a portion of Lot 1 of the SE1/4 SE1/4, Section 29, T1N, R7E, BHM, Pennington County, South Dakota, located south side of Sheridan Lake Road between Dunsmore Road and Croyle Avenue.

END OF CONSENT CALENDAR

Motion was made by Kooiker, second by Costello to (No. PW121410-14) Acknowledge the report on the Update of October 18, 2010, Resolution. In response to a question, Mayor Hanks clarified that the resolution will be published on December 24, 2010. Motion carried.

CONTINUED CONSENT ITEMS – Items 49 - 53

Motion was made by Waugh, second by Costello and carried to approve the Items 49 – 53 as they appear on the Continued Consent Items.

Continue the following items until January 3, 2011:

49. No. 10PL063 - A request by Davis Engineering, Inc. for Bill Peterson and Don Jiracek for a **Preliminary Plat** for Lots A and B of Block 76 of Mahoney Addition, legally described as Block 76 less the north 8.5 feet of Block 76 of Mahoney Addition located in the SW1/4 of the SE1/4 of Section 25, T2N, R7E BHM, Rapid City, Pennington County, South Dakota, located at the southeast corner of the intersection of Wood Avenue and Doolittle Street.
50. No. 10PL087 - A request by Fisk Land Surveying & Consulting Engineers for Joseph Hecker for a **Layout Plat** for proposed Lots 19R and 22RA of Una Del Acres No. 2, legally described as Lots 19 and 22R of Una Del Acres No. 2, Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 6030 Una Del Acres.

Continue the following items until January 18, 2011:

51. No. 10PL028 - A request by Dream Design International, Inc. for a **Preliminary Plat** for Lots A and B of White Eagle Ranch, legally described as a portion of the NE1/4 of the SE1/4, Section 19, T1N, R9E, BHM, Rapid City, Pennington County, South Dakota, located at 14870 East Highway 44.
52. No. 10PL061 - A request by Dream Design International, Inc. for a **Preliminary Plat** for Lots 1 and 2 of Block 1 of Gateway Business Park Subdivision, legally described as a portion of the NW1/4 of the SE1/4 and a portion of Lot E of the S1/2 of the SE1/4, Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, located between East Mall Drive and Interstate 90 at the southern terminus of Dakota Craft Drive.
53. No. 10PL075 - A request by Dream Design International for a **Preliminary Plat** for proposed Lot 1R and Lot 2 of Heavlin No. 2 Addition, legally described as Lot 1 of Heavlin No. 2 Addition, portion of SE1/4 of the SE1/4 of the SE1/4 of Section 19 and the E1/2 of the NE1/4 of the NE1/4 of Section 30, T1N, R9E, BHM, Pennington County, South Dakota, located at 23299 South Airport Road.

END OF CONTINUED CONSENT ITEMS

NON-CONSENT ITEMS – Items 54 - 68

Motion was made by Hadcock, second by Petersen and carried to open public comment for Items 54 – 68.

The following individuals voiced their support for (No. LF121510-01) the release of 2012 funding to dig the well and develop the soccer complex construction documents: Renae Kampa, Shay Matkins, Cindi Williams, Cassandra Messmer, Mike McMeekin, Tamie McMeekin, Brian Pitts, Tony Harrison, Jackie Borr, Kurt Whitesel, Ron Beaumont, Jodi Massie, Brett DuQue, Jeff Norris, Ray Wong, Frank Bettmann, and Kelly Thomas. The following advantages of the one-location complex were identified: less travel time for players and families, ability to host local and regional tournaments and the economic benefit to the city from the tournaments. Mike Towey, FourFront Design, stated that FourFront Design has served as technical advisors to the soccer community. Towey addressed the reduced floodplain impact to the site, the use of pervious materials and the use of untreated and runoff water for site irrigation. Towey indicated that a traffic study for the site has been provided to the City.

Michaele Hofmann (No. CC122010-05) stated that the swim team fully advocates the placement of the leisure pool at the Horace Mann site and supports the development of a quality competitive pool without preference to the location.

Motion was made by Costello, second by Davis and carried to close public comment for Items 54 – 68.

Ordinances

Ordinance No. 5612 (No. LF060210-22) Repealing Chapter 15.48 of the Rapid City Municipal Code Relating to Mobile Homes and Mobile Home Parks and Adopting a New Revised Chapter 15.48 of the Rapid City Municipal Code as amended. Motion was made by Hadcock, second by Kroeger that Ordinance No. 5612 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, January 3, 2011. In response to a question from Mason, Elkins indicated that the spacing requirements are for mobile home parks only and do not impact individually owned properties. Richard Broderick, Fire Department, stated that the size of the shed dictates when a building permit is required. Broderick addressed the non-combustible requirements for structures with less than the required three feet clearance. Broderick addressed the purpose for requiring the non-combustible and weather resistant skirting materials. In response to a question from Weifenbach, Broderick stated that materials will be upgraded as they are replaced. Weifenbach requested that further clarification of when items must be brought up to code be provided at second reading. Motion carried. (10OA004)

Ordinance No. 5613 (No. LF060210-23) Repealing Section 17.50.110 of the Rapid City Municipal Code Relating to Supplementary Regulations Applicable to Mobile Home Parks and Adopting a New Revised Section 17.50.110 of the Rapid City Municipal Code. Motion was made by Hadcock, second by Petersen and carried that Ordinance No. 5613 be placed upon its first reading and the title was fully and distinctly read and second reading set for Monday, January 3, 2011. (10OA004)

Ordinance No. 5701 (No. LF120110-05) Amending Title 15, Chapter 15.24 of the Rapid City Municipal Code by Adopting the 2009 Uniform Plumbing Code and Adding Amendments Thereto having passed its first reading on December 6, 2010; motion was made by Hadcock and second by Petersen that the title be read the second time. A substitute motion was made by Kroeger, second by Davis and carried to continue Ordinance No. 5701 to the January 3, 2011 Council meeting.

Ordinance No, 5705 (No. LF121510-040) Regarding Supplemental Appropriation #2 for 2011. Motion was made by Hadcock, second by Davis and carried that Ordinance No. 5705 be placed upon its first reading and the title was fully and distinctly read and second reading set for Tuesday, December 28, 2010.

Growth Management Department Items

Motion was made by Hadcock, second by Kroeger and carried to approve (No. 10PL033) A request by Sperlich Consulting, Inc. for Daene Boomsma for a **Preliminary Plat** on Lots 27R and 29R of Block 25 of North Rapid Addition, legally described as Lots 27, 28 and 29 of Block 25 of North Rapid Addition, located in the E1/2 of the SW1/4 of the NE1/4, Section 36, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 724 Lemmon Avenue with the following stipulations: 1. Prior to Preliminary Plat approval by the Planning Commission, a Variance from the Zoning Board of Adjustment shall be obtained to reduce the minimum lot size requirement in the Medium Density Residential District from 6,500 square feet to 5,250 square feet and to reduce the minimum front building line for each lot from 50 feet to 38.50 and 36.60 feet, respectively, or the plat document shall be revised to comply with the minimum requirements; 2. Prior to Preliminary Plat approval by the City Council, a cost estimate of the subdivision improvements shall be submitted for review and approval; 3. Prior to Preliminary Plat approval by the City Council, construction plans shall be submitted for review and approval showing the alley constructed with a minimum 16 foot wide paved surface or a Variance to the Subdivision Regulations shall be obtained; 4. Prior to Preliminary Plat approval by the City Council, construction plans for Lemmon Avenue shall be submitted for review and approval showing the existing 24.10 foot wide paved surface expanded to a minimum width of 27 feet or a Variance to the Subdivision Regulations shall be obtained; 5. Prior to Preliminary Plat approval by the City Council, an Erosion and Sediment Control Plan in compliance with the adopted Stormwater Quality Manual shall be submitted for review and approval if subdivision improvements are required. In addition, an Erosion and Sediment Control Permit shall be obtained prior to any construction; 6. Prior to submittal of a Final Plat application, the residence ordered to be demolished located on proposed 29R shall be removed or surety shall be posted for the removal of the structure. If the residence is removed by the City, then the lien covering the cost of the removal of the structure shall be paid prior to submittal of a Final Plat application; 7. 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; 8. Prior to the City's acceptance of the public improvements, a warranty surety shall be submitted for review and approval as required; and, 9. The approved Preliminary Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.

Motion was made by Hadcock, second by Kroeger and carried to approve (No. 10PL088) A request by Centerline for Lazy P-6 Land Co., Inc. for a **Preliminary Plat** for proposed Lot 3 of North 80 Subdivision and dedicated public right-of-way, all located in Section 19, T1N, R8E, legally described as unplatted Government Lot 1 less Gemstone Subdivision, less Lot H-1 and less right-of-way; Government Lot 2 less North 80 Subdivision, less Lot H2 and less right-of-way, all located in Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located east of 5th Street at the current eastern terminus of East Stumer Road with the following stipulations: 1. Prior to Preliminary Plat approval by the City Council, all necessary changes shall be made to the construction plans as identified on the red lined drawings. In addition, the red lined drawings shall be returned to the Growth Management Department; 2. Prior to Preliminary Plat approval by the City Council, construction plans for Shelby Avenue shall be submitted for review and approval showing the construction of a sewer main along the entire street or a Variance to the Subdivision Regulations shall be obtained; 3. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to provide temporary access easements at the terminus of Stumer Road for Phase One and Phase Two. The temporary access easement(s) shall be a minimum 110 feet in diameter; 4. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show the book and page of the recorded 50 foot wide Major Drainage Easement located north of Lot 3; 5. Prior to Preliminary Plat approval by the City Council, the plat document shall be revised to show Stumer Road as "E. Stumer Road"; 6. 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; 7. Prior to the City's acceptance of the public improvements, warranty surety shall be

submitted for review and approval as required; and, 8. The approved Preliminary Plat for which no grading, construction or other improvements have been initiated within two years of the date of approval of the plat shall be deemed as expired. However, the owner or applicant of the plat may, prior to the termination of the two year period, request a one year extension subject to approval by the City Council.

Legal & Finance Committee Items

Motion was made by Kroeger, second by Weifenbach to approve the denial (No. LF121510-01) of the request by the soccer group to release 2012 funds for well and construction documents at the soccer complex. Costello advised that he would abstain from the vote. Kroeger voiced his concerns with the lack of fund raising efforts by the soccer community noting that the lack of private funding could adversely affect the project should the bids be unfavorable. Kroeger voiced support for the project and encouraged the soccer community to focus on the funding raising efforts. Weifenbach and Davis voiced their concerns with the limited fund raising efforts and the site location. Hadcock voiced support for the project noting that fund raising efforts will be better received once the project is under construction. Hadcock stated that the project is a positive for the City and encouraged moving it forward. A substitute motion was made by Hadcock to approve release of the 2012 funding. Motion failed for lack of a second. In response to a question from Petersen, Mayor Hanks clarified that the 2012 funding remains in place regardless of the action taken on the current request. Petersen, Mason and Waugh voiced their support for the project and noted their concerns for the lack of fund raising efforts. Discussion followed regarding the site location and the need for increased fund raising efforts by the soccer community. In response to a question from Petersen, Usera addressed the in-kind donations that have been received noting that the construction documents will allow the project to be placed for bid and the actual costs determined. In response to a question from Kooiker, Green reviewed the restrictions placed on the warranty deed. In response to a question from Kooiker, Cole indicated there is no formal recommendation for an alternative recreational use for the property. Upon vote being taken the motion carried with the following voted AYE: Waugh, Mason, Weifenbach, Davis, Kroeger and Kooiker; the following voted NO: Petersen and Hadcock; the following Abstained: Costello.

Motion was made by Hadcock, second by Costello to approve the revised Memorandum of Agreement as presented with regard to the Request from Pennington County for transfer of property. Green summarized the elements of the Agreement noting that all issues should be resolved by April 1, 2011. Green indicated that should a resolution not be reached the deadline the agreement can be extended by mutual agreement and should no resolution be available Pennington County will transfer the property back to the City. Green addressed the agreement by Pennington County to provide the City with an ownership interest in the property once the bond has been paid. Green indicated the County will begin design work upon approval of the agreement which will determine the City's responsibility in the project. Green indicated that the Council will need to identify the funding source for the improvements. Green stated that approval of the Memorandum authorizes the Mayor and Finance Officer to execute the Quit Claim deeds with delivery subject to receiving the necessary approvals from Pennington County.

Kooiker recommended continuing action to January 2011 to allow the agreement to be reviewed by the new Sheriff and new County leadership. Kooiker expressed concern with the lack of identified funding source and the projected cost percentages. Green indicated that the percentages reflected in the agreement are not binding and will continue to be negotiated. Hadcock voiced support for the continued negotiations noting that the incoming County leadership supports moving the agreement forward. In response to a question from Weifenbach, Green addressed the provision requiring the County to deed back the City's property should the parties be unable to reach an agreement. In response to a question from Mason, Green stated that the percentages reflected in the agreement are based on the current percentages noting that the final percentages are in negotiation. Motion carried.

Motion was made by Hadcock, second by Waugh and carried with Davis abstaining to (No. LF121510-22) Confirm appointment of Nick Davis to complete the unexpired term of Vincent Della Morte, Jr. and

the reappointment of Duane Baumgartner, Steve Doshier, Jacqueline Allen, and Melanie Jeppesen to the Beautification Committee.

Public Works Committee Items

Motion was made by Davis, second by Petersen to acknowledge the (No. PW121410-02) Presentation on Code Enforcement Structure. Discussion followed regarding the structure, priorities and goals of the Code Enforcement division if moved under the Police Department. Mayor Hanks suggested that Garcia be asked to review the restructuring proposal and provide a recommendation to Council. A substitute motion was made by Kooiker, second by Waugh and carried to request that the Mayor direct Garcia to review the restricting proposal and provide a recommendation with regard to structure, priorities and goals at the February 1, 2011 Public Works Committee meeting. Mayor Hanks requested that Garcia also provide a review of the tracking system utilized by the Code Enforcement division.

Bids

The following companies submitted bids for (No. CC122010-02.1) 2010) ADA Compliance Project, Project No. ADA10-1827 / CIP No. 50761 opened on December 14, 2010: Brewer Construction, Tru-Form Construction, Inc., Simon Contractors or SD, Inc., Timber Ridge Construction, J Scull Construction Services Inc., R.C.S. Construction, Inc., Lipp Construction Inc., and KRM Concrete, LLC. Staff reviewed the bid and recommends bid award of Total Base Bid and Alternate No. 2 to Brewer Construction. Motion was made by Hadcock, second by Kroeger and carried to award the Total Base Bid and Alternate No. 2 to the lowest responsible bidder, Brewer Construction, in the amount of \$44,501.30.

The following companies submitted bids for (No. CC122010-02.20) Corral Drive and Sheridan Lake Road Water Main, Project No. W10/1882 / CIP No. 50816 opened on December 14, 2010: Lind-Exco, Inc., Mainline Contracting, Inc., Hills Materials Company, Quinn Construction, Inc., and R.C.S. Construction, Inc. Staff reviewed the bid and recommends bid award to R.C.S. Construction. Motion was made by Weifenbach, second by Petersen to award the bid to the lowest responsible bidder, R.C.S. Construction, in the amount of \$1,260,430.50. In response to a question from Weifenbach, Mayor Hanks clarified that the project is a water enterprise fund project. Motion carried.

Council Items & Liaison Reports

Costello provided an update on the progress of the Ad Hoc Sign Code Revision Task Force. Costello requested that the deadline for completion of the updates be extended to April 18, 2011 as the current deadline does not provide sufficient time to effectively complete the project. In response to a question from Weifenbach, Costello indicated that the task force and moratorium share the February deadline noting that the committee is requesting extension of only the task force deadline. Mason addressed the size and complexity of the Sign Code and the need to insure that the task force has sufficient time to properly complete their charge. In response to a question from Petersen, Costello indicated that the task force will discuss the moratorium at their next committee meeting. Motion was made by Kooiker, second by Mason to continue to the December 29, 2010 Legal & Finance Committee meeting. A substitute motion was made by Costello, second by Hadcock and carried to continue to the December 28, 2010 Public Works Committee meeting.

Motion was made by Kooiker, second by Davis and carried to continue the Update on Big Sky Subdivision Temporary Fixes to the December 28, 2010 Public Works Committee meeting.

Motion was made by Davis, second by Waugh to place a moratorium on Council salaries for FY 2011 and to place the funds in the Council Contingency line item. Davis addressed his concerns with the action taken at the December 6, 2010 council meeting and the discussion regarding the Step 22 and above positions. Davis stated that in accordance with State law council members would continue to

receive reimbursement for travel or technology expenses. Discussion followed regarding the intent of the discussion regarding wage freezes for specific grade levels and the action taken at the December 6, 2010 council meeting. Motion was made by Kooiker, second by Mason to table the motion. Upon vote being taken the motion failed (2-7) with the following voting AYE: Kooiker and Mason; and the following voting No: Petersen, Weifenbach, Davis, Hadcock, Kroeger, Costello and Waugh.

Discussion continued regarding the implications of the December, 6, 2010 action its impact on the moral of City employees. Motion was made by Kooiker, second by Petersen to continue the item to the January 24, 2011 budget meeting. Davis voiced support for the motion to take the item to the budget discussions. Motion carried.

Hadcock provided a brief report on the community and individual efforts in support of the LNI and thanked all those involved in making the event a success. Motion was made by Kooiker, second by Petersen and carried to acknowledge the LNI report.

Staff Items

Tech presented the staff (No. CC122010-05) Recommendation on the feasibility of placing both the leisure pool and 50 meter tank pool at the Horace Mann site noting the locations of the existing facilities on the site. Tech identified the available leisure pool site noting the extensive dirt work and retaining wall required to support the facility. Tech addressed the parking requirements for the proposed facilities and the walking distances between the parking lots and the recreational facilities. Motion was made by Hadcock, second by Kooker to continue to the December 29, 2010 Legal & Finance Committee meeting. A substitute motion was made by Mason, second by Waugh to continue to the December 28, 2010 Public Works committee and the December 29, 2010 Legal & Finance Committee.

Costello requested that staff visit with the Rapid City School District regarding their intended use for the adjacent property and provide an update at the committee meetings. Weifenbach encouraged staff to keep all interested individuals apprised of the project status. Tech suggested that public involvement and input would be better served by hiring a consultant to complete an in depth review of the project. Motion to continue carried.

PUBLIC HEARING ITEMS – Items 69 - 95

Motion was made by Kooiker, second by Mason to open the public hearing on Items 69 -95.

Darcy Gunderson (No. CC122010-06) stated that the first notification of the assessment was received last week and requested a time extension to review the invoices regarding the property cleanup.

CONTINUED PUBLIC HEARING CONSENT ITEMS – Items 69 - 71

Motion was made by Mason, second by Waugh and carried to approve Items 69 -71 as they appear on the Continued Public Hearing Consent Items.

Continue the following items until January 3, 2011:

54. No. 10SV024 - A request by Fisk Land Surveying & Consulting Engineers for Joseph Hecker for a **Variance to the Subdivision Regulations to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer and additional pavement as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Lots 19R and 22RA of Una Del Acres No. 2, legally described as Lots 19 and 22R of Una Del Acres No. 2, Section 21, T1N, R7E, BHM, Rapid City, Pennington County, South Dakota, located at 6030 Una Del Acres.

Continue the following items until January 18, 2011:

55. No. 10SV007 - A request by Dream Design International, Inc. for a **Variance to the Subdivision Regulations to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer at the Section Line Highway and to waive the requirement to install curb, gutter, sidewalk, street light conduit, water, sewer at Airport Road as per Chapter 16.16 of the Rapid City Municipal Code** for Lots A and B of White Eagle Ranch, legally described as a portion of the NE1/4 of the SE1/4, Section 19, T1N, R9E, BHM, Rapid City, Pennington County, South Dakota, located 14870 East Highway 44.
56. No. 10SV022 - A request by Dream Design International 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** for proposed Lot 1R and Lot 2 of Heavlin No. 2 Addition, legally described as Lot 1 of Heavlin No. 2 Addition, portion of SE1/4 of the SE1/4 of the SE1/4 of Section 19 and the E1/2 of the NE1/4 of the NE1/4 of Section 30, T1N, R9E, BHM, Pennington County, South Dakota, located at 23299 South Airport Road.

END OF CONTINUED PUBLIC HEARINGS CONSENT ITEMS

Motion was made by Costello, second by Mason and carried to close the public comment on Items 69 – 95.

CONSENT PUBLIC HEARING ITEMS – Item 72 - 88

Motion was made by Petersen, second by Waugh and carried to approve Items 72 – 88 as they appear on the Consent Public Hearing Items.

Growth Management Items

72. No. 10CA045 – Approve a request by City of Rapid City for a **Comprehensive Plan Amendment to change the land use designation from Low Density Residential to Mobile Home Residential** for a portion of the SW1/4 of Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northwest corner of Lot 1 of Orchard Subdivision, Thence S82°0'00"E, a distance of 173.5 feet, to the Point of Beginning; Thence S0°36'23"E, a distance of 37.728 feet; Thence S0°36'23"E, a distance of 29.22 feet; Thence S0°36'22"E, a distance of 76.989 feet; Thence S0°36'23"E, a distance of 273.789 feet; Thence S0°35'19"E, a distance of 15.739 feet; Thence N43°26'53"W, a distance of 33.391 feet; Thence N47°15'42"W, a distance of 14.018 feet; Thence N47°15'42"W, a distance of 22.12 feet; Thence N59°40'48"W, a distance of 74.816 feet; Thence N86°11'52"W, a distance of 47.373 feet; Thence N89°32'8"W, a distance of 12.218 feet; Thence N0°25'32"W, a distance of 199.56 feet; Thence N0°27'20"W, a distance of 168.265 feet; Thence N0°27'19"W, a distance of 15.62 feet; Thence N0°10'1"W, a distance of 15.104 feet; Thence S82°1'27"E, a distance of 173.132 feet; Thence S0°58'15"E, a distance of 23.395 feet; Thence S0°58'10"E, a distance of 7.456 feet, to the Point of Beginning, located at 2919, 2925 and 2931 Orchard Lane.

Resolution No. 2010 - 180
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 20th day of December, 2010, at which they considered the recommendation of the Planning Commission and the proposed amendment to the Comprehensive Plan; and

WHEREAS, the proposed Amendment to the Comprehensive Plan would change the land use designation from Low Density Residential to Mobile Home Residential for a portion of the SW1/4 of Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northwest corner of Lot 1 of Orchard Subdivision, Thence S82°0'00"E, a distance of 173.5 feet, to the Point of Beginning; Thence S0°36'23"E, a distance of 37.728 feet; Thence S0°36'23"E, a distance of 29.22 feet; Thence S0°36'22"E, a distance of 76.989 feet; Thence S0°36'23"E, a distance of 273.789 feet; Thence S0°35'19"E, a distance of 15.739 feet; Thence N43°26'53"W, a distance of 33.391 feet; Thence N47°15'42"W, a distance of 14.018 feet; Thence N47°15'42"W, a distance of 22.12 feet; Thence N59°40'48"W, a distance of 74.816 feet; Thence N86°11'52"W, a distance of 47.373 feet; Thence N89°32'8"W, a distance of 12.218 feet; Thence N0°25'32"W, a distance of 199.56 feet; Thence N0°27'20"W, a distance of 168.265 feet; Thence N0°27'19"W, a distance of 15.62 feet; Thence N0°10'1"W, a distance of 15.104 feet; Thence S82°1'27"E, a distance of 173.132 feet; Thence S0°58'15"E, a distance of 23.395 feet; Thence S0°58'10"E, a distance of 7.456 feet, to the Point of Beginning, more generally described as being located at 2919, 2925 and 2931 Orchard Lane; and

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

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the Amendment to the Comprehensive Plan to change the land use designation from Low Density Residential to Mobile Home Residential for a portion of the SW1/4 of Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northwest corner of Lot 1 of Orchard Subdivision, Thence S82°0'00"E, a distance of 173.5 feet, to the Point of Beginning; Thence S0°36'23"E, a distance of 37.728 feet; Thence S0°36'23"E, a distance of 29.22 feet; Thence S0°36'22"E, a distance of 76.989 feet; Thence S0°36'23"E, a distance of 273.789 feet; Thence S0°35'19"E, a distance of 15.739 feet; Thence N43°26'53"W, a distance of 33.391 feet; Thence N47°15'42"W, a distance of 14.018 feet; Thence N47°15'42"W, a distance of 22.12 feet; Thence N59°40'48"W, a distance of 74.816 feet; Thence N86°11'52"W, a distance of 47.373 feet; Thence N89°32'8"W, a distance of 12.218 feet; Thence N0°25'32"W, a distance of 199.56 feet; Thence N0°27'20"W, a distance of 168.265 feet; Thence N0°27'19"W, a distance of 15.62 feet; Thence N0°10'1"W, a distance of 15.104 feet; Thence S82°1'27"E, a distance of 173.132 feet; Thence S0°58'15"E, a distance of 23.395 feet; Thence S0°58'10"E, a distance of 7.456 feet, to the Point of Beginning, more generally described as being located at 2919, 2925 and 2931 Orchard Lane, as attached to the original hereof is hereby adopted and shall be filed with the City Finance Office.

Dated this 20th day of December, 2010.

ATTEST:
s/ Jeff Barbier
Acting Finance Officer

CITY OF RAPID CITY
s/ Alan Hanks
Mayor

(SEAL)

- 73. No. 10CA046 – Approve a request by Dream Design International, Inc. for a **Comprehensive Plan Amendment to change the land use designation from General Commercial with a Planned Commercial Development to Light Industrial with a Planned Industrial Development** for a portion of the SW1/4 of Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at the northeasterly corner of Lot 3 of GLM Subdivision No. 2, common to a point on the east-west section 1/4 line of Section 28, T2N, R8E, and the point of beginning; Thence, first course: S89°56'27"E, along the said east-west section 1/4 line a distance 204.58 feet, to the center-west 16th corner of said section 28; Thence, second course: S89°58'22"E, along the said east-west section 1/4 line a distance

1326.23 feet, to the center 1/4 corner of said section 28, common to the northwesterly corner of Lot 1 of Mall Drive Subdivision; Thence, third course: S00°01'24"E, along the westerly boundary of said Lot 1, common to the north-south section 1/4 line, a distance of 396.01 feet, to the southwesterly corner of said Lot 1, common to a point on the northerly edge of East Mall Drive right-of-way; Thence, fourth course: S89°53'19"W, along the northerly edge of said East Mall Drive right-of-way, a distance of 1530.15 feet, to the southeasterly corner of said Lot 3; Thence, fifth course: N00°07'04"W, along the easterly boundary of said Lot 3, a distance of 399.88 feet, to northeasterly corner of said Lot 3, common to a point on the east-west section 1/4 line, and the point of beginning, and, a portion of the SW1/4 of Section 28, and Lot 3 of Starlite Subdivision, Section 28, T2N, R8E, BHM Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at intersection of the southerly edge of East Mall Drive right-of-way, and the easterly edge of Dyess Avenue right-of-way, and the point of beginning; Thence, first course: S89°58'23"E, along the southerly edge of said East Mall Drive right-of-way, a distance of 1017.22 feet; Thence, second course: N89°51'21"E, along the southerly edge of said East Mall Drive right-of-way, a distance of 30.10 feet; Thence, third course: S00°00'00"E, a distance of 463.07 feet; Thence, fourth course: S46°19'30"E, a distance of 112.25 feet; Thence, fifth course: S00°00'00"E, a distance of 376.79 feet, to a point on the northerly edge of Interstate 90 right-of-way; Thence, sixth course: N89°50'04"W, along the northerly edge of said Interstate 90 right-of-way, a distance of 261.04 feet, to the southeasterly corner of Lot 3 of Starlite Subdivision; Thence, seventh course: N89°44'25"W, along the northerly edge of said Interstate 90 right-of-way, common to the southerly boundary of said Lot 3, a distance of 300.04 feet; Thence, eighth course: N67°13'25"W, along the northerly edge of said Interstate 90 right-of-way, common to the southerly boundary of said Lot 3, a distance of 279.40 feet, to the northwesterly corner of said Lot 3; Thence, ninth course: N67°13'25"W, along the northerly edge of said Interstate 90 right-of-way, a distance of 278.24 feet, to the easterly edge of said Dyess Avenue right-of-way; Thence, tenth course: N08°55'12"W, along the easterly edge of said Dyess Avenue right-of-way, a distance of 342.56 feet; Thence, eleventh course: N00°01'28"W, along the easterly edge of said Dyess Avenue right-of-way, a distance of 361.37 feet, to the intersection of the southerly edge of said East Mall Drive right-of-way, and the easterly edge of said Dyess Avenue right-of-way, and the point of beginning, located northeast of the intersection of Dyess Avenue and Interstate 90 north and south of East Mall Drive.

Resolution No. 2010 - 181
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 20th day of December, 2010, at which they considered the recommendation of the Planning Commission and the proposed amendment to the Comprehensive Plan; and

WHEREAS, the proposed Amendment to the Comprehensive Plan would change the land use designation from General Commercial with a Planned Commercial Development to Light Industrial with a Planned Industrial Development for a portion of the SW1/4 of Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at the northeasterly corner of Lot 3 of GLM Subdivision No. 2, common to a point on the east-west section 1/4 line of Section 28, T2N, R8E, and the point of beginning; Thence, first course: S89°56'27"E, along the said east-west section 1/4 line a distance 204.58 feet, to the center-west 16th corner of said section 28; Thence, second course: S89°58'22"E, along the said east-west section 1/4 line a distance 1326.23 feet, to the center 1/4 corner of said section 28, common to the northwesterly corner of Lot 1 of Mall Drive Subdivision; Thence, third course: S00°01'24"E, along the westerly boundary of said Lot 1, common to the north-south section

1/4 line, a distance of 396.01 feet, to the southwesterly corner of said Lot 1, common to a point on the northerly edge of East Mall Drive right-of-way; Thence, fourth course: S89°53'19"W, along the northerly edge of said East Mall Drive right-of-way, a distance of 1530.15 feet, to the southeasterly corner of said Lot 3; Thence, fifth course: N00°07'04"W, along the easterly boundary of said Lot 3, a distance of 399.88 feet, to northeasterly corner of said Lot 3, common to a point on the east-west section 1/4 line, and the point of beginning, and, a portion of the SW1/4 of Section 28, and Lot 3 of Starlite Subdivision, Section 28, T2N, R8E, BHM Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at intersection of the southerly edge of East Mall Drive right-of-way, and the easterly edge of Dyess Avenue right-of-way, and the point of beginning; Thence, first course: S89°58'23"E, along the southerly edge of said East Mall Drive right-of-way, a distance of 1017.22 feet; Thence, second course: N89°51'21"E, along the southerly edge of said East Mall Drive right-of-way, a distance of 30.10 feet; Thence, third course: S00°00'00"E, a distance of 463.07 feet; Thence, fourth course: S46°19'30"E, a distance of 112.25 feet; Thence, fifth course: S00°00'00"E, a distance of 376.79 feet, to a point on the northerly edge of Interstate 90 right-of-way; Thence, sixth course: N89°50'04"W, along the northerly edge of said Interstate 90 right-of-way, a distance of 261.04 feet, to the southeasterly corner of Lot 3 of Starlite Subdivision; Thence, seventh course: N89°44'25"W, along the northerly edge of said Interstate 90 right-of-way, common to the southerly boundary of said Lot 3, a distance of 300.04 feet; Thence, eighth course: N67°13'25"W, along the northerly edge of said Interstate 90 right-of-way, common to the southerly boundary of said Lot 3, a distance of 279.40 feet, to the northwesterly corner of said Lot 3; Thence, ninth course: N67°13'25"W, along the northerly edge of said Interstate 90 right-of-way, a distance of 278.24 feet, to the easterly edge of said Dyess Avenue right-of-way; Thence, tenth course: N08°55'12"W, along the easterly edge of said Dyess Avenue right-of-way, a distance of 342.56 feet; Thence, eleventh course: N00°01'28"W, along the easterly edge of said Dyess Avenue right-of-way, a distance of 361.37 feet, to the intersection of the southerly edge of said East Mall Drive right-of-way, and the easterly edge of said Dyess Avenue right-of-way, and the point of beginning, more generally described as being located northeast of the intersection of Dyess Avenue and Interstate 90 north and south of East Mall Drive; and

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

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City, that the Amendment to the Comprehensive Plan to change the land use designation from General Commercial with a Planned Commercial Development to Light Industrial with a Planned Industrial Development for a portion of the SW1/4 of Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at the northeasterly corner of Lot 3 of GLM Subdivision No. 2, common to a point on the east-west section 1/4 line of Section 28, T2N, R8E, and the point of beginning; Thence, first course: S89°56'27"E, along the said east-west section 1/4 line a distance 204.58 feet, to the center-west 16th corner of said section 28; Thence, second course: S89°58'22"E, along the said east-west section 1/4 line a distance 1326.23 feet, to the center 1/4 corner of said section 28, common to the northwesterly corner of Lot 1 of Mall Drive Subdivision; Thence, third course: S00°01'24"E, along the westerly boundary of said Lot 1, common to the north-south section 1/4 line, a distance of 396.01 feet, to the southwesterly corner of said Lot 1, common to a point on the northerly edge of East Mall Drive right-of-way; Thence, fourth course: S89°53'19"W, along the northerly edge of said East Mall Drive right-of-way, a distance of 1530.15 feet, to the southeasterly corner of said Lot 3; Thence, fifth course: N00°07'04"W, along the easterly boundary of said Lot 3, a distance of 399.88 feet, to northeasterly corner of said Lot 3, common to a point on the east-west section 1/4 line, and the point of beginning, and, a portion of the SW1/4 of Section 28, and Lot 3 of Starlite Subdivision, Section 28, T2N, R8E, BHM Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at intersection of the southerly edge of East Mall Drive right-of-way, and the easterly edge of Dyess Avenue right-of-way, and the point of beginning; Thence, first course: S89°58'23"E, along the southerly edge of said East Mall Drive right-of-way, a distance of 1017.22 feet; Thence, second course: N89°51'21"E, along the southerly edge of said East Mall Drive right-of-way, a distance of 30.10 feet; Thence, third course: S00°00'00"E, a distance of 463.07 feet; Thence, fourth course: S46°19'30"E, a distance of

112.25 feet; Thence, fifth course: S00°00'00"E, a distance of 376.79 feet, to a point on the northerly edge of Interstate 90 right-of-way; Thence, sixth course: N89°50'04"W, along the northerly edge of said Interstate 90 right-of-way, a distance of 261.04 feet, to the southeasterly corner of Lot 3 of Starlite Subdivision; Thence, seventh course: N89°44'25"W, along the northerly edge of said Interstate 90 right-of-way, common to the southerly boundary of said Lot 3, a distance of 300.04 feet; Thence, eighth course: N67°13'25"W, along the northerly edge of said Interstate 90 right-of-way, common to the southerly boundary of said Lot 3, a distance of 279.40 feet, to the northwesterly corner of said Lot 3; Thence, ninth course: N67°13'25"W, along the northerly edge of said Interstate 90 right-of-way, a distance of 278.24 feet, to the easterly edge of said Dyess Avenue right-of-way; Thence, tenth course: N08°55'12"W, along the easterly edge of said Dyess Avenue right-of-way, a distance of 342.56 feet; Thence, eleventh course: N00°01'28"W, along the easterly edge of said Dyess Avenue right-of-way, a distance of 361.37 feet, to the intersection of the southerly edge of said East Mall Drive right-of-way, and the easterly edge of said Dyess Avenue right-of-way, and the point of beginning, more generally described as being located northeast of the intersection of Dyess Avenue and Interstate 90 north and south of East Mall Drive, as attached to the original hereof is hereby adopted and shall be filed with the City Finance Office.

Dated this 20th day of December, 2010.

ATTEST:
s/ Jeff Barbier
 Acting Finance Officer

CITY OF RAPID CITY
s/ Alan Hanks
 Mayor

(SEAL)

Alcohol Licenses

74. Jian Ying Liang DBA Hunan Restaurant, 1720 Mt Rushmore Road for Retail (on-off sale) Wine
75. Jian Ying Liang DBA Hunan Restaurant, 1720 Mt Rushmore Road for Retail (on-off sale) Malt Beverage Transfer from Hao Wang/Northstar Inc DBA Hunan Restaurant, 1720 Mt Rushmore Road
76. Central Baseball Association DBA 109th Engineering Group Armory, Range Road for a Special Event Malt Beverage for an event scheduled March 12, 2011 at Range Road Armory
77. Colt 45 Entertainment, LLC DBA Divas-n-Rockstars Karaoke Night Club, 640 E St Patrick Street for a Retail (on-off sale) Wine
78. Colt 45 Entertainment, LLC DBA Divas-n-Rockstars Karaoke Night Club, 640 E St Patrick Street for a Retail (on-off sale) Malt Beverage
79. Wal-Mart Stores, Inc. DBA Walmart #1604, 1200 N LaCrosse Street for a Package (off-sale) Liquor
80. Metanoia LLC DBA Fresh Start-Rapid Valley #21, 3887 East Highway 44 (Lot 2 of Lot M, Burson Subdivision) for Package (off-sale) Liquor for FY 2011 Transfer from Metanoia, LLC DBA Rapid Valley Car Wash/Liquor Store, 3800 East Highway 44 (Lot 1B of Lot M, Burson Subdivision)

Retail (on-sale) Liquor License Renewals for 2011

81. ERJ Dining IV LLCC DBA Chili's Grill & Bar, 2125 N Haines Ave for Retail (on-sale) Liquor

82. Dealer Exchange Inc DBA Kaktus Kim's, Rushmore Mall Space 478 for Retail (on-sale) Liquor

83. First National Bank Rapid City DBA Murphy's Bar, 510 9th Street for Retail (on-sale) Liquor

Package (off-sale) Liquor License Renewals for 2011

84. Gentner & Salter LLC DBA The Wine Rack, 5734 Sheridan Lake Rd 202 for Package (off-sale) Liquor

Retail (on-off sale) Wine License Renewals for 2011

85. Walgreen Co. DBA Walgreens #05643, 540 Mountain View Road for Retail (on-off sale) Wine

86. Walgreen Co. DBA Walgreens #10656, 1902 Mount Rushmore Road for Retail (on-off sale) Wine

87. Yichang Su DBA Pacific Café, 1204 E North Street for Retail (on-off sale) Wine

Assessment Rolls

88. No. LF121510-07 – Approve Resolution No. 2010-172A Fixing Time and Place for Hearing on Assessment Roll for Cleanup of Miscellaneous Property.

Motion was made by Weifenbach, second by Mason and carried to approve (No. CC122010-06) Resolution No. 2010-153B Resolution Levying Assessment for Cleanup of Miscellaneous Property for Property Assessments 1 – 8.

Motion was made by Weifenbach, second by Petersen and carried to continue (No. CC122010-06) Resolution No. 2010-153B Resolution Levying Assessment for Cleanup of Miscellaneous Property for the 2618 Grandview Drive Property Assessment and to request the Mayor direct staff to work with the property owner to resolve their concerns.

END OF CONSENT PUBLIC HEARING CALENDAR

NON-CONSENT PUBLIC HEARING ITEMS – Items 89 - 95

Ordinance No. 5702 (No. 10RZ055) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, Rezoning the within Described Property as requested by City of Rapid City for a **Rezoning from No Use District to General Commercial District** Lot 2 of Lot M of Burson Subdivision, located in the E1/2 of Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at 3887 E. Highway 44 having passed its first reading on December 6, 2010; motion was made by Weifenbach, second by Waugh and carried that the title be read a second time. Upon vote being taken, the following voted AYE: Petersen, Weifenbach, Davis, Hadcock, Kroeger, Costello, Kooiker, Waugh and Mason; NO: None; whereupon the Mayor declared the motion passed and Ordinance 5702 was declared and duly passed upon its second reading.

Ordinance No. 5703 (No. 10RZ056) An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, Rezoning the within Described Property as requested by City of Rapid City for a **Rezoning from No Use District to Mobile Home Residential District** for a portion of the SW1/4 of Section 9, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, more fully described as follows: Commencing at the northwest corner of Lot 1 of Orchard Subdivision, Thence S82°0'00"E, a distance of 173.5 feet, to the Point of Beginning; Thence S0°36'23"E, a distance of 37.728 feet; Thence S0°36'23"E, a distance of 29.22 feet; Thence S0°36'22"E, a distance of 76.989 feet; Thence S0°36'23"E,

a distance of 273.789 feet; Thence $S0^{\circ}35'19''E$, a distance of 15.739 feet; Thence $N43^{\circ}26'53''W$, a distance of 33.391 feet; Thence $N47^{\circ}15'42''W$, a distance of 14.018 feet; Thence $N47^{\circ}15'42''W$, a distance of 22.12 feet; Thence $N59^{\circ}40'48''W$, a distance of 74.816 feet; Thence $N86^{\circ}11'52''W$, a distance of 47.373 feet; Thence $N89^{\circ}32'8''W$, a distance of 12.218 feet; Thence $N0^{\circ}25'32''W$, a distance of 199.56 feet; Thence $N0^{\circ}27'20''W$, a distance of 168.265 feet; Thence $N0^{\circ}27'19''W$, a distance of 15.62 feet; Thence $N0^{\circ}10'1''W$, a distance of 15.104 feet; Thence $S82^{\circ}1'27''E$, a distance of 173.132 feet; Thence $S0^{\circ}58'15''E$, a distance of 23.395 feet; Thence $S0^{\circ}58'10''E$, a distance of 7.456 feet, to the Point of Beginning, located at 2919, 2925 and 2931 Orchard Lane having passed its first reading on December 6, 2010; motion was made by Weifenbach, second by Mason and carried that the title be read a second time. Upon vote being taken, the following voted AYE: Petersen, Weifenbach, Davis, Hadcock, Kroeger, Costello, Kooiker, Waugh and Mason; NO: None; whereupon the Mayor declared the motion passed and Ordinance 5703 was declared and duly passed upon its second reading.

Ordinance No. 5704 (No. 10RZ057) Second Reading, Ordinance 5704, An Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, Rezoning the within Described Property as requested by Dream Design International, Inc. for a **Rezoning from General Commercial District to Light Industrial District** for a portion of the SW1/4 of Section 28, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at the northeasterly corner of Lot 3 of GLM Subdivision No. 2, common to a point on the east-west section 1/4 line of Section 28, T2N, R8E, and the point of beginning; Thence, first course: $S89^{\circ}56'27''E$, along the said east-west section 1/4 line a distance 204.58 feet, to the center-west 16th corner of said section 28; Thence, second course: $S89^{\circ}58'22''E$, along the said east-west section 1/4 line a distance 1326.23 feet, to the center 1/4 corner of said section 28, common to the northwesterly corner of Lot 1 of Mall Drive Subdivision; Thence, third course: $S00^{\circ}01'24''E$, along the westerly boundary of said Lot 1, common to the north-south section 1/4 line, a distance of 396.01 feet, to the southwesterly corner of said Lot 1, common to a point on the northerly edge of East Mall Drive right-of-way; Thence, fourth course: $S89^{\circ}53'19''W$, along the northerly edge of said East Mall Drive right-of-way, a distance of 1530.15 feet, to the southeasterly corner of said Lot 3; Thence, fifth course: $N00^{\circ}07'04''W$, along the easterly boundary of said Lot 3, a distance of 399.88 feet, to northeasterly corner of said Lot 3, common to a point on the east-west section 1/4 line, and the point of beginning, and, a portion of the SW1/4 of Section 28, and Lot 3 of Starlite Subdivision, Section 28, T2N, R8E, BHM Rapid City, Pennington County, South Dakota more fully described as follows: Commencing at intersection of the southerly edge of East Mall Drive right-of-way, and the easterly edge of Dyess Avenue right-of-way, and the point of beginning; Thence, first course: $S89^{\circ}58'23''E$, along the southerly edge of said East Mall Drive right-of-way, a distance of 1017.22 feet; Thence, second course: $N89^{\circ}51'21''E$, along the southerly edge of said East Mall Drive right-of-way, a distance of 30.10 feet; Thence, third course: $S00^{\circ}00'00''E$, a distance of 463.07 feet; Thence, fourth course: $S46^{\circ}19'30''E$, a distance of 112.25 feet; Thence, fifth course: $S00^{\circ}00'00''E$, a distance of 376.79 feet, to a point on the northerly edge of Interstate 90 right-of-way; Thence, sixth course: $N89^{\circ}50'04''W$, along the northerly edge of said Interstate 90 right-of-way, a distance of 261.04 feet, to the southeasterly corner of Lot 3 of Starlite Subdivision; Thence, seventh course: $N89^{\circ}44'25''W$, along the northerly edge of said Interstate 90 right-of-way, common to the southerly boundary of said Lot 3, a distance of 300.04 feet; Thence, eighth course: $N67^{\circ}13'25''W$, along the northerly edge of said Interstate 90 right-of-way, common to the southerly boundary of said Lot 3, a distance of 279.40 feet, to the northwesterly corner of said Lot 3; Thence, ninth course: $N67^{\circ}13'25''W$, along the northerly edge of said Interstate 90 right-of-way, a distance of 278.24 feet, to the easterly edge of said Dyess Avenue right-of-way; Thence, tenth course: $N08^{\circ}55'12''W$, along the easterly edge of said Dyess Avenue right-of-way, a distance of 342.56 feet; Thence, eleventh course: $N00^{\circ}01'28''W$, along the easterly edge of said Dyess Avenue right-of-way, a distance of 361.37 feet, to the intersection of the southerly edge of said East Mall Drive right-of-way, and the easterly edge of said Dyess Avenue right-of-way, and the point of beginning, located northeast of the intersection of Dyess Avenue and Interstate 90 north and south of East Mall Drive having passed its first reading on December 6, 2010; motion was made by Weifenbach, second by Mason and carried that the title be read a second time. Upon vote being taken, the following voted AYE: Petersen, Weifenbach, Davis, Hadcock, Kroeger, Costello, Kooiker, Waugh and Mason; NO: None; whereupon the Mayor

declared the motion passed and Ordinance 5704 was declared and duly passed upon its second reading.

Motion was made by Weifenbach, second by Davis and carried to Authorize the Mayor and Finance Officer to sign the waiver of right to protest a future assessment for the installation of pavement, curb, gutter, sidewalk, street light conduit, water and sewer along Sun Ridge Road and the section line highway as they abut the property has been submitted in conjunction with a Layout Plat to create one lot. A stipulation of approval of the Variance to the Subdivision Regulations requires that the applicant sign a waiver of right to protest any future assesment for the installation of the improve as they abut That portion of the SE1/4 SE1/4 SE1/4 of Section 25, T2N, R6E, lying South and West of Lot H-1 of said SE1/4 SE1/4 SE1/4, BHM, Pennington County, South Dakota, located along the south side of Sun Ridge Road west of the intersection of Sun Ridge Road and Aztec Drive (10SV021)

Motion was made by Weifenbach, second by Davis and carried to approve (No. 10SV021) A request by Fisk Land Surveying & Consulting Engineers for James Steele for a **Variance to the Subdivision Regulations to waive the requirement to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along Sun Ridge Road and the Section Line Highway and to waive the requirement to dedicate right-of-way along the Section Line Highway per Chapter 16 of the Rapid City Municipal Code** for Lot 1 of S and S Subdivision, legally described as that portion of the SE1/4 SE1/4 SE1/4 of Section 25, T2N, R6E, lying South and West of Lot H-1 of said SE1/4 SE1/4 SE1/4, BHM, Pennington County, South Dakota, located along the south side of Sun Ridge Road west of the intersection of Sun Ridge Road and Aztec Drive with the following stipulations: 1. Sun Ridge Road shall continually be maintained with a 24 foot wide chip seal surface; and, 2. Prior to approval by the City Council, the applicant shall sign a waiver of right to protest any future assessments for the street improvements.

Motion was made by Weifenbach, second by Kroeger and carried to Authorize the Mayor and Finance Officer to sign the waiver of right to protest a future assessment for the installation of sewer along a portion of Shelby Avenue as they abut Unplatted Government Lot 1 less Gemstone Subdivision, less Lot H-1 and less right-of-way; Government Lot 2 less North 80 Subdivision, less Lot H2 and less right-of-way, all located in Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located at east of 5th Street at the current eastern terminus of East Stumer Road. (10SV025)

Motion was made by Weifenbach, second by Davis and carried to approve (No. 10SV025) A request by Centerline for Lazy P-6 Land Co., Inc. for a **Variance to the Subdivision Regulations to waive the requirement to install sewer along a portion of Shelby Avenue as per Chapter 16.16 of the Rapid City Municipal Code** for proposed Lot 3 of North 80 Subdivision and dedicated public right-of-way, all located in Section 19, T1N, R8E, legally described as unplatted Government Lot 1 less Gemstone Subdivision, less Lot H-1 and less right-of-way; Government Lot 2 less North 80 Subdivision, less Lot H2 and less right-of-way, all located in Section 19, T1N, R8E, BHM, Rapid City, Pennington County, South Dakota, located east of 5th Street at the current eastern terminus of East Stumer Road with the following stipulation: 1. Prior to approval by the City Council, the applicant shall sign a waiver of right to protest any future assessment for the improvement.

BILLS

The following bills have been audited.

BILL LIST - DECEMBER 20, 2010

P/ROLL PERIOD END 12/04/10, PD 12/10/10	901,144.63
CDEV P/ROLL PERIOD END 12/04/10, PD 12/10/10	2,837.84
ARRA CDEV P/ROLL PERIOD END 12/04/10, PD 12/10/10	821.36
PIONEER BANK & TRUST, 12/04/10 P/ROLL TAXES, PD 12/10/10	203,511.58
CDEV PIONEER BANK & TRUST, 12/04/10 P/ROLL TAXES, PD 12/10/10	194.74

ARRA CDEV PIONEER BANK & TRUST, 12/04/10 P/ROLL TAXES, PD 12/10/10	58.50
FIRST ADMINISTRATORS, CLAIMS THROUGH 12/06/10, PD 12/08/10	132,143.74
FIRST ADMINISTRATORS, CLAIMS THROUGH 12/13/10, PD 12/15/10	90,736.07
1ST NATIONAL BANK IN SIOUX FALLS, PAYOFF DRINKING WATER #1, PD 12/06/10	3,260,538.94
BLACK HILLS POWER, ELECTRICITY, PD 12/08/10	55,614.83
MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 12/02/10	1,959.45
WEST RIVER ELECTRIC ASSN, ELECTRICITY, PD 12/08/10	18,658.24
SD RETIREMENT SYSTEM SPECIAL PAY PLAN, Special Pay Plan M Davila, Pd 12/10/10	45.00
BLACK HILLS COMMUNITY BANK, TID46 RED ROCK MEADOWS, PD 12/13/10	235,819.25
COMPUTER BILL LIST	4,186,470.73
	SUBTOTAL
	9,090,554.90
RSVP, P/ROLL PERIOD END 12/04/10, PD 12/10/10	2,847.72
RSVP, 12/04/10 P/ROLL TAXES, PD 12/10/10	217.85
RSVP, CITY-HEALTH INS TRUST, NOV 10 HEALTH	1,010.00
RSVP, CITY OF RAPID CITY-POSTAGE	159.30
RSVP, IKON FINANCIAL SERVICES, COPIER MAINT NOV 10	13.83
RSVP, JOHNSON MACHINE INC.	71.52
RSVP, K-MART, GIFT WRAPPING SUPPLIES	99.21
RSVP, KNOLOGY, NOV 10 PHONE LD	28.25
RSVP, METROPOLITAN LIFE INS, DEC 10 LIFE	6.42
RSVP, O'REILLY AUTO PARTS	63.69
RSVP, SIMPSON'S PRINTING, 600 NEWSLETTERS	130.00
RSVP, WRIGHT EXPRESS, 51.58 G UNL	140.84
	TOTAL
	9,095,343.53

Barbier requested to add the following payments: Mainline Contracting for \$6,196.94, RCS Construction, Inc. for \$5,582.50 and Tru-Form Construction, Inc. for \$21,200.05. The new bill list total is \$9,128,343.02. Motion was made by Kroeger, second by Costello and carried to authorize (No. CC122010-01) the Acting Finance Officer to issue warrants or treasurers checks, drawn on proper funds, in payment thereof.

EXECUTIVE SESSION

Motion was made by Davis, second by Costello and carried to go into Executive Session for the purposes permitted by SDCL 1-25-2 at 10:30 p.m. Motion was made by Waugh, second by Mason and carried to come out of Executive Session at 11:21 p.m. with all members present.

STAFF DIRECTION

Motion was made by Waugh, second by Mason to authorize the Civic Center Manager to extend an offer to the candidate for the Operations Manager position at Grade 19, Step H.

Motion was made by Waugh, second by Petersen and carried to direct the City Attorney to direct outside counsel to take an appeal in the City of Rapid City vs. Estes matter.

Motion was made by Waugh, second by Mason and carried to direct the City Attorney to proceed in accordance with the discussion in Executive Session on the IAFF matter.

Motion was made by Petersen, second by Mason and carried to continue Action on AFSCME Collective Bargaining Agreement to the January 3, 2011 Council meeting.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Costello, second by Waugh and carried to adjourn the meeting at 11:23 p.m.