

## Rapid City Council rejects Epic Settlement after change in recommendation

Excerpts from Sam Kraemer/News Center 1 and Rapid City Journal



Mayor Steve Allender

City Attorney Joel Landeen

Epic Outdoor Advertising

**(July 3, 2017)** The Rapid City Common Council rejected a proposed settlement with Epic Outdoor Advertising Monday night after a change in recommendation from City Attorney Joel Landeen.

Landeen said Epic still intends to sue the city over its sign credit system, contrary to his desire to end all litigation. And that is why Landeen urged the council to now reject this settlement.

Monday, July 3<sup>rd</sup>, the council voted 8-1 in favor of rejecting the settlement. Several council members weighed in on the years-long billboard debate.

"I agree that there are some faults here in this one, and that's why I'm supporting the denial. But I believe the taxpayers want to move forward with this as well, because it does cost money to defend these lawsuits. Now sometimes, that makes sense to do that and I'm ready to fight that all the way, if it makes sense," said 2nd Ward Councilman Steve Laurenti. "But if we can come up with a very good agreement with the sign companies that ends this litigation, which will be good for the taxpayers in the long run, I'll be willing to support that - but not this one today."

Councilman John Roberts from the 4th Ward who was the lone dissenting vote on the settlement rejection. He warned the public of risks in continuing the litigation.

"I think we're taking a big gamble in this lawsuit, and I think it could cost the taxpayers a lot of money," Roberts said. "And I just want to put that out there that if this does cost the taxpayers a lot of money, that you just know, there were some of us that were trying to be better stewards of your money."

If the settlement had been approved, Epic would have been allowed to update its static displays into digital billboards and increase the size of its billboards along Interstate 90 to 672 square feet with amendments to ordinances.

Scenic Rapid City Committee, Inc. is a coalition of residents who value the quality of life in Rapid City. The group found a loophole in the settlement language, forcing Landeen and Epic's lawyers back to the drawing board. During the June 19, 2017 City Council meeting, two members of Scenic Rapid City asked the council to reject the settlement. Secretary Debra Jensen referenced a billboard near the Dove Christian Center, which Epic was reportedly pursuing with the intent to convert into a digital billboard, that would be out of compliance with the residential zoning laws for that area. "This could be the first time ... since 1985, that a new billboard in a low-density residential neighborhood is allowed to be built," Jensen said. "The LDR zoning seems to have been overlooked during the negotiations."