

LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota

October 11, 2017

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, October 11, 2017, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Amanda Scott, Steve Laurenti, Laura Armstrong and Becky Drury. Absent: Chad Lewis

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

GENERAL PUBLIC COMMENT

None.

CONSENT ITEMS

Motion was made by Laurenti, second by Drury and carried to approve Items 1-13 as they appear on the Consent Items with the exception of Item Nos. 2, 3, and 9.

- 1) Approve Minutes for September 27, 2017

MAYOR'S ITEMS

- 2) LF101117-08 – Laurenti asked City Attorney Joel Landeen to breakdown what this item entails and what will happen once this surplus occurs. Landeen explained this approval starts the process of surplus and allows us to put together the board of freeholders to determine the value of the property so we can move forward. Then there will be negotiations with the Economic Development Group on whether it will be a long term lease or a transfer of the title. Once there is a more concrete plan on what will take place that plan will then be brought back to the Council for approval. The purchase price of the property back in 2012 was around \$1.4 million. Laurenti asked if approving this surplus allows staff or the Mayor's office to do anything other than preparing this land for surplus. Landeen stated there are several ways of disposing the property after it is declared surplus. He believes the intent is to negotiate and bring back an agreement to the Council. Nothing can be done to this land once it has been declared as surplus without the approval of Council. Scott asked Landeen if the Council has to do something with the land once it has been declared surplus or can it remain as that for some time. Landeen believes it can remain surplus for a while and the Council can keep the property until they find a use for it. Laurenti moved to Approve Resolution No. 2017-090 a Resolution Declaring 108 East Main Street Surplus and Appointing Freeholders to Appraise the Property. Second by Armstrong. Motion carried.

POLICE DEPARTMENT

- 3) LF101117-09 – Drury asked Assistant Chief of Police Don Hedrick if this is a yearly contract. Assistant Chief Hedrick confirmed this is an annual contract that the police department has done since 2010. Laurenti moved to approve Authorize Mayor and Finance Officer to Sign Agreement with Vigilant Analytics for Crime Analysis Services. Second by Drury. Motion carried.

FIRE DEPARTMENT

- 4) LF101117-02 – Approve Change Order for Purchase of Fire Apparatus

FINANCE DEPARTMENT

- 5) Acknowledge the Following Volunteers for Worker's Compensation Purposes: Paige Cadotte (RSVP+), William Clark (Police Department), John St. James (Police Department), Jim Frost (RSVP+), Victoria Toner (RSVP+), Mike LaBonte (Parks and Recreation), Ron Nankivel (Parks and Recreation), JoAnn Stearns (Parks and Recreation), Anne Britton (Parks and Recreation), Dustin Calhoun (Parks and Recreation), Herb Kistler (Parks and Recreation), Harvey Kistler (Parks and Recreation), Kurt Katzenstein (Parks and Recreation), Tyler Liebsch (Parks and Recreation), Ross Wunderlich (Parks and Recreation), Liz Wunderlich (Parks and Recreation), Jenny Behlings (Parks and Recreation), Carol Nankivel (Parks and Recreation), Dann Nankivel (Parks and Recreation), Zach Glissendorf (Parks and Recreation), Dustin Calhoun (Parks and Recreation), Genique Elliott (RSVP+), Michael Hansen (RSVP+), Freda Stubsten (RSVP+), Jerry Munson (RSVP+)
- 6) LF101117-01 – Approve Resolution No. 2017-083B a Resolution Levying Assessment for Cleanup of Miscellaneous Property
- 7) LF101117-04 – Approve Resolution No. 2017-087 a Resolution Cancelling Checks or Warrants Not Presented for Payment Within One Year of Date of Issuance
- 8) LF101117-05 – Approve Resolution No. 2017-089A a Resolution Fixing Time and Place for Hearing on Assessment Roll for Cleanup of Miscellaneous Property

COMMUNITY RESOURCES

- 9) LF101117-03 – Scott stated she will be voting no on this item. She is not in support of the change of use of the CDBG funds. Drury asked Mike Smith from Youth and Family Services what will happen to the roof if this money is used elsewhere. Smith explained they had the roof re-evaluated and found it has a couple of more years with it and they would rather use the money at the other location. Public Works Director Dale Tech recommended to continue this item to allow Barb Garcia to be present to address this item further. Laurenti moved to continue Youth and Family Services Request to Change the Use of Community Development Block Grant Funding to the November 1, 2017 Legal and Finance Committee meeting. Second by Drury. Motion carried.
- 10) LF101117-10 – Authorize Mayor and Finance Officer to Sign FY2017 Community Development Block Grant Contract with HUD

COMMUNITY PLANNING & DEVELOPMENT SERVICES

- 11) 17TP022 – Approve the 2018 Unified Planning Work Program
- 12) 17TP023 – Approve the Agreement Between the City of Rapid City and the South Dakota Department of Transportation for Accomplishing the Rapid City Area Transportation Planning Process in the Amount of \$632,205

CITY ATTORNEY'S OFFICE

- 13) LF101117-06 – Authorize Mayor and Finance Officer to Sign an Agreement Between the City of Rapid City and Rural America Initiatives Inc. for the Use of City Vision Funds to Construct a New Head Start Facility

END OF CONSENT CALENDAR

NON-CONSENT ITEMS – Item 14

Public Comment opened – Item 14

Jeff Lage a National Director for the Black Hills Homebuilders Association spoke regarding the electrical code ordinance. He would love to see affordable housing happen in Rapid City and we may have to stand up to the State a bit with regard to the new requirements. He stated this new electrical code will increase the cost of every house and remodel by \$2,000. He stressed affordability starts within codes and codes are driven by special interest businesses trying to sell a product and it all trickles down to the customer at the end.

Public Comment closed

BUILDING SERVICES

- 14) LF101117-07 – Laurenti asked Mr. Lage if the National Electrical Code is adopted with contractors as part of the board. Lage stated it is done in Pierre and they have testified on several different levels of this. Primarily the issue is arc faults, they feel they are a greater risk than good. He said the person at the State does not want to discuss arc faults and basically said this is what he wants and that's it. Brad Solon from Building Services attended the State electrical meeting. The people at the meeting provided a very robust argument for arc faults. The Building Board can only make it more restrictive not less. The costs of the outlets and parts are what is driving the costs up. Jeff stated this is more of a cost for the homeowner instead of the electrician itself. Scott asked Dale Tech when will this ordinance go into effect? Tech stated the code already exists and this ordinance will put it into effect on new construction going forward. This ordinance will go into effect 20 days after second reading. Laurenti moved to approve Introduction and First Reading of Ordinance No. 6192 an Ordinance to Adopt the 2017 Edition of the National Electrical Code and to Amend Local Provisions by Amending Chapter 15.16 of the Rapid City Municipal Code. Second by Armstrong. Motion carried.

ADJOURN

There being no further business to come before the Council at this time, motion was made by Armstrong second by Drury and carried to adjourn the meeting at 1:01 p.m.