

LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

April 29, 2020

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, April 29, 2020, at 12:30 p.m.

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

GENERAL PUBLIC COMMENT

None.

CONSENT ITEMS

Motion was made by Lehmann, second by Nordstrom to approve Items 1-13 as they appear on the Consent Items. Motion carried.

CONSENT ITEMS -- Items 1 – 13

Public Comment opened – Items 1 – 13

Public Comment closed

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

- 1) Approve Minutes for April 15, 2020

MAYOR’S ITEMS

- 2) LF042920-07 – Confirm the Appointments of Evan Thomas, Kathleen Burr, Patrick Jones, Carman Timmerman, Alan Dietrich, Chris Orr, Jared McEntaffer, Linda Lea Viken, Michael Hickey, Rick Kahler, Jason Green, Michael Nelson, Dave Kelley, Don Frankenfeld, Ed McLaughlin, Patrick Wyss, Rex Hagg, Tamara Pier, and Lynn Kendall to the Home Rule Charter Committee

FIRE DEPARTMENT

- 3) LF042920-02 – Authorize Staff to Apply for and Accept if Awarded a Build Strong Grant
- 4) LF042920-03 – Authorize Staff to Apply for and Accept if Awarded a Public Assistance Grant

FINANCE DEPARTMENT

- 5) Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Sharyl Jasper (RSVP+), George Vansco (RSVP+), Julie Vansco (RSVP+), Gloria Baken (RSVP+), Pamela Baum (RSVP+), Patty creek (RSVP+), Marlene Isburg (RSVP+), Glenda Nedved (RSVP+), Bob Oliver (RSVP+), Laura Oliver (RSVP+), Myrna Ragels (RSVP+), Jean Sagmoe (RSVP+), Hugo Schloe (RSVP+), Sherry Stodolski (RSVP+), Kimberly Tollison (RSVP+)
- 6) LF042920-01 – Authorize Mayor and Finance Officer to Sign Life Safety Loan Agreement Between Epiq Journey Enterprises, LLC and the City of Rapid City

LEGAL AND FINANCE COMMITTEE

April 29, 2020

- 7) LF042920-04 – Acknowledge FY2019 Annual Financial Report
- 8) LF042920-08 – Acknowledge February 2020 Sales Tax Report
- 9) LF042920-09 – Approve Resolution No. 2020-031 a Resolution Declaring Miscellaneous Personal Property Surplus to be Sold at City Auction
- 10) LF042920-10 – Approve Resolution No. 2020-033

COMMUNITY DEVELOPMENT

- 11) LF042920-05 – Authorize Mayor and Finance Officer to Sign the FY2020 Community Development Block Grant Contract for Pennington County Health & Human Services
- 12) 20TP012 – Authorize Mayor and Finance Officer to Sign Amendment #1 for the Transportation Alternatives Program Grant Agreement #715373

CITY ATTORNEY’S OFFICE

- 13) LF042920-06 – Authorize Mayor and Finance Officer to Sign Addendum to Agreement with Risk Administration Services, Inc. to Cover Take-Over Claim Fees

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Item 14

Public Comment opened – Item 14

Public Comment closed

COMMUNITY DEVELOPMENT

- 14) 19OA006 – Community Development Planner III Fletcher Lacock, clarified the changes to this ordinance by first mentioning the current language of the ordinance which states that any permitted or conditional use in the Medium Density Residential District is also allowed as a permitted or conditional use in the Office Commercial District. He expressed that the intent of the Office Commercial District is to provide areas within the City for institutional and commercial activities. Lacock said the ordinance amendment is to revise the permitted and conditional uses in this district, specifically removing single-family, two-unit townhomes and duplexes; then in the permitted uses, multi-family dwellings with one “primary structure” remain a permitted use because higher density residential is more of a commercial use than the typical single-family home. He then explained that in “conditional uses”, a lot of the uses identified in Medium Density Residential District were added in addition to multi-family dwellings in “multiple structures”, which under the current system requires a plan development requiring public review and approval. This amendment makes sure the ordinance states “multiple structures” require that conditional use permit. Lacock also pointed out that associated with this ordinance amendment are a lot of rezoning requests being processed by the City because there are a lot of single family homes, townhomes (two-unit structures on individual lots) and duplexes (two units on one lot) that were developed in the Office Commercial District. He noted that the properties are being rezoned with no fee to the property owners to keep them in compliance with the current zoning ordinance. Nordstrom asked Lacock to explain the conditional use permit process. Lacock said in the future, a multi-family dwelling (three or more units within one structure) or for example, a 50 unit apartment building in one structure, will just be a building permit in the Office Commercial District; however, if it is 50 units and three structures, that would trigger the conditional use permit process which goes before Planning Commission for review and approval and can be appealed to City Council. This covers Office Commercial Districts throughout the City. The basis of this amendment is simply removing single-family homes, townhomes and duplexes from Office Commercial Districts but continue to allow multi-family

LEGAL AND FINANCE COMMITTEE

April 29, 2020

dwelling as a permitted use. Nordstrom moved to approve the Introduction and First Reading of Ordinance No. 6294 an Ordinance Amendment Amending Chapter 17.40 to Revise Permitted and Conditional Uses in the Office Commercial District. Second by Lehmann. Motion carried.

*Drury reminded everyone electronic public comments for the City Council Meeting this coming Monday, May 4, 2020, must be in by noon of that day or they will not be attached for the meeting.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Nordstrom second by Lehmann and carried to adjourn the meeting at 12:38 p.m.