

LEGAL AND FINANCE COMMITTEE MINUTES  
Rapid City, South Dakota

April 13, 2016

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, April 13, 2016, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Chad Lewis, Ritchie Nordstrom, Amanda Scott, Darla Drew and Steve Laurenti. Absent: None.

(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.)

**ADOPTION OF AGENDA**

Motion was made by Laurenti, second by Nordstrom and carried to adopt the agenda.

**GENERAL PUBLIC COMMENT**

**CONSENT ITEMS**

Motion was made by Lewis, second by Nordstrom and carried to approve Items 1-10 as they appear on the Consent Items.

- 1) Approve Minutes for March 30, 2016

**ITEMS FROM THE MAYOR**

- 2) No. LF041316-03 – Confirm Appointment of Michelle Lamphere to the Hotel Business Improvement District (BID) Board

**FINANCE DEPARTMENT**

- 3) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Erika Cornella
- 4) No. LF041316-01 – Resolution No. 2016-021B Levying Assessment for Cleanup of Miscellaneous Property
- 5) No. LF041316-05 – Acknowledge February 2016 Sales Tax Report

**METROPOLITAN PLANNING ORGANIZATION**

- 6) No. 16TP007 – Approve the 2016 UPWP Amendment #2
- 7) No. 16TP008 – Acknowledge the 2013-2015 Socioeconomic Report
- 8) No. 16TP009 – Approve the Rapid City Year End 2015 Population Estimate
- 9) No. 16TP010 – Approve Professional Services Agreement Amendment with Fugro Geospatial, Inc. for a No-Cost Time Extension

**ITEMS FROM THE CITY ATTORNEY'S OFFICE**

- 10) No. LF041316-04 – Authorize Mayor and Finance Officer to Sign Contract for Construction of Public Improvements Through a Private Developer for Tax Increment District Number Seventy-Six

END OF CONSENT CALENDAR

**NON-CONSENT ITEMS**

**ITEMS FROM THE PUBLIC**

- 11) No. LF041316-02 – Phil Jensen, 719 12<sup>th</sup> Street, told the Committee that he received a notice from the City to cut down a tree that was deemed dead or dangerous. A few days before the deadline, he rented a cherry picker and made an effort to cut down the diseased parts of the tree. He ended up leaving a portion of the tree because it showed new growth. He received a bill from the City in the sum of \$1,292 on March 7, 2016 for removal of the tree and another tree. He is contesting the bill because two trees were actually removed when his notice only stated one dead tree. Andy Bernard, the City's tree arborist, acknowledged that the trees were dead and needed to be removed. Assistant City Attorney Jess Rogers said the notice that is sent out by the City states that a person is in violation of the tree ordinance and gives that person a certain amount of time to remove the tree. If the tree is not removed, the City goes out to remove it. If there are other trees that are in violation, they will remove those trees at the same time. Mr. Jensen did not contact the City to get information on what needed to be done. Nordstrom moved to uphold staff's recommendation regarding Phil Jensen's Dispute of Tree Removal Bill at 719 12<sup>th</sup> Street in the sum of \$1,292. Second by Laurenti. Motion carried. ***Place item on the Consent Calendar***

**ALDERMAN ITEMS AND COMMITTEE REPORTS**

- 12) Wiefenbach stated that the soccer people did not ask him to come forward and request this on their behalf. He has been involved in the soccer field issue since its inception. The new group of soccer people have done a lot of transformation and worked hard at raising funds. When they had a shortfall, they were hesitant to come to the City looking for help. They eventually agreed to a note. He is asking the City Council for forgiveness of the note that has been put into place so that the future fundraising and the parents won't be faced with having to repay that note to the City. Lewis moved to Forgive Note for Soccer Fields in the sum of \$550,000. Second by Laurenti. Lewis said he appreciates this coming forward. The soccer people should be rewarded for the amount of money they have raised. They have merged with a Colorado professional soccer organization and everything has been taken to a new level. The City Council issued a loan to the soccer group in February in the sum of \$550,000. The funds came from undesignated cash in the Vision Fund. The plan for repayment was scheduled for 5 years at 3 percent interest with those payments going back into the Vision Fund. There was some initial reluctance in forgiving this note from Alderman Nordstrom who worried that forgiving it may take away from future Vision Funds projects. Sumption assured the Committee that forgiving the loan would not affect any projects in the current Vision Fund's five year plan, including the \$1.3 million in vision money recently approved to fix the ADA violations at the Civic Center. After further discussion, a vote was taken and the motion carried. ***Place item on the Consent Calendar***

**COMMUNITY PLANNING & DEVELOPMENT SERVICES**

- 13) No. 16OA002 – Laurenti moved to approve Introduction and First Reading of Ordinance No. 6103 to Amend Certain Provisions Concerning Digital Signs, Sign Credits, and Spacing of Off-Premises

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Signs by Amending Sections 17.50.080 and 17.50.090 of the Rapid City Municipal Code. Second by Drew. Motion carried.

**ITEMS FROM THE CITY ATTORNEY'S OFFICE**

- 14) No. LF033016-14 – Lewis moved to approve Second Reading and Recommendation of Ordinance No. 6111 to Change the Terms and Powers of the Rapid City Regional Airport Board by Amending Sections 2.72.030 and 2.72.070 of the Rapid City Municipal Code as amended. Second by Laurenti. Motion carried.

**ADJOURN**

There being no further business to come before the Council at this time, motion was made by Lewis, second by Nordstrom and carried to adjourn the meeting at 12:57 p.m.