

FINAL
LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

August 14, 2024

A Legal and Finance Committee meeting was held at the City Administration Center in Rapid City, South Dakota, on Wednesday, August 14, 2024, at 12:30pm.

A quorum was determined with the following members answering the roll call: Josh Biberdorf, Bill Evans, Kevin Maher, Lindsey Seachris, and Greg Strommen. 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

GENERAL PUBLIC COMMENT

None.

CONSENT ITEMS – Items 1-8

Public Comment

None.

- 1) Seachris moved to Approve [Minutes for July 31, 2024](#). Second by Maher. Motion carried unanimously.

FINANCE DEPARTMENT – *Tracy Davis, Assistant Director*

Evans moved to approve items 2-4. Second by Biberdorf. Motion carried unanimously.

- 2) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Kevin Kloster (RCPD), and Janet Foudray (RCPL)
- 3) [LF081424-03](#) – Approve Resolution No. 2024-059, a Resolution Levying Assessment for Abatement of Nuisances
- 4) Mike Dugan provided a brief presentation on the Camden Heights project, saying that the City will act as the lender and recapture the principle and interest He gave loan terms, including amount and interest rate. The draw request involves a trustee. Seachris thanked Dugan for his presentation and the Finance Department for continuing to look for ways to better the City. Fisher said that this is launching a new program for additional TIFs. She believes that it is exciting for the City to act as a lender and collect interest, when previously it would have gone to a bank.
[LF081424-01](#) – Authorize the Mayor, Finance Director, and Staff to Sign Loan Documentation Between the City of Rapid City and ECG Rapid City, LP

ATTORNEY'S OFFICE – *Joel Landeen, Director*

Seachris moved to approve item 5. Second by Evans. Motion carried unanimously.

- 5) Justin Williams, assistant City Attorney, spoke on this item, saying that it's just the Developers Agreement that accompanies the Agreement outlined in item number 4.
[LF081424-02](#) – Authorize Mayor and Finance Director to Sign Development Agreement for Tax Increment Financing District Number Ninety-One

COMMUNITY DEVELOPMENT – *Vicky Fisher, Director*

- 6) Seachris moved to approve item 6. Second by Evans. Motion carried unanimously.

Kipp Harrington, Manager of Long-Range Planning, responded to the questions of transparency posed by the Council at the August 5th City Council meeting.

[24TP032](#) – Authorize the Mayor and Finance Director to Sign the Professional Services Agreement with HDR Engineering, Inc. for the Safe Streets and Roads for All Safety Action Plan in the Amount Not to Exceed \$199,971.90 – *continued from 8/5/24 City Council meeting*

- 8) Evans moved to approve item 7. Second by Biberdorf. Motion carried unanimously. This is an current agreement with the Alex Johnson, and it would continue for an additional 5 years. [LF081424-05](#) – Authorize the Mayor and Finance Director to Approve a Five-Year Extension of Lease Agreement with Cortez LLC, d/b/a Hotel Alex Johnson, for Sixty-Six (66) Parking Spaces at the Sixth Street Parking Garage

FIRE DEPARTMENT – *Jason Culbertson, Fire Chief*

Evans moved to approve item 8. Second by Seachris. Motion carried unanimously.

- 7) Another request, same as before. The FD is continuing its task of getting uncollectable patient accounts off of its old billing software. [LF081424-04](#) – Approve Resolution No. 2024-067, a Resolution Writing Off Uncollectable Ambulance Patient Accounts

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Items 7-11

Public Comment

Krista Leischner, RCAS Student Nutritionist, spoke on item 11. She believes that the majority of folks to will pay, do pay. There is \$114,000 in negative balances, that is typical this time of year. Maher asked if she has a long-term plan to address this. Kristin responded that if there is something at the State of Federal level to cover meals. Maher asked if the district covers anything. Kristin says that it does not cover negative balances. Seachris asked about the hesitancy on the State side to cover funds, being that there are federal funds. She wonders if there is a gap. Krista agreed. There was some resistance in federal funding mixing with State funding. She personally believes that bringing back the 2020 free meals to all students.

Sateera Thomson, RCAS school nurse, spoke on item 11 from a health perspective, saying that unfortunately for some of RCAS kids, school lunches are the only mean they might have in a day, and being unable to focus is a result of that hunger. Chances of learning if the school is able to provide a meal for a child, go way up. Attention, performance, and bad behavior is down if kids are able to get a free meal.

Mike Quasney spoke on item 10, resenting himself, but he is a member of the Mt Rushmore Rd group, planning and zoning. He acknowledged that there is a problem in the Parks with alcohol abuse by a small number of people. He believes that the Police are working very hard, businesses, and the City to come up with solutions. He suggested to revoke liquor licenses at certain establishments, rather than taking away rights from certain individuals. He does not have an easy solution, but he believes that the City needs to protect the rights for all.

NON-CONSENT ITEMS – Items 9-11

Public Comment opened – Items 9-11

Public Comment closed

FINANCE DEPARTMENT – *Tracy Davis, Assistant Director*

Seachris moved to approve item 9. Second by Biberdorf. Motion carried unanimously.

- 9) There are no changes since first reading.

[LF073124-14](#) – Second Reading and Recommendation of Ordinance No. 6605, an Ordinance Repealing Chapter 1.08 of the Rapid City Municipal Code Relating to Wards and Precincts and Adopting a New Revised Chapter 1.08 of the Rapid City Municipal Code
[Item 10 heard at City Council Meeting on August 19, 2024]

CITY ATTORNEYS OFFICE – *Joel Landeen, Director*

Seachris moved to send item 10 to City Council without recommendation. Second by Biberdorf. Motion carried 4-1, with Maher voting no.

- 10) Seachris voiced that she doesn't feel good about restricting the rights of many for the actions of some. She feels that the emergency response and resources being allocated. She feels like this is a potential idea that she is willing to try, even though she acknowledges that this is not a once all fix all, but there is no harm in trying something new. Maher feels like this is a complex issue that affects all businesses, further saying that he can't support this ordinance. Biberdorf adamantly supports this ordinance. He feels like first responders have been overwhelmed and overrun with "fixing" public intoxication, and he believes that the City should do something about public intoxication. Ryan Marx with the RCFD gave statistics on the 171 EMS calls for service in the last 30 days and what amount of them were related to alcohol abuse. Marx said he's not asking for a total dry day, but just 3 hours in the morning to reduce the taxation on EMS workers. Tim Doyle with the RCPD said that what the City is currently doing to combat the problem isn't working, and that this might not be the answer, but the City needs to do something. Evans commented that he completely agrees with both Biberdorf and Maher. He does believe that this ordinance wouldn't solve the issue.

[LF081424-06](#) – Introduction and First Reading of Ordinance No. 6632, an Ordinance to Change the Permissible Hours of Sale of Alcoholic Beverages for Off-Premises Consumption by Amending Section 5.12.060 of the Rapid City Municipal Code
[Item 10 heard at City Council Meeting on August 19, 2024]

ALDERMAN ITEMS

Evans moved to approve item 11, with a timeline of 8/5/2024 through 10/1/2024 for matching funds. Seachris moved to amend the motion to approve item 11, with a timeline of 8/5/2024 through 11/30/2024. Second by Evans. Motion carried unanimously.

- 11) Landeen requested to incorporate a timeline in this motion, not only how long of a timeline, but when to start, with the first mention to Council being on August 5th, 2024. Lichner with RCAS requested a longer timeline due to deadlines for parent applications and processing for RCAS staff.
[LF081424-07](#) – A Request from Alderman Strommen to Establish a Challenge Fund of Up to \$25,000 from the Current Council Contingency Fund to Match Contributions to the Rapid City School Foundation's Fed and Ready to Learn School Lunch Deficit Reduction Program
[Item 10 heard at City Council Meeting on August 19, 2024]

ADJOURN

There being no further business to come before the Committee at this time, motion made by Evans, second by Seachris and carried to adjourn the meeting at 1:20pm.