

LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

October 30, 2019

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

A quorum was determined with the following members answering the roll call: Becky Drury, Lance Lehmann, Chad Lewis, Darla Drew and Ritchie Nordstrom. 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 Lewis, second by Lehmann and carried to adopt the agenda.

GENERAL PUBLIC COMMENT

None.

CONSENT ITEMS

Motion was made by Nordstrom, second by Lewis and carried to approve Items 1-9 as they appear on the Consent Items with the exception of item no. 5.

CONSENT ITEMS -- Items 1 – 5

Public Comment opened – Items 1 – 5

Public Comment closed

Remove Items from the “Consent Items” and Vote on Remaining Consent Items

- 1) Approve Minutes for October 16, 2019

FINANCE DEPARTMENT

- 2) Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Patrick Boston (RSVP+)
- 3) LF103019-02 – Acknowledge September 2019 General Fund Cash Balance Report
- 4) LF103019-03 – Approve Resolution No. 2019-086 a Resolution Declaring Miscellaneous Personal Property Surplus to be Surplused

COMMUNITY DEVELOPMENT

- 5) 19DU001 – Drew asked Jared Batman to explain the business plan such as the owners being required to clean up after the pets, enforcement of that, handling of any problems that arise and also if the Department of Health has any concerns with having pets and beer in the same location. Mr. Batman said all dogs will be required to walk in on a leash, and immediately upon entering a private entrance from outside (without entering the mall), they will sign a liability waiver at the register acknowledging that they are to be in complete control of their dogs. There will be measures taken by staff to keep peace amongst all of the dogs keeping a very controlled environment. 8 dogs will be allowed per square foot (30 total), (various sizes), but all must be at least 6 months old, have proof of current vaccinations and be spayed and neutered. He has not heard from anyone from the Department of Health, but said they will be checking with them further as they move forward. Vicki Fisher, Community Planning Manager, reminded everyone that the request here today is to allow

October 30, 2019

the use as a conditional use in the shopping center district. She met with Mr. Batman today to go over the application which will go before the Planning Commission. The application itself will get into the specific operations, addressing many of the same questions asked today, as a part of that Planning Commission presentation and any approval will be contingent upon meeting that operational plan. Nordstrom asked Fisher to clarify what the next steps are. Fisher explained that the Finance Committee's recommendation will go on to City Council, assuming that is approved, then Mr. Batman will be submitting a major amendment to the existing plan development that exists at the Rushmore Mall for consideration of an indoor dog park and an on sale liquor license for beer and wine only and then a formal application will be submitted to the Planning Commission for their review. Nordstrom moved to approve a request by Jared Batman to consider an application for a Determination of Use to allow an in-door dog park as a Conditional Use in the SC-2 Community Shopping Center District. Second by Lewis. Motion carried.

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Items 6 – 7

Public Comment opened – Items 6 – 7

Public Comment closed

FINANCE DEPARTMENT

- 6) LF103019-01 – Nordstrom moved to approve the Introduction and First Reading of Ordinance No. 6367 Regarding Supplemental Appropriation #7 for 2019. Second by Drew. Motion carried.

COMMUNITY DEVELOPMENT

- 7) 19TI002 – Patsy Horton from Long Range Planning gave a brief presentation sharing the master plan identified in 2016 along with the master plan from 2019 which includes the installation of a 16 inch gravity sewer main in the southeast corner of the property in lieu of the originally proposed lift station. The public improvements originally proposed were realignment of the drainage channel, an access easement, and then also the traffic signal. Those improvements have been installed and are now looking at the gravity sewer main. Horton shared photos of the existing newly constructed drainage channel, the traffic signal, and the non-residential construction and residential construction that has occurred. Today the request is to reallocate costs from the channel and the signal to include a new project plan line item which is the gravity sewer main. Horton informed the committee this is a better solution than the temporary lift station that would have been in place until the City's gravity sewer main on the east side of the property was constructed, as this plan will actually save money over the long run. \$265,000 is not going to cover all of the cost of the sewer line but will cover a large portion. There is also phasing being added to this district which allows the developer to certify phase one costs so they can be repaid for that while working on the second phase. It also includes the new sewer line. The City is a part of this particular TIF and have already paid the developer the City's portion of the over sizing of the drainage channel. Once the developer has been repaid, the City's storm water fund will be reimbursed those costs that were expended. There is some future residential construction on track for apartment buildings or some townhomes. The developer has submitted applications for both. There is also some future development on the west side for some senior living, although neither of those final applications have come forward, but it is anticipated once the sewer is addressed, those will be submitted. Horton showed once again, the master plan with the proposed sewer line location on the east side of the property and the connections to the city lines pointing out the blue area has already been constructed. The City is currently in negotiations to get all of the loose ends tied up for the second phase (circled in green) and then once the third phase is constructed (circled in red), their line located along the boundary will be tied into the gravity sewer on Jolly Lane which will be a better overall product in the end. Horton said the Planning Commission did recommend approval. She added that lift stations, from

October 30, 2019

her understanding, are a more temporary solution until the gravity main is available. Drew asked if the approximately \$300,000 cost for the traffic signal is the cost of the developer. Horton said the cost for the traffic signal was included as an eligible expense within this particular district, so when the incremental funds come in, they will be reimbursed for that cost. Drew asked Kyle Treloar from Dream Design how many jobs this project will create. Treloar listed the following businesses that have already been constructed: Common Sense, Infernal Restaurant, and Orchard Meadows Dental Clinic. The Signify Health Center is currently under construction, and this call center alone will open up 300 jobs with an already planned expansion for another 50 possibly as early as this year. Treloar speculates job numbers to be around 400 just in what has already been built, but noted that there are still some lots to be developed. Nordstrom asked Treloar to explain the direction of flow from the gravity sewer main. Treloar said the flow will go south and then to the east of their property to tie into the future trunk line that will run down Jolly Lane and then out to the wastewater treatment plant. The original concept was a lift station that would have pumped from Orchard Meadows to the north and drop into a 27 inch main that feeds into a 44 inch, which is known to have some capacity issues; this will save capacity in those existing lines that they would have been pumping to, and divert to the newly constructed upsized lines that are established to handle these flows without any mechanical assistance. Treloar explained further that gravity mains do the work with no mechanical systems and have lower maintenance but Lift stations have pumps that need to be replaced, regular maintenance and must be checked frequently. Drew moved to approve Resolution No. 2019-081 A request by KTM Design Solutions, Inc for Yasmeen Dream, LLC to consider an application for a **Resolution to approve TID #78 Project Plan Amendment #1** for property generally described as being located in Section 9, T1N, R8E (East and west of Elk Vale Road between E. Highway 44 and the current terminus of East Fairmont Street). Second by Nordstrom. 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 12:53 p.m.