

LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

December 11, 2019

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, December 11, 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 Nordstrom, second by Drew and carried to adopt the agenda.

GENERAL PUBLIC COMMENT

None.

CONSENT ITEMS

Motion was made by Lewis, second by Lehmann and carried to approve Items 1-15 as they appear on the Consent Items with the exception of item nos. 3 and 14. Amended motion was made by Drew to also pull item no. 8. Second by Nordstrom. Motion carried.

CONSENT ITEMS -- Items 1 – 15

Public Comment opened – Items 1 – 15

Public Comment closed

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

- 1) Approve Minutes for November 27, 2019

MAYOR’S ITEMS

- 2) LF121119-09 – Authorize the Mayor and Finance Officer to Sign a 2020 Agreement with the Rapid City Fine Arts Council for Arts Contingency Fund Distribution
- 3) LF121119-10 – Nordstrom, needs for clarification on this item. It looks like there are three different options the Mayor has proposed and Nordstrom prefers number three, but wants to know if that needs to be indicated in the motion or how is that to be made. City Attorney Landeen said his impression from the Mayor regarding item #3 is the idea of having the council members identify people from their wards and the mayor would make a couple appointments of some of those that have cover some area of expertise but the idea is to have a combination of both people that expertise or experience that would make them valuable as well as a cross section of the community. Drew made a comment to making it known to the public that this is a transparent effort and they will be looking to the community to give input on the home rule as it goes forward and looking at each ward to find people that will fill these positions giving people who are interested a great opportunity to be involved in how we go forward with our governance. Nordstrom moved to authorize the Mayor to Create a Home Rule Charter Committee. (Further discussion to be held on Monday, December 16th at the City Council meeting) Second by Lewis. Motion carried.

POLICE DEPARTMENT

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- 4) LF121119-12 – Authorize the Mayor and Finance Officer to Sign Taser Contract for Rapid City Police Department to Replace Aging Tasers

FIRE DEPARTMENT

- 5) LF121119-07 – Authorize Staff to Apply and Accept if Awarded the Build Strong Grant Funds in the Amount of \$23,650.00 for Hazardous Materials Response Trailer and for Transport of Equipment to a Hazardous Materials Scene

FINANCE DEPARTMENT

- 6) Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Alexander Brost (Police Department), Colby Anderson (Police Department), Marc Feliz (Police Department), John Williams (Police Department), Savannah Williamson (Police Department), LJ Fillmon (Police Department), Tony Garcia (Police Department), Jim White (Police Department), Alice McCoy (Police Department), Jim McCoy (Police Department), Daniel Scolaro (Police Department), William Clark (Police Department), John Derrek (Police Department), Marie Romano (Police Department), George Larson (Police Department), James Moore (Police Department)
- 7) LF121119-01 – Authorize Mayor and Finance Officer to Sign Combined Election Agreement with Pennington County for the 2020 Municipal Election to be Held on June 2, 2020 and for any Special Elections in 2020
- 8) LF121119-02 – Traci Hanson, a partner from Ketel Thorstenson said the partners at the firm would like to request that the Committee consider leaving and keeping \$200,000 worth of audit services locally in so doing would save the taxpayers of Rapid City approximately \$24,000. She understands the recommendation came from the Finance Department based on the concept of auditor rotation, which is one factor to consider when reviewing auditor proposals but it is not required. She added that Ketel Thorstenson maintains professional standards and has provided the City with quality services over the last several years and would like to continue to do so in the future. Drew asked Tracy Davis from the Finance Office why the decision was made to change and why a company that is out of town to perform auditing. Davis said that Eide Bailly is a new company that has not audited the City’s books before and are not local. She added that over the three-year period, there is an \$8,700 difference between Ketel Thorstenson, who the City has had for the past nine years and Eide Bailly. Prior to Ketel Thorstenson the City was with Casey Peterson. Davis said it has been recommended to switch at the end of a multi-year contract. Drew would like to see the audits remain local and stay with Ketel Thorstenson. Drury added that she does see a lot of marketing and sees many accounting firms that are not local and also knows that there are general and accepted accounting practices that tell you to switch once in a while, but she is also a proponent of shopping local. Nordstrom added that he feels it is good to explore but also likes the argument of keeping things local as well and would like to see just a little more information provided by the Finance Department on it. Davis asked the committee what specifically they are looking to see. Nordstrom said he will look over the letter again and touch base with Finance before the Monday night City Council meeting. Nordstrom moved to send Award Contract to Eide Bailly to Perform the Financial and Compliance Audits for the City of Rapid City for Calendar Years 2019, 2020 and 2021 to Council without recommendation. Second by Lewis.
- 9) LF121119-04 – Approve Resolution No. 2019-095 a Resolution Levying Assessment for Abatement of Nuisances
- 10) LF121119-06 – Acknowledge the October 2019 Sales Tax Report
- 11) LF121119-13 – Approve Request for Property Tax Abatement as Follows: Eric Eckholm, 2018, \$36.60 [Total \$36.60]

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COMMUNITY DEVELOPMENT

- 12) LF121119-03 – Approve Preliminary Recommendations for FY2020 Community Development Block Grant (CDBG) Entitlement Funds and Neighborhood Lift Lot Allocations
- 13) 19RD005 – Approve Resolution No. 2019-096 a Resolution Renaming Willowbend Road to Cross Water Court
- 14) LF121119-08 – Nordstrom asked the Director of Community Development Ken Young to summarize what and how this software program works. Young explained that the TRAKiT permit system has helped the City move from the dark ages of paperwork with permitting to a very organized program. The upgrade will allow the City to receive and do permitting online and the ability to receive plans digitally online or otherwise received digitally, which will make the whole service more efficient and effective. What was initially put into place in 2012, were the basics of the TRAKiT program but the City did not at that time have the full upgrade level that was available and there is now growing concern of how much longer the vendor is going to be able to maintain our current program since they are not working with it or selling it any longer. He emphasized the importance of getting up to speed with the current program but also that it allows the City to jump forward significantly with the online permitting and plans review. Nordstrom shared his excitement for the upgrade as it will allow people to make all of their comments, redlining and inspection notes which will all go back to one location online rather than having to carry around blueprints and other documents. Young added that we are saving trees, time and money. Nordstrom moved to approve to authorize the Mayor and Finance Officer to Sign the Professional Services Agreement for the Upgrade to the TRAKiT Permitting Software and Related Programs with Central Square Technologies in an Amount Not to Exceed \$148,740.00. Second by Lewis. Motion carried.
- 15) LF121119-11 – Approve Resolution No. 2019-098 a Resolution to Set the Fee for Registration of Accessory Dwelling Units

Chair recognized a speaker request form for item number 13 that was received after public comment was closed on consent items 1 – 15. Chair recommended the individual come back to the City Council Meeting on Monday December 16, as the item will be on the agenda and to please turn in a speaker request form before the meeting begins to have the opportunity to discuss their comments. She also added the individual should feel free to contact any council members during the time between now and Monday night.

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Items 16 – 18

Public Comment opened – Items 16 – 18

Public Comment closed

FINANCE DEPARTMENT

- 16) LF121119-05 – Drew moved to approve the Introduction and First Reading of Ordinance No. 6374 Regarding Supplemental Appropriation #9 for 2019. Second by Lewis. Motion carried.

PARKS AND RECREATION

- 17) LF112719-01 – Drew asked Parks and Recreation Director Jeff Biegler if we have a system for registering and tracking remains in perpetuity. Biegler explained that there is a comprehensive electronic record-keeping system called Stone Orchard Software which keeps track of all burials and all historical information has also been entered into it giving a very accurate record including the Ossuary. Nordstrom asked if the electronic software is a database and is it connected to the City Server. Biegler said it is a database and is not cloud based at this time. Lehmann moved to

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approve the Second Reading and Recommendation of Ordinance No. 6373, An Ordinance Amending Sections of the Rapid City Municipal Code Relating to City Cemeteries. Second by Lewis. Motion carried.

CITY ATTORNEY'S OFFICE

18) LF121119-14 – Drew moved to approve the Introduction and First Reading of Ordinance 6370 An Ordinance to Revise the Composition of the Downtown Business Improvement District Board by Amending Section 3.25.060 of the Rapid City Municipal Code. Second by Lewis. Motion carried.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Nordstrom second by Drew and carried to adjourn the meeting at 12:50 p.m.