

LEGAL AND FINANCE COMMITTEE MINUTES  
Rapid City, South Dakota

August 14, 2019

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, August 14, 2019, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Becky Drury, Darla Drew, Lance Lehmann and Greg Strommen. Absent: Chad Lewis

(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 Drew, second by Lehmann and carried to adopt the agenda.

**GENERAL PUBLIC COMMENT**

None.

**CONSENT ITEMS**

Motion was made by Drew, second by Lehmann and carried to approve Items 1-9 as they appear on the Consent Items with the exception of Item Nos. 7 and 9.

- 1) Approve Minutes for July 31, 2019

**FINANCE DEPARTMENT**

- 2) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Fiona Anderson (Library), Christine Jones (Library)
- 3) LF081419-07 – Acknowledge June 2019 Sales Tax Report
- 4) LF081419-09 – Approve Resolution No. 2019-068 a Resolution Levying Assessment for Abatement of Nuisances

**FIRE DEPARTMENT**

- 5) LF081419-02 – Authorize Staff to Apply and Accept if Awarded the Hazardous Materials Emergency Preparedness (HMEP) Grant for the amount of \$38,786.00. Funding is for Three Separate Training Workshops Focused on Hazardous Material Transportation

**POLICE DEPARTMENT**

- 6) LF081419-06 – Authorize Staff to Apply for and Accept if Granted, the 2019 JAG Grant, Totaling \$92,425.00 to be Evenly Split Between the RCPD and the Pennington County Sheriff's Office, to be Used to Replace Aging Radios

**COMMUNITY DEVELOPMENT**

- 7) 19RD004 – Michael Brown of 4395 Big Sky Drive objects to the renaming of Big Sky to Patricia Street. Brown said it is a significant inconvenience to change his address and he doesn't see there is truly a need for the change. Dan Winger of 4394 Big Sky Drive stated he is also speaking on behalf of Brian Harms of 4430 Big Sky Drive and Scott and Carrie Brown of 4431 Big Sky Drive. Winger expressed that he owns several businesses which are linked to his home address and the name change would be a colossal inconvenience. He added that there has also been a lack of planning in this area with streets not lining up with each other. Building Services Manager Brad

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Solon explained that Planning received a development plan to extend Patricia Street off the end of Big Sky over to Timmons which would create a connection there. The first houses were built in 2000 and two more were built in 2001, so the houses have been there for 19 years. If this item is approved through council, there would have to be a road name change and the City would graciously give residents a year to change their addresses. If the request is denied, the engineer would then have to go back to Planning and submit a different plan. Kyle Hibbs, engineer of record on this project, from KTM Design Solutions, explained the road continuing to the west will eventually connect over to Timmons and the reason the street name change fell on them is simply to have a continuity of street names as it is not good practice to have the same street with two different names. He added that anyone living on the same street alignment as Patricia or Big Sky Drive should be named the same from a life safety standpoint. Doyle Estes, owner of DTH, LLC, (applicant), explained that this road extension was not planned until a year or so ago when the City approached him and needed to take sewer services from the area east of Degeest and bring it west so they could connect to Elk Vale and the way it was constructed was to extend water and sewer through what is now going to be called Patricia or Big Sky Drive. The street east of Degeest is Patricia. Doyle is now proposing to build on what the City did when water and sewer were extended from Degeest through that area to the west. There is a ditch in that area and part of the project is to grade about 340,000 cubic yards to flatten the ditch which will then have houses on both sides. Hibbs shared a map with the committee pointing out the area covered in the plan. Drury asked that the map be attached to the agenda item for the Council meeting on Monday night. Drew commented she is in favor of the name change to Patricia for continuity and growth purposes. Drew moved to approve Resolution No. 2019-064 a Resolution Requesting a Portion of Big Sky Drive be renamed to Patricia Street. Second by Strommen. A vote was taken with Lehmann, Drew and Strommen voting "yes" and Drury voting "no". Motion carried 3-1.

- 8) LF081419-05 – Approve Final Community Development Block Grant (CDBG) FY2019 Funds Reallocation Recommendation

**PUBLIC WORKS**

- 9) LF081419-08 – Authorize Mayor and Finance Officer to Sign Agreement Between the City of Rapid City and Yasmeen Dream, LLC, for Construction of Drainage Channel on Johnson Ranch Property. Lehmann moved to continue this item to the October 2<sup>nd</sup> Legal and Finance Meeting. Second by Drew. Motion carried.

END OF CONSENT CALENDAR

**NON-CONSENT ITEMS** – Items 10 – 15

**Public Comment opened** – Items 10 – 15  
**Public Comment closed**

**FINANCE DEPARTMENT**

- 10) LF081419-04 – Drew moved to Acknowledge Annual TID Report to City Council. Second by Lehmann. Motion carried.
- 11) LF081419-03 – Drew asked Finance Officer Sumption what is changing in this ordinance. Sumption explained the change from Rapid City Economic Development Corp. to Elevate Rapid City, LLC, and also clarifying the terms of the appointed individuals. Lehmann moved to approve the Introduction and First Reading of Ordinance No. 6351 An Ordinance Concerning the Opportunity Capture Fund Oversight Board. Second by Strommen. Motion carried.
- 12) LF081419-10 – Drew moved to approve the Introduction and First Reading of Ordinance No. 6346

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Regarding FY2020 Appropriation Ordinance. Second by Strommen. A vote was taken with Lehmann, Drew, Strommen voting "yes and Drury voting "no. Motion carried 3-1.

**CITY ATTORNEY'S OFFICE**

- 13) LF073119-04 – Drew moved to approve the Second Reading and Recommendation of Ordinance No. 6347, An Ordinance to Amend Section 9.28.020 of the Rapid City Municipal Code Relating to Throwing Stones and Missiles. Second by Strommen. Motion carried.
- 14) LF081419-01 – Drew moved to Approve Resolution No. 2019-062 a Resolution Establishing the City of Rapid City Archery Antlerless Deer Access Permit Program. Second by Lehmann. Motion carried.
- 15) LF073119-12 – Lehmann moved to approve the Second Reading and Recommendation of Ordinance No. 6352, An Ordinance Removing the Requirement to have a Runoff Election for Municipal Offices by Repealing Section 1.16.030 of the Rapid City Municipal Code. Second by Drew. Motion carried.

**ADJOURN**

There being no further business to come before the Council at this time, motion was made by Drew second by Lehmann and carried to adjourn the meeting at 12:55 p.m.