

OFFICIAL PROCEEDINGS OF THE CITY COUNCIL
Rapid City, South Dakota
December 28, 2004

Pursuant to due call and notice thereof, a special 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 Tuesday, December 28, 2004 at 1:15 P.M.

The following members were present: Mayor Jim Shaw and the following Alderpersons: Malcom Chapman, Tom Murphy, Jean French, Ron Kroeger, Karen Olson, Tom Johnson and Bill Waugh. The following Alderpersons arrived during the course of the meeting: Bob Hurlbut; and the following were absent: Ray Hadley and Sam Kooiker.

Staff members present included City Finance Officer Jim Preston, City Attorney Jason Green, Growth Management Director Marcia Elkins, Acting Public Works Director Ted Vore, Fire Chief Gary Shepherd and Administrative Assistant Jackie Gerry.

BID AWARD

The following companies submitted bids for No. CC122004-02, Aerial Ladder Truck for the Fire Department: Pierce Manufacturing, Inc. (submitting two bids), Rosenbauer, American LaFrance Casper Facility and Crimson Fire. Staff reviewed the bids and recommends the award to Crimson Fire for the bid price of \$416,459, less the 50% signing option for a total price reduction of \$11,489 for a total contract price of \$504,970. It was reported the bid recommendation was reviewed by the City Attorney's Office, who concurred in the recommendation. In response to a question from Alderman Johnson about the apparent low bidder, Chief Shepard explained the low bidder did not meet the specifications of a single source manufacturer for body and chassis; or the rear suspension requirement; or the self-contained breathing apparatus storage for six bottles. In response to another question from Alderman Johnson, Shepard assured the Council the specifications were written so no bidder was eliminated.

Alderman Hurlbut entered the meeting at 1:25 P.M.

In response to a question from Alderman Johnson, Shepard addressed the discount explaining the City, if it elects to take advantage of the discount, can pay a portion of the equipment costs upon signing the contract and taking delivery of the equipment; and all bidders included such an option.

Waugh moved, second by French and carried to approve the bid award for the Aerial Ladder Truck to the responsible bidder meeting specifications, Crimson Fire, for the unit price bid for a total contract amount of \$504,970.00.

ALCOHOLIC BEVERAGE LICENSE APPLICATIONS

The Mayor announced the meeting was open for hearing on the following application for Alcoholic Beverage Licenses to operate within the City of Rapid City, South Dakota: Patricia Weaver dba **Gas 'N' Snax**, 418 Knollwood Drive for a Package Off-Sale Liquor License. It was reported there are four recent violations of selling to minors by the applicant's son. It was also reported the Police Chief met with the applicant to discuss these violations and the Chief was assured this problem would be corrected. Staff recommended approval of the license. In response to a question from Alderman French, City Attorney Green explained should there be further violations of the license the Council can recommend to the Special Tax Division of the

Department of Revenue revocation of the license. French moved, second by Chapman and carried to close the public hearing.

Johnson moved, second by French and carried to approve the Alcoholic Beverage License Application for Patricia Weaver dba **Gas 'N' Snax**, 418 Knollwood Drive for a Package Off-Sale Liquor License.

ORDINANCES & RESOLUTIONS

Ordinance No. 5009 (No. LF121504-08) Regarding Supplemental Appropriation No. 4 for 2004 having passed first reading on December 20, 2004, it was moved by French, seconded by Olson that the title be read the second time. The following voted AYE: Chapman, Murphy, French, Kroeger, Hurlbut, Olson, Johnson and Waugh; NO: None; whereupon the Mayor declared the motion passed and read the title of Ordinance 5009 was declared duly passed upon it's second reading.

GROWTH MANAGEMENT DEPARTMENT ITEMS

French moved, second by Waugh and carried to Authorize the Mayor and Finance Officer to sign the waive of right to protest a future assessment for the installation of curb, gutter, sidewalk, street light conduit, water and sewer for the western 1,980 feet of the east-west section line highway located in the SE1/4 of Section 25, T2N, R7E; and, to waive the requirement to construct curb, gutter, sidewalk, street light conduit, water and sewer along the east 669 feet of the section line highway located in the SE1/4 of Section 25, T2N, R7E as they abut the subject property. (04SV037)

The Mayor presented No. 04SV037, a request by Brent Pushing for a **Variance to the Subdivision Regulations to waive the requirement to dedicate right-of-way and to install pavement, curb, gutter, sidewalk, street light conduit, water and sewer along the section line highway and the interior street as per Chapter 16.16 of the Rapid City Municipal Code** on Lots 1 thru 4, Brentwood Subdivision, Section 25, T2N, R6E, BHM, Rapid City, Pennington County, South Dakota, legally described as the S1/2 NW1/4 SW1/4 SE1/4; S1/2 NE1/4 SW1/4 SE1/4; SW1/4 SW1/4 SE1/4; SE1/4 SW1/4 SE1/4, Section 25, T2N, R6E, BHM, Rapid City, Pennington County, South Dakota, located at the end of Sunridge Road. French moved, second by Hurlbut and carried to approve the Variance to the Subdivision Regulations with the following stipulations: Planning Commission recommended that the Variance to the Subdivision Regulations to waive the requirement to construct pavement along the east 660 feet of the east-west section line highway located in the SE1/4 of Section 25, T2N, R7E be denied; that the Variance to the Subdivision Regulations to waive the requirement to construct pavement along Sun Ridge Road and the unnamed street along the north lot line of Lot 2 be denied; that the Variance to the Subdivision Regulations to waive the requirement to dedicate right-of-way and to install curb, gutter, sidewalk, street light conduit, water and sewer for the western 1,980 feet of the east-west section line highway located in the SE1/4 of Section 25, T2N, R7E be approved; and, that the Variance to the Subdivision Regulations to waive the requirement to construct curb, gutter, sidewalk, street light conduit, water and sewer along the east 660 feet of the section line highway located in the SE1/4 of Section 25, T2N, R7E be approved with the following stipulations: 1. Upon submittal of a Preliminary Plat, road construction plans for the east 660 feet of the section line highway and Sun Ridge Road shall be submitted for review and approval. In particular, the road construction plans shall identify that the street(s) are located in a minimum 60 foot wide right-of-way and constructed with a minimum 24 foot wide paved surface. In addition, the road construction plans shall show a cul-de-sac bulb at the end of Sun Ridge Road with a minimum 96 diameter right-of-way and a minimum 76 foot diameter paved surface; 2. Upon submittal of a Preliminary Plat, road construction plans for the unnamed street located along the north lot line of Lot 2 shall be submitted for review and approval. In particular, the road construction plans shall identify that the street is located in a minimum 45 foot wide

right-of-way and constructed with a minimum 20 foot wide paved surface; and, 3. Prior to City Council, the applicant shall sign a waiver of right to protest any future assessments for the improvements along the section line highway, the unnamed street and Sun Ridge Road.

APPROVAL OF BILLS

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

Payroll Paid Ending 12-11-04, Paid 12-17-07	648,447.01
Payroll Paid Ending 12-11-04, Paid 12-17-04	1,604.80
Pioneer Bank, Taxes Paid 12-17-04	157,458.15
Pioneer Bank, Taxes Paid 12-17-04	121.62
First Administrators, claims paid 12-22-04	49,464.28
Pennington County Auditor, PSB Const Parking	45,348.63
United States Postmaster, postage	800.00
Computer Bill List	<u>1,931,080.36</u>
Sub-Total	\$2,834,324.85

Payroll Paid Ending 12-11-04, Paid 12-17-04	2,721.62
Pioneer Bank, Taxes paid 12-17-04	208.19
City of Rapid City, postage	2.54
Conoco Phillips, gas	182.52
Johnson Machine, auto rpr	15.10
Marlin Leasing, copier lease	13.78
SD Executive Management Finance, telephone	<u>13.48</u>

Rapid City Economic Development	56,250.00
Crimson Fire	<u>252,485.00</u>
Total	\$3,146,217.08

As there was no further business to come before the Council at this time, the meeting adjourned at 1:34 P.M.

CITY OF RAPID CITY

ATTEST:

Mayor

Finance Officer

(SEAL)