

RESOLUTION NO. 2021-009
RESOLUTION ACKNOWLEDGING CORRECTIONS
TO THE JANUARY 4, 2021 COUNCIL MINUTES

WHEREAS, on January 4, 2021 the City Council approved item 20AN003 *Approve request by Atlantis LLC for a Petition for De-Annexation for property generally described as being located at 1314 N. Elk Vale Road*; and

WHEREAS, the minutes of the January 4, 2021 Council meeting were approved on January 19, 2021; and

WHEREAS, the motion approving the January 4, 2021 De-Annexation 20AN003 reads:

“Lehmann read in item (No. 20AN003) Approve request by Atlantis LLC for a Petition of De-Annexation for, property generally described as being located at 1314 N. Elk Vale Road. Motion was made by Drew, second by Jones to approve. Horton explained the applicant wanted to expand Watiki Waterpark. Part of the property is in Rapid City and part is in Box Elder. Landeen said one of the stipulations is signing an agreement to de-annex regarding sewer and water, but sales tax stays in Rapid City. Landeen stated Rapid City doesn’t have the water for the expansion and Box Elder does. The Department of Revenue determines the point of sale and they won’t move anything. Roll call vote was taken: AYE: Armstrong, Jones, Lehmann, Salamun, Evans, Strommen, Drew, Nordstrom, and Weifenbach; NO: None. Motion carried”; and

WHEREAS, the January 4, 2021 minutes reflect the correct motion but do not record the full text of Resolution 2020-079, as required in SDCL 9-19-8;

WHEREAS, Resolution No. 2020-079 should be included in the January 4, 2021 minutes as follows:

Resolution No. 2020-079
A RESOLUTION EXCLUDING THE WITHIN DESCRIBED TERRITORY

WHEREAS, a petition has been filed with the City, that was signed by not less than three-fourths of the registered voters and by the owners of not less than three-fourths of the value of the territory sought to be excluded from the City; and

WHEREAS, the territory that the petitioners are seeking to have excluded is on the border of the City of Rapid City and,

WHEREAS the City Council of the City of Rapid City deems it to be in the best interest of the City that the territory described in the petition be excluded and thereby removed from the corporate limits of the City.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City that the following territory, containing 1.169, more or less, is hereby removed from the corporate limits of the City and excluded from the City:

Lot B of Lot 1 Revised of Atlantis Subdivision, located in the SW1/4 of Section 27, T2N, R8E,

BHM, Rapid City, Pennington County, South Dakota

Dated this 4th day of January, 2021

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Director

(seal); and

WHEREAS, Resolution No. 2020-079 was published in its entirety on January 23, 2021, in accordance with SDCL 9-19-8, and it is therefore effective on February 10, 2021, pursuant to SDCL 9-19-13.

NOW, THEREFORE BE IT RESOLVED, by the City Council, that the minutes of the January 4, 2021 Rapid City Common Council meeting shall be amended to include and record the entire text of Resolution 2020-079.

Dated this 1st day of February, 2021.

ATTEST:

Finance Director

(SEAL)

CITY OF RAPID CITY

Mayor