

LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

November 30, 2016

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

A quorum was determined with the following members answering the roll call: John Roberts, Steve Laurenti, and Lisa Modrick. Absent: Jerry Wright and Amanda Scott.

(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 Modrick, second by Laurenti and carried to adopt the agenda.

GENERAL PUBLIC COMMENT

None.

CONSENT ITEMS

Motion was made by Modrick, second by Laurenti and carried to approve Items 1-12 as they appear on the Consent Items with the exception of Item No. 2, 3, 5, 8, 10, 11 and 12.

- 1) Approve Minutes for November 16, 2016

FIRE DEPARTMENT

- 2) LF113016-01 – Laurenti asked Rod Seals from the Fire Department if this item is budgeted in the 2016 budget. Seals stated this money is coming from Wildland fund. Finance Officer Pauline Sumption explained further that the Wildland fund is not typically budgeted for because it is unknown how many calls we will go out on for the wildland where we will get reimbursed. Sumption stated there is cash in the fund for the entire purchase of this item. Laurenti moved to Approve Request to Purchase Fire Apparatus through National Joint Powers Alliance in the amount of \$344,793.00. Second by Modrick. Motion carried.
- 3) LF113016-04 – Laurenti again asked Rod Seals from the Fire Department if this item is included in the 2016 budget. Seal stated this item will be purchased out of the Ambulance Enterprise fund and this will be a cash purchase. Modrick moved to Authorize Staff to Purchase One (1) Demers Type III MX 152E Sprinter 3500 for \$149,900 Using HGAC Buy Contract Pricing. Second by Laurenti. Motion carried.

FINANCE DEPARTMENT

- 4) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Herb Kistler
- 5) LF113016-03 – Laurenti wanted to comment on this item. He feels we are not funding infrastructure like we should. He agrees that arts and humanities are important but he does not believe it is the role of government when especially we are not funding our infrastructure and public safety to the level it needs to be. Modrick moved to Approve FY2017 Allied Arts Funding Allocation for Community Investments (Arts & Humanities) Second by Laurenti. Motion carried.
- 6) LF113016-05 – Approve Resolution No. 2016-093A Resolution Fixing Time and Place for Hearing on Assessment Roll for Cleanup of Miscellaneous Property

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- 7) LF113016-06 – Approve Resolution No. 2016-092 a Resolution Amending Certain Fees to be Charged in 2017 for Various Licenses, Permits and Applications

COMMUNITY RESOURCES

- 8) LF113016-02 – Laurenti asked Civic Center General Manager Craig Baltzer if there was an overall increase or decrease based on these new funding requirements for these different positions and the reclassification of some positions. Baltzer stated for the reclassifications no there will not be an increase. For the additional full time employees, they are expecting to make up for that with the part time crews that they hire. There are title changes but they do not result in salary changes. The only changes are an additional FTE and one position is a level upgrade. Laurenti moved to Approve Resolution No. 2016-090 Approving Civic Center Position Title and Compensation Grade Changes. Second by Modrick. Motion carried.
- 9) LF113016-08 – Approve Resolution No. 2016-091 a Resolution to Add Full Time Equivalent (FTE) Positions Within the City of Rapid City Per the Approved 2017 Budget

METROPOLITAN PLANNING ORGANIZATION

- 10) 16TP039 – Laurenti asked Dale Tech if there is a requirement for these feasibility studies or is this just something we do periodically as policy. Tech stated there is no requirement for the study, it is something that is done periodically as the need arises. This particular study is not a rate study. The feasibility study of providing service to other areas of the community. Modrick moved to Authorize the Mayor and Finance Officer to Sign the Professional Services Agreement with Felsburg, Holt and Ullevig, Inc. for the Transit Feasibility Study in an amount not to exceed \$130,000. Second by Laurenti. Motion carried.

ATTORNEY’S OFFICE

- 11) LF111616-11 – Laurenti asked Finance Officer Pauline Sumption if this item is complete and ready to go since it was continued from the November 16, 2016 meeting. Sumption stated she met with Hani Shafai and his banker yesterday and was informed the interest rate will 5.5% which is in line with past agreements and reasonable. Modrick moved to Authorize Mayor and Finance Officer to Sign Contract for Construction of Public Improvements Through Private Developer Tax Increment District Number Seventy-Eight Between Yasmeen Dream, LLC and the City of Rapid City. Second by Roberts. A vote was taken with Modrick and Roberts voting “yes” and Laurenti voting “no”. Motion carried. *(continued from the November 16, 2016, Legal and Finance Committee Meeting)*
- 12) LF113016-09 – Laurenti moved to continue Resolution No. 2016-099 Corrective Addendum to Resolution of Vacation of the Section Line Right-of-Way for property generally described as southeast of the intersection of Sheridan Lake Road and Wildwood Drive to the December 14, 2016 Legal and Finance Committee meeting. Second by Modrick. Motion carried.

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – **Items 13 - 20**

Public Comment opened – **Items 13 - 20**

Item No. 14 – Elbert Johnson from the Church of Christ spoke in favor of the name change for a portion of 11th Street and West Boulevard North to Nickel Street. They feel this will make a wonderful flow coming from the interchange right past their building.

Public Comment closed

MAYOR’S ITEMS

- 13) LF113016-07 – Laurenti moved to take 2017 Vision Fund Recommendations Presented by the Citizen Committee to Council without recommendation. Second by Modrick. Motion carried.

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COMMUNITY PLANNING & DEVELOPMENT SERVICES

- 14) 16RD002 – Building Official Brad Solon presented the proposed changes to the Committee. The DOT is changing the intersection and extending the road to Philadelphia Street so there is an unnamed section of road that is new. The new section of road connects to a section that is West Boulevard North. The goal is to eliminate that section of West Boulevard North and change it to something else. There are four properties effected by this change. Each owner has been notified twice about the proposed change. One property owner disagreed with the change, they felt the name should be Harmony Heights Lane. Staff feels it should be changed all the way up to Blue Jay to Nickel Street. If we change it to Harmony Heights Lane down to Anamosa Street there will be an East/West section of Harmony Heights Lane and a North/South section which creates a problem with addressing. Modrick asked if there will be any issues with GPS and signage since there is no indication of division. Solon stated there is an intersection of Blue Jay with a street sign, this will be where the new sign will go indicating the new name. Laurenti moved to approve Resolution No. 2016-094 a Resolution for Road Name Change for a Portion of North 11th Street and West Boulevard North to Nickel Street. Second by Modrick. Motion carried.
- 15) 16RD003 – Building Official Brad Solon noted there are no effected parties with the change presented in this item. Laurenti moved to approve Resolution No. 2016-095 a Resolution for Road Name Change from Philadelphia Street to North Street. Second by Modrick. Motion carried.

FINANCE DEPARTMENT

- 16) LF111616-05 – Modrick moved to approve Second Reading and Recommendation of Ordinance No. 6148 Regarding Supplemental Appropriation #5 for 2016. Second by Laurenti. Motion carried.

ATTORNEY'S OFFICE

- 17) LF113016-10 – Modrick asked City Attorney Joel Landeen if this resolution is intended to align with State law. Landeen stated yes in part, the State now requires that as a part of any state funding or grants, we have a conflict of interest policy. This resolution is in response to that requirement however, in order to develop this policy we incorporated state law so a lot of these provisions were already applicable to you as a public board. Laurenti moved to approve Resolution No. 2016-096 – A Resolution Adopting a Conflict of Interest Policy for Elected and Appointed Officials. Second by Modrick. Motion carried.
- 18) LF113016-11 – Laurenti moved to approve Introduction and First Reading of Ordinance No. 6149 an Ordinance to Revise the Calculation for the Utility Rate Relief Program by Amending Sections 13.08.430C and 13.16.360E of the Rapid City Municipal Code. Second by Modrick. Motion carried.
- 19) LF113016-12 – Modrick moved to approve Introduction and First Reading of Ordinance No. 6150 an Ordinance to Revise the Late Fees Applied to Utility Bills by Amending Sections 13.08.470, 13.08510, and 8.08.070 of the Rapid City Municipal Code. Second by Laurenti. Motion carried.
- 20) LF113016-13 – Laurenti moved to approve Introduction and First Reading of Ordinance No. 6151 an Ordinance to Repeal the Rebate Program for Appliance and Fixture Installation by Deleting Section 13.08.495 of the Rapid City Municipal Code. Second by Modrick. Motion carried.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Laurenti, second by Modrick and carried to adjourn the meeting at 12:59 p.m.