

FINAL
LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

November 13, 2024

A Legal and Finance Committee meeting was held at the City Administration Center in Rapid City, South Dakota, on Wednesday, November 13, 2024, at 12:30pm.

A quorum was determined with the following members answering the roll call: Josh Biberdorf, Bill Evans, Kevin Maher, Pat Roseland, 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

Evans moved to add a motion to the agenda for the City legal department to draft a formal letter from the of congratulations to Senator Thune, to be signed by the Mayor and City Council. Maher moved to amend Evan's motion to include Kristi Noem as well, second by Roseland. Motion carried unanimously.

GENERAL PUBLIC COMMENT

None.

CONSENT ITEMS – Items 1-12

Public Comment

None.

- 1) Evans moved to Approve Minutes for [October 30, 2024](#). Second by Roseland. Motion carried unanimously.

FINANCE DEPARTMENT – *Daniel Ainslie, Director*

Biberdorf moved to approve items 2-6, with exception of item 6, which was requested by Ainslie to be continued to the November 27th Legal & Finance Committee Meeting. Second by Maher. Motion carried unanimously.

- 2) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Joan Armstrong, Jeff Burich, and William Lundgren (RSVP+), and Rachel Torick and Alle Wolfe (Library)
- 3) Item is for two abatements from the DOE for property tax clerical errors.
[LF111324-09](#) – Approve Abatements from the Director of Equalization
- 4) [LF111324-05](#) – Approve Resolution No. 2024-068, a Resolution Levying Assessment for Cleanup of Sidewalks of Miscellaneous Property
- 5) This item is from the Code Enforcement division for several properties that were abated.
[LF111324-06](#) – Approve Resolution No. 2024-085, a Resolution Levying Assessment for Abatement of Nuisances
- 6) Some fees were inadvertently missed and a continuance to the December 2, 2024, City Council meeting was requested.
[LF111324-11](#) – Approve Resolution No. 2024-094, a Resolution Amending Certain Fees to be Charged in January 2025 for Various Licenses, Permits, and Applications

- 7) This item is in regards to tax rate. West River Electric is requesting a 1-year renewal of their agreement so that their tax rate remains at 1% instead of increasing to 2% that the tax rate does not increase to 2% per statute.
[LF111324-12](#) – Approve Electric Cooperative Revenue Agreement between the City, West River Electric Association, and Black Hills Electric Cooperative
- 8) Both 8 and 9 are both in relation to the Project Safe Neighborhoods grant. This grant pays for the detective who works on the PSN task force, which focuses on violent armed offenders
[LF111324-01](#) – Authorize the City to Sign Addendum No. 1 to the Subaward Agreement for the 2023 Project Safe Neighborhoods (PSN) Grant Award in the Amount of \$8,853.00
- 9) [LF111324-02](#) – Authorize the City to Sign and Accept the Subaward Agreement for the 2024 Project Safe Neighborhoods (PSN) Grant Award in the Amount of \$67,769.00

COMMUNITY DEVELOPMENT – *Vicki Fisher, Director*

Biberdorf moved to approve item 10. Second by Roseland. Motion carried unanimously.

- 10) Jennifer Utter, Assistant City Attorney, explained that this item is in relation to a quiet title type action that the City usually doesn't get involved with; however, because of the recent condemnation of the building, it would be in the City's best interest to enter into the stipulation, with the new owner assuming responsibility for all code-enforcement actions on this property. Most importantly, the new owner (by Treasurer's Tax Deed) will be posting a bond for demolition costs. Fisher explained that there are currently 11k in addition pay 25k on demolition. This saves the City 14k out of the abatement budget. Evans questioned the pictures of the property. Fisher responded that the house has been moved off its foundation and has been deemed unsafe, several individuals have assumed residency of the condemned home, and DSS has been notified of children living there. Additionally, the has no utilities servicing the property and reports are that the yard being used as bathroom facilities.
[LF111324-10](#) – Authorize Staff to Enter into Stipulation in Quiet Title Action in re: Condemned Property at 104 East College Ave, Rapid City

FIRE DEPARTMENT – *Jason Culbertson, Fire Chief*

Biberdorf moved to approve items 11-12. Second by Maher. Motion carried unanimously.

- 11) This is for software that will consolidate multiple services into one primary service provider, allowing the RCFD to sign into all software through one program.
[LF111324-04](#) – Authorize Mayor and Finance Officer to Sign the Agreement for Services between Locality Media, Inc (DBA First Due) and the City of Rapid City by and through the Rapid City Fire Department
- 12) Ambulances are aging. For example, the oldest ambulance is from 2003, and the highest-mileage ambulance is just shy of 600,000 miles. The purchase of a ambulance will replace one of the RCFD's older vehicles.
[LF111324-07](#) – Authorize Staff to Purchase a 2024 Crestline Ford E350 Type 3 Ambulance in the Amount of \$175,753.00 from MacQueen Equipment through Savvik Buying Group Pricing

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Items 13-15

Public Comment
None.

HUMAN RESOURCES – *Amber Cornella, Director*

Biberdorf moved to approve item 13. Second by Roseland. Motion carried unanimously.

- 13) This is tied to a general transition in the City from step-increase longevity pay to pay-for-performance pay, whereby the City will implement employee self-evaluations and supervisor evaluations into a ranking system that corresponds to pay for performance so that employees will be recognized for the work that they are doing as opposed to longevity and time-enroll. The item before the committee today is a broad overview. This is a brand-new initiative for the City and is due to go into effect in 2025. Evans commented that he agrees with the policy overall and believes it will be a positive change, but he cautioned that evaluations be done with objectivity. Strommen asked about the origins of the policy. Cornella responded that the initiative was underway when she first started with the City, but is part of the Mayor’s overall philosophy of pay for performance. There is a lot of research and planning that has gone into this policy and acknowledged that this will be a huge shift for the City.

[LF111324-08](#) – Approve the City’s Pay for Performance Policy

FIRE DEPARTMENT – *Jason Culbertson, Fire Chief*

Biberdorf moved to approve item 14. Second by Maher. Motion carried unanimously.

- 14) Division Chief Chip Premus gave a short Power Point presentation. Current code was adopted in 2003 and readopted in 2004, is not currently in the correct legal format. Premus highlighted the process of adoptions and amendment background and language put it for alarm prewiring, fire command centers, emergency communication systems. Added code for hoarding situations and powered micromobility devices, dry sprinklers, fire area, fire walls, etc. Evans asked about the pre-wiring for ADA (visual flashers). Chip responded in context of changing technology there is no need to put the financial burden on apartments for new wiring when there is already the appropriate number of ADA units

[LF111324-03](#) – Introduction and First Reading of Ordinance No. 6641, an Ordinance to Amend Chapter 8.24 of the Rapid City Municipal Code to Adopt the 2024 International Fire Code

COMMUNITY DEVELOPMENT – *Vicki Fisher, Director*

Biberdorf moved to approve item 15. Second by Maher. Motion carried unanimously.

- 15) Director Fisher introduced the amendment to the project plan. Mike Dugan gave a brief presentation of amendment #1 for the project plan of TID No. 83. Original approval was in 2020. It was certified in 2023 and is now in repayment. Purpose of the amendment is for a 35% increase in project costs for approximately \$951k. Unused funds will be reallocated and used for purchase of 3 lots, and prices for these lots total \$1.185M and will be used for a future fire station and a City park. Evans commented with his belief that this is a great expansion for the City.

[24TI005](#) – Approve Resolution No. 2024-075, a Resolution for Amendment #1 to Project Plan for TID No. 83 Project Plan for the Homestead Street Extension for property generally described as being located Homestead Street east of Elk Vale Road between Timmons Boulevard and Missoula Street

[NON-CONSENT items 13-15 to be heard at City Council Meeting on November 18, 2024]

ALDERMAN ITEMS

Strommen wished a happy birthday to the mayor of Sioux Falls, of whom he shares a birthday with.

ADJOURN

There being no further business to come before the Committee at this time, motion made by Evans, second by Roseland and carried to adjourn the meeting at 1:19pm.