A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, May 31, 2006, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Malcom Chapman, Tom Johnson, Deb Hadcock, and Bill Okrepkie. Absent: Ray Hadley.

(NOTE: For sake of continuity, the following minutes are not necessarily in chronological order. Also, all referenced documents are on file with the Master Agenda.)

Approve Minutes of May 10, 2006

Motion was made by Hadcock, seconded by Johnson, and carried to approve the minutes of the May 10, 2006, Legal and Finance Committee.

Adoption of the Agenda

Motion was made by Johnson, seconded by Hadcock, and carried to adopt the agenda with the following additions:

28a) Additional Funding for National Main Street Assessment;
40a) Downtown Area Improvement Project Phase I Presentation;
40b) Award bid to Grizzly Excavation for Ninth Street to West Boulevard and Clark Street to Fairview Street Sewer Extension in the sum of $38,663.60.

General Public Comment

A time for members of the public to discuss or express concerns to the Committee on any issue, not limited to items on the agenda. Action will not be taken at the meeting on any issue not on the agenda, except by placement on the agenda by unanimous vote of the Aldermen present.

SPECIAL ITEMS FROM THE PUBLIC (citizen requested to be placed on agenda)

Deb Hadcock told the Committee she is requesting three regular meters and one handicapped meter in front of her business at 424 Quincy Street. She said there are meters right next to this business. She checked with the neighbors, and everyone is fine with this request. She checked with the City Traffic Engineer, and he said a handicapped parking meter would be okay at this location. City Attorney Jason Green said the Traffic Division has the authority to install meters. Johnson moved to acknowledge the request from Deb Hadcock for three regular meters and one handicapped meter in front of 424 Quincy Street. Second by Chapman. Motion carried with Hadcock abstaining. Place item on consent calendar

Hadcock moved to table West Boulevard Association - business encroachment on West Boulevard. Second by Johnson. Motion carried.

No. LF053106-01 – Barb Evenson from the Dahl Fine Arts Center said that the Rapid City Arts Council, at the request of the South Dakota Office of Tourism and State Development, has
agreed to manage local administration, data collection, and distribution of data in seven Black Hills counties, including Pennington County, for a year-long national survey on the arts and culture as a factor in economic development. The study will document the role played by arts and cultural industries in strengthening and diversifying local economies which will be invaluable to city and state economic development planning efforts. The total cost to participate, manage, and distribute the results is $15,000, and they are asking the City Council to participate by contributing $3,000. Hadcock moved to approve request from the Rapid City Arts Council for $3,000 for the National Economic Development Study, with the funds coming from the Council Contingency fund. Second by Johnson. Motion carried. Place item on consent calendar

William Meloy told the Committee that he lives at 603 Quincy. He has had to go home from work sick twice in a short period of time. He takes medication and goes to bed and does not get up to feed the two hour parking meters in front of his house. As a result, he has received two parking tickets. He is requesting consideration from the Council for residential parking permits for people who live in buildings located by either metered parking or two-hour parking. City Attorney Jason Green said if the meters are removed, that location will revert to two hour parking so it will not solve the problem. With regard to issuing permits, that would be inconsistent with the character of the right of way easement which is open to anyone at any time. After further discussion, a motion was made by Hadcock to continue William Meloy – parking at 603 Quincy Street to the June 14, 2006, Legal and Finance Committee meeting. Second by Johnson. Motion carried.

ITEMS FROM MAYOR

No. LF053106-02 – Hadcock moved to confirm appointment of Jo Robuck Pearson to the Rapid City Regional Airport Board. Second by Johnson. Motion carried. Place item on consent calendar

No. LF053106-03 – Johnson moved to take authorization for the Mayor and Finance Officer to sign Proposal for Services with Virginia Wood Nelson to provide training and consultation for the City department heads/leadership staff to the June 5, 2006, City Council meeting without recommendation. Second by Hadcock. Motion carried.

No. LF053106-04 – Hadcock moved to continue approval of Travel Request for Malcom Chapman to attend National League of Cities, 14th Annual Leadership Summit in Colorado Springs, CO, September 20-23, 2006, in an approximate amount of $1,893 to the June 14, 2006, Legal and Finance Committee meeting. Second by Johnson. Motion carried.

Johnson moved to recognize the following volunteers for their help with Rapid City Clean-Up Day: Boy Scout Pack 2: Triston Jacobs, T.J. Marrs, Hunter Gabert, Zach Larson, Curt Mahaffy, K.J. McDowell, Linda Larson, Bridgett Mahaffy, John McDowell, Cheryl Gabert, Jim Marrs, Toni Jacobs; Canyon Lake Senior Center: Ron Roland, Mildene Turpin, Ethel Gibbons, Nila Boone, Jon Boone, Gordon Scofield, Cliff Coleman; Cougars 4-H Club: Kassia Symstad, Amy Symstad, Mary Lunders, Leon Lunders, Mark Lunders, Rick Borkovec, Kathy Borkovec, Shelyssa Theel, Doug Theel, Lauren Soulek, Lynn Soulek, Joyce Bowman; Boy Scout Troop 4 and Trinity Lutheran Church: Matt Sigler, Genene Signer, Dan Arnio, Andrew Belsaas, Erik Belsaas, Tim Pavek, Rick Belsaas, Max Patnoe, Hazel Rogers; Behavior Management Systems – Mainstream: Carol Frey, Montie Barkley, Rolaine L. Frey, Jeff Gaa, Jennifer Madden, Elaine

ITEMS FROM ALDERMEN AND COMMITTEE REPORTS

No. LF053106-05 – Hadcock moved to acknowledge Capital Improvements Program Committee monthly update for May, 2006. Second by Johnson. Motion carried. Place item on consent calendar

No. LF053106-06 – Hadcock moved to approve 2006 Capital Plan for Streets, Drainage and MIP Projects for May, 2006. Second by Johnson. Motion carried. Place item on consent calendar

No. LF053106-07 – Okrepkie moved to request staff to look at other options regarding reallocating 2012 funds from 2009 to 2008 as it relates to a multiple-phase Downtown Area Improvement Project and bring those options back to the June 14, 2006, Legal and Finance Committee meeting and to the June 12, 2006, 2012 Committee meeting. Second by Hadcock. Reallocation of these funds will not impact the projects in 2012 but it will have an impact on the
projects in the CIP because some of those projects will be delayed. Project Engineer Dan Coon said the proposal would be to move phase 2 of the downtown improvement project forward one year. That would be 6th Street and 7th Street. The main change in the CIP is that currently if all the phases of the downtown project are moved forward, the second phases of the Robbinsdale reconstruction project would be pushed out farther. Johnson and Chapman both expressed concern over getting the bottom line of the 2012 balance too low. Okrepkie encouraged his colleagues to look at this option. He said the City should try to make the downtown area as vibrant as possible. Johnson said he supports getting the project done, but he is having trouble with the money at the bottom. He thinks in order to make this work, we need other solutions and/or other funding. After further discussion, a vote was taken and the motion carried.

Okrepkie moved to direct staff to obtain a site utilization, layout, and probable costs for each facility -- golf course maintenance building and parks equipment maintenance shop for an amount not to exceed $8,000. Second by Johnson. Motion carried. **Place item on consent calendar**

Johnson moved to direct staff to work with the School District staff to develop a bleacher use policy and bring the policy forward at a Legal and Finance Committee meeting. Second by Hadcock. Motion carried. **Place item on consent calendar**

Hadcock said the Department of Transportation wants a hold harmless resolution from the City for use of Eighth Street for the Festival of Presidents Parade on June 5, 2006. City Attorney Jason Green said this is the first time he has heard anything like this, and it is something that makes him pretty nervous. He will talk to Mr. Engel with the DOT to get more information on this. Hadcock moved to take hold harmless resolution from the City to the Department of Transportation regarding the Festival of Presidents Parade to the June 5, 2006, City Council meeting without recommendation. Second by Okrepkie. Motion carried.

**POLICE DEPARTMENT**

No. LF053106-08 – Okrepkie moved to approve request to purchase one 2007 Chevrolet Suburban from state bid in the amount of $36,444. Second by Johnson. Motion carried. **Place item on consent calendar**

No. LF053106-33 – Okrepkie moved to approve Travel Request for Thomas Vlieger to attend FBI National Academy in Quantico, Virginia, July 6-September 18, 2006, in an approximate amount of $1,500. Second by Johnson. Motion carried. **Place item on consent calendar**

**FIRE DEPARTMENT**

No. LF053106-09 – Okrepkie moved to authorize Mayor and Finance Officer to sign Agreement for Mutual Aid in Fire Protection and Hazardous Material Incidents Response (US). Second by Johnson. Motion carried. **Place item on consent calendar**

No. LF053106-10 – Johnson moved to authorize staff to sign Mutual Aid Agreement for Emergency Organizations Serving Pennington County. Second by Hadcock. Motion carried. **Place item on consent calendar**
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No. LF053106-11 – Okrepkie moved to approve Travel Request for Sandy Dempsey and Mary Graves to attend Ortivus North American Software Users Group Workshop in Chicago, IL, from June 19-23, 2006, in an approximate amount of $3,775.62. Second by Johnson. Motion carried. **Place item on consent calendar**

No. LF053106-12 – Okrepkie moved to approve Travel Request for Gary Shepherd, Sheryl Aldridge, John Niehaus, Dan Ladenburger, and Rod Seals to Attend Missouri Valley Division of Fire Chiefs Conference in Omaha, NE, July 19-22, 2006, in an approximate amount of $2,558.52. Second by Hadcock. Motion carried. **Place item on consent calendar**

No. LF053106-13 – Chief Shepherd told the Committee that in March of every year the Rocky Mountain figures for rate increases for ambulance services come out. This year that recommended increase was 4.9%. Staff thinks it can get by with a 3% increase. That proposal was presented to the EMS Oversight Committee, and it unanimously recommended to bring that recommendation to the City Council and then to the County Commission. Okrepkie moved to approve request for a 3% increase in the ambulance rates. Second by Johnson. Motion carried. **Place item on consent calendar**

No. LF053106-14 – Johnson moved to authorize staff to go out for bids for new pumper truck. Second by Hadcock. Motion carried. **Place item on consent calendar**

Okrepkie moved to authorize staff to over-hire one firefighter to replace one on military leave. Second by Johnson. Motion carried. **Place item on consent calendar**

GROWTH MANAGEMENT

No. 05TI019 - East Anamosa Street - Johnson moved to continue a request by Centerline to consider an application for a **Tax Increment District No. 49 Project Plan** on Lot 1 – 28 and all adjacent rights-of-way, Block 11, Plainview #2, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1 – 14 and all adjacent rights-of-way, Tract A (formerly lots 15A thru 25A) and all adjacent rights-of-way, Lot 15-28 less lot 15A -25A and all adjacent rights-of-way, all located in Block 12, Plainview #2, Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Unplatted balance of SW1/4SE1/4 and the unplatted balance of SE1/4SE1/4 and all adjacent rights-of-way, all located in Section 30, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 3 and Lot 4 and all adjacent rights-of-way, Tract A & S1/2 vacated part of alley adjacent to Tract A and all adjacent rights-of-way, Lot A of Lot 1, Lot 2 and the S1/2 vacated Watertown St adjacent to said lot, Lot B of Lot 1, all located in Block 2, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract I and the N1/2 vacated portion of alley adjacent to Tract I and the S1/2 vacated Watertown St adjacent to Tract I and all adjacent rights-of-way, Block 2, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, All Block 3 and W375’ of N1/2 vacated Watertown Street adjacent to Block 3 less W150’ & less Lot 1-2 and the S1/2 vacated Madison Street adjacent to E475’ Block 3 and the vacated alley in Block 3 less portion between Lots 1 & 2 and all adjacent rights-of-way, all located in Block 3, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1-2 and the S1/2 vacated Madison St adjacent to Lot 1 and the N1/2 vacated Watertown Street adjacent to Lot 2 and the vacated alley between Lots 1-2, Block 3 and all adjacent rights-of-way, all located in Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington
County, South Dakota; and, All of Block 1 and all adjacent rights-of-way, Feigels Addition, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1 -2 and the balance of Block 4 and all adjacent rights-of-way, all located in Block 4, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, SE1/4NE1/4 including Meadowlark Hills Sub & all adjacent rights-of-way, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract E & E15’ of vacated Cherry St adjacent to said Tract E, Block 1 and all adjacent rights-of-way, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract A less the E100’ and the E15’ of vacated Cherry St adjacent to said Tract A and adjacent right-of-way, Block 1, Feigels Subdivision, Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, All of the 90’ wide East Anamosa Street right-of-way located in the NE1/4 of Section 31 and the SE1/4 of Section 30, and the East Anamosa Street right-of-way located in the NW1/4 of Section 31 and the SW1/4 of Section 30 all adjacent to LaCrosse Street, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, All Railroad Right-of-Way located in the NE1/4 of Section 31, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot A and Lot B and all adjacent rights-of-way, West Century Sub, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, N170’ of S313.96’ of Lot 2 and adjacent right-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot 1 and Lot 2 and all adjacent rights-of-way, Buckingham Rental Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot B of Lot 1 of SW1/4NW1/4 and all adjacent rights-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot A, B, C, and D of Lot 1 of NW1/4SW1/4 and all adjacent rights-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract 1, Century “21” and all adjacent rights-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract A in NE1/4NW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Tract D in NE1/4NW1/4 including Lot 1 of Tract D of Heubner Subdivision and all adjacent rights-of-way, all located in Heubner Subdivision, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, N16.04’ of Lot 2 of SW1/4NW1/4 and adjacent right-of-way, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lots H2 and Lot H3 of the SW1/4NW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lots H3 and H4 of the SE1/4NW1/4, Lot H1 of Lot A of the SE1/4NW1/4, Lot H2 of the SE1/4NW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H1 of the S1/2NW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 of the N1/2NE1/4 as recorded on Plat of Lot H1 of the N1/2NE1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 in the NW1/4NE1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota; and, Lot H2 of Lot B of Lot 1 in the NW1/4SW1/4, Lot H1 of Lot B of Lot 1 of the NW1/4SW1/4, Lot 2 of the NW1/4SW1/4, Lot H1 of Lots 7 & 8 of the NW1/4SW1/4, Lot H1 of Lots 3, 4, 5 & 6 of the NW1/4SW1/4, Lot H1 and Lot H2 of the NW1/4SW1/4, Section 32, T2N, R8E, BHM, Rapid City, Pennington County, South Dakota, more generally described as being located west of Century Road, east of LaCrosse Street and south of US 1-90 to the June 14, 2006, Legal and Finance Committee meeting. Second by Okrepkie. Motion carried.
No. 05TI003 - Section 25, T2N, R7E – Johnson moved to approve a request by City of Rapid City to consider request for Tax Increment District No. 36 Revised Project Plan Revisions on Lot 1 of Block 1, & Dedicated right-of-way, of Tires Plus Addition, located in the NE1/4 of the NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Lots 1R and 2R of Five Star Subdivision and dedicated public right-of-way shown as Disk Drive, located in NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Tracts 4-C of Parcel #4, and Tracts 4-A, C and D, all located in the SE1/4 NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Lots A, B & C of Lot 1 of Block 1 of Geld Subdivision and Lots 2 & 3 of Geld Subdivision, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Parcel #3 in SW1/4 NW1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Parcel #7 in SW1/4 NW1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Parcel # in SW1/4 NW1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Lot 18 (except that portion of Lot 18 platted as Lot C of Pine View Subdivision, as shown on the plat filed in Plat Book 17, page 144), and all of Lots 19-22 together with the vacated Street abutting said lots as recorded in Miscellaneous Book 115, page 678, all located in Block 4, Pine View Subdivision, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Lot 8R of Block 3 as recorded on Plat of Tract CR and Lot 8R of Block 3 formerly Tract C and Lot 8 of Block 3 located in the NW1/4 NE1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Lot 1 and Lot 2 of Lowe’s Subdivision, formerly Tract 1 of Martley Subdivision and Tract CR of the NE1/4 of NE1/4 located in the NW1/4 of NE1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Balance of Parcel No. 8 in the NW1/4 NW1/4 of Section 25, T2N, R7E, BHM, Pennington County, South Dakota; Unplatted portion of NW1/4 NW1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Unplatted Balance of NE1/4 NW1/4, Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Lot H-1 in the S1/2 NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Plat of dedicated public right-of-way shown as Disk Drive, formerly a portion of Parcel 5 of NE1/4NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; All of dedicated Public right-of-way of Disk Drive located in the NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; A portion of Lot A of Howard Street/I-90 right-of-way located adjacent to Tracts 4-C of Parcel #4 and Tracts 4-A, C & D of the SE1/4NW1/4 and adjacent to Parcel #3 and Parcel #7 in the SW1/4NW1/4 and Lot 1R of Five Star Subdivision in the NW1/4 and Disk Drive right-of-way, all located in Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; The 100 foot Haines Avenue right-of-way beginning at the southern boundary of the Haines Avenue/Disk Drive intersection located in Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, then traveling northward and ending at the intersection of the North/South and East/West quarter section lines of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Lot 1 and Lot 2, The New Park Subdivision, located in the NW1/4SW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; SW1/4SW1/4, NE1/4SW1/4, N1/2SE1/4SW1/4, all located in Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Dakota Subdivision #1, located in the S1/2SE1/4SW1/4 of Section 24, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota; Lakota Subdivision #1, Lakota Subdivision #2, and Lakota
Subdivision #3, all located in the N1/2NW1/4 of Section 25, T2N, R7E, BHM, Rapid City, Pennington County, South Dakota, more generally described as extending north from Interstate 90 to Northridge Subdivision and from the east property boundary of Lowe's Subdivision to Bunker Drive. Second by Okrepkie. Marcia Elkins said this is a tax increment district that has been revised previously. This is an additional revision, and it is a reallocation of costs within the district so it will not have the base to be re-established. The proposed costs that would be included involve the north-south road (Chieftain Drive). This will provide additional road connection and access to the city park/school site in the future. The Planning Commission has recommended approval. Hadcock asked how close the City is to getting the 1,200 feet of water line on Bunker Drive. She said this is on the North Rapid Study Area, and if the City doesn’t have that 1,200 feet of 14” water line on Bunker Drive, then there is inadequate fire flows for 75% of the homes out there according to City standards. She said she doesn’t have a problem with revising the plans but she would like to see that pipe put in. Public Works Director Dirk Jablonski said this pipe is part of the Rainbow Ridge Tax Increment District. Elkins said Mr. Estes is the individual that was involved in the installation of that pipe; and if that is a concern by the Council, when his plat comes forward, that would be appropriate to tie that to the installation of the pipe. Hadcock said she is concerned that the City does not have the appropriate fire flows and it keeps approving more development. Until the 14” pipe is installed out there, she will not be approving any more developments in that area. Johnson said he would like to have Public Works put together a discussion of how that system needs to be upgraded and when. Johnson said there are some trees in this tax increment district that Mr. Estes promised to put up. They have not appeared yet. Elkins said the difficulty with the trees is that the location where they are proposed is in the easement and right of way for the gas line and as such, they can’t install those. They have now talked to the property owner to the north and that owner is willing to have the trees located on his property. Jablonski said they will work on bringing forward to the Council a synopsis of the water supplies and fire flows and the history of what has taken place out there. Johnson said he would like to see this provided to the Council in the form of an executive summary in writing. Johnson said this item should be approved and the water pipe improvements should be addressed in the developer’s agreement. City Attorney Green said there cannot be stipulations of approval on a tax increment district project plan. It is either approved or not approved. Stipulations can be added when the City enters into the agreement with the developer. Elkins said they would give the developer a heads up that this is coming. A vote was taken and the motion carried. Place item on consent calendar

No. LF053106-15 – Hadcock moved to authorize Mayor and Finance Officer to sign the Allocation Award for Historical Preservation Project Number SD-06-16 between the State Historical Preservation Office, Office of History and Rapid City Historic Preservation Commission in the amount of $5,250. Second by Okrepkie. Motion carried. Place item on consent calendar

No. LF053106-16 – Okrepkie moved to authorize Mayor and Finance Officer to sign the Space Lease Agreement with the Rushmore Plaza Civic Center for the 2003 IMC Fundamentals On-Site Training Seminar in the amount of $125 and the food and beverage estimate addendum in an estimated amount of $1,255.80. Second by Johnson. Motion carried. Place item on consent calendar
Okrepkie moved to approve additional funding in the sum of $2,500 for the National Main Street Assessment, with said funds coming from the Growth Management budget. Second by Hadcock. Motion carried. Place item on consent calendar

FINANCE DEPARTMENT

No. LF053106-17 – Johnson moved to authorize Mayor and Finance Officer to sign Advertising Agreement with the Rapid City Journal. Second by Hadcock. Motion carried. Place item on consent calendar

No. LF053106-18 – Okrepkie moved to authorize Mayor and Finance Officer to sign Contract with SIGMA Actuarial Consulting Group, Inc. to provide an actuarial analysis of the City's worker's compensation funding at a cost of $6,000. Second by Hadcock. Motion carried. Place item on consent calendar

No. LF053106-19 – Johnson moved to approve a Resolution Declaring Property Surplus for the Streets and Water Reclamation Divisions. Second by Okrepkie. Motion carried. Place item on consent calendar

No. LF053106-20 – Hadcock moved to authorize Mayor and Finance Officer to sign Space Lease Agreement with the Rushmore Plaza Civic Center for New Employee Orientation on June 7, 2006 in an approximate amount of $125. Second by Johnson. Motion carried. Place item on consent calendar

No. LF053106-21 – Okrepkie moved to approve a Resolution Fixing Time and Place for Hearing on Assessment Roll for Property Cleanup. Second by Johnson. Motion carried. Place item on consent calendar

No. LF053106-22 – Okrepkie moved to authorize staff to advertise for bids for cellular phone service. Second by Johnson. Motion carried. Place item on consent calendar

No. LF053106-23 – Johnson moved to authorize staff to advertise for bids for mailing machine and equipment. Second by Okrepkie. Motion carried. Place item on consent calendar

Okrepkie moved to authorize staff to go out for bids for an evaluator for the final evaluation of the Weed and Seed Program. Second by Hadcock. Motion carried. Place item on consent calendar

Hadcock moved to authorize expenditure of $700 to Virginia Wood Nelson to facilitate department head planning session in Deadwood, SD, April 6-7, 2006. Second by Johnson. Motion carried. Place item on consent calendar

No. LF053106-25 – Johnson moved to approve Resolution Declaring Property Surplus. Second by Hadcock. Motion carried. Place item on consent calendar

Okrepkie moved to authorize expenditure of $15,000 from money received from the State of South Dakota for the Omaha Street Widening Project for magnetic key locks for the C/SAC building. Second by Hadcock. Motion carried. Place item on consent calendar
PUBLIC WORKS DEPARTMENT

Hadcock moved to continue discussion of final budget and staffing request for implementation plan for the onsite wastewater ordinance to the June 28, 2006, Legal and Finance Committee meeting. Second by Johnson. Motion carried.

Public Works Director Dirk Jablonski said that Envision (the design engineers on the project) made a presentation to the Public Works Committee meeting on May 30, 2006, regarding the Downtown Area Improvement Project Phase I. A recommendation came forward from that meeting that a similar presentation be made to this Committee and then brought to the full City Council. They are looking for a consensus that this is headed in the right direction. Then the hard design of the project will begin. Curt Huus, on behalf of Envision, gave the presentation to the Committee. He said on June 14, 2005, they had a project kickoff meeting. It then proceeded to the preliminary design which was finished on October 31, 2005. Since that time, there have been several presentations to different entities. There has been input from the Public Works staff, and there have been public information meetings. This plan has also been presented to the Beautification Committee, the United Downtown, the Historic Preservation Committee, area churches, and others. Feedback has been solicited from everyone. The overall response was that people want to see a pedestrian friendly downtown that promotes walking and bicycling. He said that every street in the downtown area will be reconstructed with the exception of 5th Street. Johnson asked if this would handle the needs of the community regarding transportation issues. He thinks there needs to be more discussion about the transportation issues. He does not want to see the driving patterns change. Olson said there has been a lot of public input into this plan. She would suggest being cautious about taking a plan that has a lot of public input and reinventing the wheel. Chapman said this item will be on the June 5, 2006, Council agenda for further discussion and action.

Johnson moved to award bid to Grizzly Excavation for Ninth Street to West Boulevard and Clark Street to Fairview Street Sewer Extension in the sum of $38,663.60. Second by Hadcock. Motion carried. Place item on consent calendar

DEPARTMENT OF PARKS AND RECREATION

No. LF053106-26 – Okrepkie moved to authorize staff to advertise for RFPs for Consultant Services for the Canyon Lake Park Roadway Improvements Project. Second by Johnson. Motion carried with Chapman voting “no.”

No. LF053106-27 – Hadcock moved to authorize Mayor and Finance Officer to sign Agreements with the State of South Dakota, Department of Health, for a Mosquito Control Grant not to exceed $11,406.98. Second by Okrepkie. Motion carried. Place item on consent calendar

CITY ATTORNEY’S OFFICE

No. LF053106-28 – Hadcock moved to approve Introduction and First Reading of Ordinance No. 5154 Amending the Procedure to Appeal an Order to Remove a Junked or Abandoned Vehicle by Amending Section 10.56.060 of the Rapid City Municipal Code and Adding Section 10.56.065 to the Rapid City Municipal Code. Second by Okrepkie. Motion carried.
No. LF053106-29 – Okrepkie moved to approve request from Scott Martin and Ryan Swanson, d/b/a R & S Vending for an ice cream vending license for 2006. Second by Johnson. Motion carried. Place item on consent calendar

No. LF053106-30 – Johnson moved to approve Introduction and First Reading of Ordinance No. 5157 Requiring that Sidewalks for Subdivisions be Constructed at the Time a Building Permit is Obtained by Amending Section 16.16.090 of the Rapid City Municipal Code. Second by Okrepkie. Steven Brenden asked what the current ordinance is. He sees this amendment as a problem because if a development is not completely finished, then there won’t be continuous sidewalks. This will be reallocating the costs of sidewalks to the homebuilder, and he sees it as a way for the developers to put the monkey on the homebuilders. Hadcock said that the homebuilder actually builds the sidewalk now and not the developer. City Attorney Jason Green said the legal responsibility is presently with the developer; however, the developer passes that on to the builder. Johnson said there is a Council development committee that has spent hours and hours on this and this is what they see as the best way to move forward and to start a warranty process. After further discussion, a vote was taken and the motion carried.

No. LF053106-31 – Okrepkie moved to authorize Mayor and Finance Officer to sign Contract for Private Development Tax Increment District Number Fifty-Six between McDonald Properties SD Two, LLC and the City of Rapid City. Second by Johnson. Motion carried. Place item on consent calendar

No. LF053106-32 – Okrepkie moved to approve preliminary Consolidated Annual Performance and Evaluation Report (CAPER - Fiscal Year 2005). Second by Johnson. Motion carried. Place item on consent calendar

LICENSES

There being no further business, moved, second by and carried to adjourn the meeting at 2:50 p.m.