

LEGAL AND FINANCE COMMITTEE MINUTES  
Rapid City, South Dakota

June 1, 2016

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, May 11, 2016, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Ritchie Nordstrom, Amanda Scott, Darla Drew and Steve Laurenti. 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 Laurenti, second by Nordstrom and carried to adopt the agenda.

**GENERAL PUBLIC COMMENT**

**CONSENT ITEMS**

Motion was made by Laurenti, second by Nordstrom and carried to approve Items 1-15 as they appear on the Consent Items with the exception of Item No. 12 and 15.

- 1) Approve Minutes for May 11, 2016

**MAYOR'S ITEMS**

- 2) No. LF060116-01 – Confirm Appointment of Pete J. Cappa to the Opportunity Capture Fund

**POLICE DEPARTMENT**

- 3) No. LF060116-08 – Authorize Staff to Apply for and Accept if Granted 2016 COPS Grant

**FIRE DEPARTMENT**

- 4) No. LF060116-09 – Request Permission to Purchase One Rosenbauer 101' Platform Aerial for \$941,586 and One Rosenbauer Pumper for \$475,226 through NJPA
- 5) No. LF060116-14 – Authorize Mayor and Finance Officer to Sign Agreement between the City of Rapid City and Rapid Fire Protection, Inc. for Fire Station 1 Fire Suppression System

**FINANCE DEPARTMENT**

- 6) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Wanda Wells, Jaden Wells Raup, Kathy Lemire, Agnes 'Toe' Patterson
- 7) No. LF060116-02 – Acknowledge March, 2016 Sales Tax Report
- 8) No. LF060116-06 – Acknowledge April 2016 General Fund Cash Balance Report
- 9) No. LF060116-03 – Approve Resolution No. 2016-028B Levying Assessment for Cleanup of Miscellaneous Property Except the Names of Roman and Wilma Kurylas Revocable Living Trust

and Marshall Lea Enterprises (those names to be continued to the June 20, 2016 City Council meeting)

- 10) No. LF060116-04 – Approve Request for Property Tax Abatement as Follows: John R. Kor, 2015, \$282.11
- 11) No. LF060116-11 - Resolution No. 2016-040 Amending Certain Fees to be Charged in 2016 for Various Licenses, Permits and Applications

### **COMMUNITY RESOURCES**

- 12) No. LF060116-05 – Nordstrom asked Allison Creelman, Assistant City Attorney, to explain the termination of employees that are designated appointees of the Mayor. She said that the employee severance plan related to mayoral appointees. This was to protect them when they were terminated not for just cause. As time progressed, the employees that were benefitting from that were then turned over to employee contracts. Their severance plan was set out in their individual contract. There were a few employees that were grandfathered in, and there are three remaining employees left in that status. Because there are only three remaining employees grandfathered in, the severance plan has been removed from the Guide. If the Council votes in favor to adopt the new Non-Union Guide, Resolution No. 2012-064 and the then existing Employee Severance Plan will be placed in the personnel files of the three remaining grandfathered in employees, together with a memo explaining the history of the plan and the fact that each employee is a beneficiary of the same. After further discussion, Drew moved to Approve Updates to the Non-Union Employee Guide. Second by Laurenti. Motion carried. ***Place item on the Consent Calendar***
- 13) No. LF060116-07 – Authorize Mayor and Finance Officer to Sign Local Government Certification by the Chief Executive Officer Supporting Cornerstone Rescue Mission and Cornerstone Women & Children’s Home Request for Emergency Solutions Grant Funds for the Operation of the Cornerstone Rescue Mission

### **HISTORIC PRESERVATION COMMISSION**

- 14) No. LF060116-12 – Acknowledge Final Report for the West Boulevard Historic District Survey

### **CITY ATTORNEY’S OFFICE**

- 15) No. LF060116-13 – Nordstrom moved to approve authorization for the Mayor and Finance Officer to Sign Development Agreement for Tax Increment District Number Seventy-Seven between Black Hills Power, Inc. and the City of Rapid City, South Dakota. Second by Drew. This TIF will create 50 new jobs and make more training space available. Nordstrom said he is hearing concerns that Black Hills Power, Inc. is large enough and they can handle this on their own. Laurenti said the fact of the matter is this is a multi-million dollar corporation. The jobs are not tied to the TIF costs. The TIF costs are related to all kinds of other things. He said these jobs are coming to Rapid City because it makes economic sense for them to move here. He will not support this TIF. He said there are other ways to accomplish this. Scott also said she will be voting against this because she has an issue with the formula that was used to generate the finance charges. The City has alternate means through economic development to make this happen. After further discussion, a substitute motion was made by Laurenti to take authorization for the Mayor and Finance Officer to Sign Development Agreement for Tax Increment District Number Seventy-Seven between Black Hills Power, Inc. and the City of Rapid City, South Dakota to the June 6, 2016 City Council meeting without recommendation. Second by Drew. Motion carried with Nordstrom voting “no.”

END OF CONSENT CALENDAR

**NON-CONSENT ITEMS**

**FINANCE DEPARTMENT**

- 16) No. LF051116-04 – Nordstrom moved to approve Second Reading and Recommendation of Ordinance No. 6114 Regarding Supplemental Appropriation No. 2 for 2016. Second by Drew. Motion carried.

**COMMUNITY RESOURCES**

- 17) No. LF-60116-10 – Jess Rogers, Assistant City Attorney, said the idea behind Ordinance No. 6122 is to put ownership on properties that are vacant over a long period of time for whatever reason. These properties most generally are going through foreclosure and are owned by out of state banks. No one mows or keeps the property cleaned up. Under these circumstances, the City is becoming a landlord to these properties. Under the ordinance, if a property is vacant for more than three months, the property has to be registered with the City. After further discussion, Laurenti moved to approve Introduction and First Reading of Ordinance No. 6122 Adopting Section 16.090 of the Rapid City Municipal Code Requiring Registration of Vacant Residential Properties. Second by Drew. Motion carried with Scott voting “no.”

**ADJOURN**

There being no further business to come before the Council at this time, motion was made by Nordstrom, second by Laurenti and carried to adjourn the meeting at 1:15 p.m.