

LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

December 14, 2016

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, December 14, 2016, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: John Roberts, Jerry Wright, Steve Laurenti, Lisa Modrick. Absent: 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 Wright to approve the amended agenda with the addition of item no. 18a. Second by Modrick. Motion carried.

GENERAL PUBLIC COMMENT

Patti Martinson, President of the Front Porch Coalition was present for any questions on items 7 and 8.

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. 7.

- 1) Approve Minutes for November 30, 2016

FINANCE DEPARTMENT

- 2) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Amelia Karsky, Vicki Liebig, Paula Efta, Deb Cristan, Lisa Moran, Yvonne Bears, Christopher Baganha, Pat Bilek
- 3) LF121416-02 – Approve Resolution No. 2016-085B a Resolution Levying Assessment for Cleanup of Miscellaneous Property
- 4) LF121416-05 – Approve Resolution No. 2016-101 a Resolution Writing-Off Credit Balance Utility Billing Accounts
- 5) LF121416-06 – Authorize Mayor and Finance Officer to Sign Combined Election Agreement with Pennington County for the 2017 Municipal Election to be held on June 6, 2017 and for any Special Elections in 2017
- 6) LF121416-07 – Approve Resolution No. 2016-102 a Resolution Writing-Off Uncollectable Utility Billing Accounts
- 18a) LF121416-11 – Finance Officer Pauline Sumption stated this item was brought forward at the request of the Water Department to extend the amount of training days in order to accommodate the staff and the daily operations of the office. Laurenti asked if this amount has been budgeted or will there be a supplemental appropriation. Sumption does not believe there will be a need for a supplement. Laurenti moved Authorize Mayor and Finance Officer to Sign Amendment to Tyler Contract for 9 Additional Implementation Days in the amount of \$11,475, to be paid from the Water Fund. Second by Wright. Motion carried.

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COMMUNITY RESOURCES

- 7) LF121416-03 – Community Development Specialist Barb Garcia stated there was one comment from Patti Martinson asking that the Council give consideration to funding the Front Porch Coalition which was not included in the funding. Wright moved to take Human Services Subsidy Fund Allocations to Council without recommendation. Second by Modrick. Motion carried.
- 8) LF121416-04 – Approve FY2017 CDBG Annual Action Plan (AAP) Final Funding Recommendations
- 9) LF121416-08 – Approve Purchase of 2017 Chevy Traverse for Code Enforcement Off State Bid from Billion Auto in the Amount of \$26,315
- 10) LF121416-09 – Approve 2017 Insurance Renewals for Property, Liability, and Excess Workers Compensation
- 11) LF121416-10 – Approve 2017 Renewal with Wellmark BCBS for City Healthcare Plan

ATTORNEY'S OFFICE

- 12) LF113016-09 – Approve 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 (*continued from the November 30, 2016, Legal and Finance Committee Meeting*)

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – **Items 13 - 18**

Public Comment opened – **Items 13 - 18**

Rita Wagner, Executive Director of the Minneluzahan Senior Center is available for questions on Item No. 13.

Public Comment closed

ALDERMAN ITEMS & COMMITTEE REPORTS

- 13) PW11291-13 – Wright asked Rita Wagner to clarify the need for the money they have requested to fix the roof of the senior center. Wagner stated their budget is in dire straits and their cash reserve is very limited in the amount of \$10,000. If anything else were to happen, they may be forced to close. Roberts explained there were three repair estimates (\$2,500, \$12,000 and \$16,000) the actual cost of the replacement of the roof is well over \$100,000. Roberts brought this forward as a council member and also as a board member of the Minnelzahan board. He stressed the center's limited funds and the unexpected maintenance costs that were not budgeted for this year. The board believes that since this is a City owned building, the roof should be paid for by the City. Wright questioned details of the lease. Finance Officer Pauline Sumption stated the lease goes back to the 1970s but it does say in the lease that Minnelzahan is responsible for maintenance type things. The City does not charge them any rent to use the facility. She said the quotes she received were for \$1,000-2,000, those are for repairs. If we were talking about a complete roof replacement, this would not be considered a maintenance item and it would be the City's responsibility. But when it is a small \$1,000-2,000 maintenance fix, under the current contract, is considered a maintenance item. Modrick asked Rita Wagner if there is any liability insurance that could be responsible for the damage. Wagner does not believe there has been any claims, she has only been with the center for a couple of years. Modrick asked if there was any plans to increase their dues in an attempt to get their funds back up. Wagner stated they are not planning to raise the dues. The dues were raised two years ago to \$20 per year. Laurenti asked Wagner what the estimates covered and how much would it cost to cover the critical repairs. Wagner outlined the quotes as follows: \$1,000 quote

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was basically for someone to go in and do some calking in areas which in her opinion was a band aid approach, the \$2,500 quote was a little more extensive, and the quote they felt was the best was around \$13,000 and this would be more extensive work by lifting up the membrane and sealing it appropriately. Laurenti asked why they have not considered doing the \$2,500 repair. Wagner stated they feel that since it is a City building and the age of the building they just keep having to repair more and more. As far as she knows, they have not put any money into the roof for the past 2-4 years. The roof issue at hand has been progressively getting worse since she has been there. Laurenti feels that this issue would be prudent to maintain the roof as things come up so it does not become a more expensive repair. He is in favor of doing what the City needs to do, but when there is a MOU in place, we need to uphold them. Sumption explained that if we need to do a roof repair, we would have to go through the CIP Committee to have that money set aside. Roberts feels that that the lease is very undefined and typically the roof is usually a part of the structure and not maintenance. He feels the MOU is very vague and it is time they renegotiate. Wright moved to take Discussion on Minneluzahan Senior Center Roof Repair to Council without recommendation. Second by Laurenti. Motion carried.

- 14) CIP111816-00 – Wright wanted to discuss this item to help make everyone aware how the City lays out our capital improvement funds. Wright moved to take to council Acknowledge Capital Improvement Program Committee Monthly Update for November 2016. Second by Modrick. Motion carried.

FINANCE DEPARTMENT

- 15) LF121416-01 – Wright moved to approve Introduction and First Reading of Ordinance No. 6152 Regarding Supplemental Appropriation No. 6 for 2016. Second by Laurenti. Motion carried.

ATTORNEY'S OFFICE

- 16) LF113016-11 – Laurenti moved to approve Second Reading and Recommendation 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.
- 17) LF113016-12 – Laurenti moved to approve Second Reading and Recommendation 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 Modrick. Motion carried.
- 18) LF113016-13 – Wright asked Dale Tech why we are discontinuing this program. Tech stated the program was successful but it has run its course. Wright asked if we are doing anything else to encourage water conservation. Tech said the biggest thing right now is the odd/even watering days in the summertime. Modrick moved to approve Second Reading and Recommendation 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 Laurenti. A vote was taken with Modrick, Roberts and Laurenti voting “yes” and Wright voting “no”. Motion carried. Wright voted no. 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 1:10 p.m.