LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota
February 16, 2022

A Legal and Finance Committee meeting was held at the City Administration Center in Rapid City, South Dakota, on Wednesday, February 16, 2022, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Darla Drew, Ritchie Nordstrom, Lance Lehmann, Jason Salamun and Ron Weifenbach 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 Lehmann second by Nordstrom and carried to adopt the agenda.

GENERAL PUBLIC COMMENT
None

CONSENT ITEMS
Motion was made by Weifenbach second by Lehmann and carried to approve Items 1-15 as they appear on the Consent Items with the exception of Item Nos. 2, 3, 4, 7, 9, 10, 11, 14 and 15.

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 February 2, 2022

MAYOR’S ITEMS
2) LF021622-13 – Drew asked if this appointment is to replace Brad Estes. No one was available from the Mayor’s Office to respond. Lehmann moved to Confirm the Appointment of Patricia Acevedo Fuentes to the Monument Board of Directors. Second by Salamun. Motion carried unanimously.

HUMAN RESOURCES
3) LF011222-13 – Nordstrom moved to continue the Adoption of the Updated Non-union Guide and Employee Handbook (continued from 1/12/2022 and 2/02/2022 Legal and Finance meetings) to the March 02, 2022 Legal and Finance Meeting. Second by Weifenbach. Motion carried unanimously.

FIRE DEPARTMENT
4) LF021622-01 – Salamun asked Fire Chief Jason Culberson what, if any, strings are attached to these grants (items 4, 5 and 6). Culberson explained that all of these grants are 100% funded Homeland Security grants with a 0% match so there is no money used from City resources. Lehmann moved to Authorize Staff to Apply for and Accept if Awarded the Homeland Security Grant in the Amount of $63,694.50. Second by Salamun. Motion carried unanimously.

5) LF021622-02 – Authorize Staff to Apply for and Accept if Awarded the Homeland Security Grant in the Amount of $11,850.00
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6) LF021622-08 – Authorize Staff to Apply for and Accept if Awarded the Homeland Security Grant in the Amount of $27,475.00

FINANCE DEPARTMENT
7) LF021622-03 – Drew asked Finance Director Pauline Sumption how many notices are sent to people regarding these nuisances. Sumption deferred to Community Development Director Vicki Fisher as her office only performs the billing component. Fisher explained the notification process along with all of the steps taken prior to an abatement being issued and how the clean-up is done. Drew would like to see some communication done digitally such as having the names published on a list on the city website or somewhere else. Fisher mentioned that some property owners do not want their violation noted for the public. Sumption pointed out that the procedures the City follows are the statutes and processes required by state law. The City is required by law to use the database from the county for property ownership. Nordstrom asked Fisher to explain how a complaint is processed. Fisher explained that different complaints have different procedures especially when there are safety issues involved. She reviewed different scenarios and how they are handled, and also went over the newly established protocols for handling repeat offenders. Salamun moved to Approve Resolution No. 2022-019 a Resolution Levy for Abatement of Nuisances. Second by Weifenbach. Motion carried unanimously.

8) LF021622-09 – Approve Request for Property Tax Abatements as follows: Jeff Buck (Tax ID 65172) 2021, $946.78 [Total for City of Rapid City: $946.78]

PARKS AND RECREATION
9) LF021622-04 – Drew asked Parks and Recreation Director Jeff Biegler if these leases come before the council every year. Biegler said they are multi-year lease/use agreements. He clarified the process which includes first approving a letter of intent to enter into a lease so the public is notified that the City is going to be having these lease agreements on the agenda. Items 9 and 10 were on the last agenda as notices of intent and now you are seeing the actual lease agreements. Number 11 (Harney League Sports) is a resolution of intent to enter into a lease so the actual lease agreement for that will be on the next Legal and Finance agenda. Salamun moved to Authorize Mayor and Finance Director to Sign Resolution No. 2022-015, a Resolution to Enter into a Use Agreement with Black Hills Junior Little League. Second by Lehmann. Motion carried unanimously.

10) LF021622-05 – Lehmann moved to Authorize Mayor and Finance Director to Sign Resolution No. 2022-017, a Resolution to Enter into a Use Agreement with Rapid City Church Softball, Inc., Second by Weifenbach. Motion carried unanimously.

11) LF021622-06 – Nordstrom moved to Approve Resolution No. 2022-020 a Resolution of Intent to Enter into a Lease with Harney League Sports for Property Located at 610 E. Fairmont Blvd., Second by Weifenbach. Motion carried unanimously.

COMMUNITY DEVELOPMENT
12) LF021622-07 – Authorize Staff to Purchase Two New 2022 Ford 3.3 V6 Flex Fuel 4Door Explorers from McKie Ford with Matching State Bid Contract #17619 in the Amount of $57,894.00

CITY ATTORNEY’S OFFICE
13) LF021622-10 – Authorize Mayor and Finance Director to Enter into Amended Agreement Between the City of Rapid City and Fox L.L.C. for Oversize Water Main Cost Reimbursement to Add Provision Allowing the Developer to Assign the Agreement to Another Developer Under Certain Circumstances

14) LF021622-11 – Lehmann moved to continue the Approval of Resolution No. 2022-013 a Resolution to Enter Into a Lease Agreement from City to Security First Bank for 5430 Sheridan Lake Road to the March 02, 2022 Legal and Finance meeting. Second by Salamun. Motion carried unanimously.
15) LF021622-12 – Salamun asked Assistant City Attorney Kinsley Groote, to explain why it took two years to get this developer agreement brought forward. Groote said her understanding is that Mr. Marshall needed some additional time to look through the documents and figure out some additional plans regarding how he wanted to develop the property. The project plan was approved April 15, 2019 and this is the standard agreement that follows for TID developments. Planning Projects Division Manager Sarah Hanzel shared the history/details of Tax Increment District 81 also known as the Park Hill TID. The district is approximately 16 acres located west of Cambell Street and southeast of east Oakland Street and part of the Park Hill development which has been going on for several decades. This is a vacant piece of land that has been left undeveloped for quite some time. The district was created to help cover some of the extraordinary costs and to promote workforce and affordable housing. Hanzel said that typically once a tiff is approved by City Council, City staff and the developer then enter into the process of starting contract negotiations. There was a draft created and provided for the developer to review and then it stalled for a while. The developer then reached back out and said they were ready to move forward and by that time several staff members had changed in various divisions at the City so everyone needed to regroup and refresh themselves with the project. Lehmann moved to Authorize the Mayor and Finance Director to Sign the Contract for Construction of Public Improvements by Private Developer for Tax Increment District Number Eighty-One between Park Hill Development, Inc. and City of Rapid City. Second by Weifenbach. Motion carried unanimously.

END OF CONSENT CALENDAR

ADJOURN
There being no further business to come before the Committee at this time, motion was made by Salamun second by Weifenbach and carried to adjourn the meeting at 12:53 p.m.