

LEGAL AND FINANCE COMMITTEE MINUTES
Rapid City, South Dakota
June 15, 2011

A Legal and Finance Committee meeting was held at the City/School Administration Center in Rapid City, South Dakota, on Wednesday, June 15, 2011, at 12:30 p.m.

A quorum was determined with the following members answering the roll call: Deb Hadcock, Ron Weifenbach, Ron Kroeger, and Aaron Costello. Absent: Dave Davis.

(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.)

Approve Minutes of June 1, 2011

Motion was made by Costello, second by Weifenbach, and carried to approve the minutes of the June 1, 2011, Legal and Finance Committee.

Adoption of the Agenda

Motion was made by Weifenbach, second by Costello, and carried to adopt the agenda with the following additions:

- 1a) No. LF061511-11 – Confirm Appointment of Jane Wasserburger to the Retired Senior Volunteer Program Advisory Board
- 1b) No. LF061511-12 - Confirm Reappointment of Jeff Medley to the Rapid City Plumbing Board for a Term to Expire May 31, 2013
- 1c) No. LF061511-13 - Confirm Reappointments of Wayne Gilbert and Michael Goodroad to the Rapid City Human Relations Commission for Terms to Expire July 1, 2014
- 1d) No. LF061511-14 - Confirm Appointments of Jeanne Van Alstyne to Fill a Vacancy on the Urban Forestry Board for a Three Year Term to Expire December 31, 2013 and of Paul Ruder to Fill a Vacancy (Due to a Resignation) that will Expire December 31, 2011
- 1e) No. LF061511-15 - Confirm Appointment of Tim Johnson to Fill a Vacancy on the Business Improvement District (BID) Board (Hotel) and the Reappointments of Kelly Knutson and Josh Uhre with Terms Expiring August 31, 2014 and Confirm the Reappointment of Michelle Lintz Representing the Convention and Business Bureau
- 1f) No. LF061511-16 - Confirm Reappointments of Kyle Blada and Lee Geiger to the Historic Sign Review Committee, with Terms to Expire July 1, 2014.
- 2a) Weifenbach – Hills Alive and Memorial Park Discussion
- 4a) Request to Submit Highway Safety Grant Application

General Public Comment

A time for members of the public to discuss or express concerns to the Committee on any issue, not limited to items on the agenda. Action will not be taken at the meeting on any issue not on the agenda, except by placement on the agenda by unanimous vote of the Aldermen present.

Downtown business owner Angie Wessel said her business is very reliant on customers from all over the area and also reliant on foot traffic. She owns the largest retail educational business within a five state radius. They have done everything that the City has asked them to do as business owners in the downtown district. Her business is suffering because of the Summer Nights event on Thursday nights due to the parking situation in front of her business. She is letting the City know that this event has had a negative impact on her business and other businesses in the area.

ITEMS FROM THE MAYOR

No. LF061511-11 – Weifenbach moved to confirm appointment of Jane Wasserburger to the Retired Senior Volunteer Program Advisory Board. Second by Costello. Motion carried. ***Place item on consent calendar***

No. LF061511-12 – Weifenbach moved to confirm reappointment of Jeff Medley to the Rapid City Plumbing Board for a term to expire May 31, 2013. Second by Kroeger. Motion carried. ***Place item on consent calendar***

No. LF061511-13 – Costello moved to confirm reappointments of Wayne Gilbert and Michael Goodroad to the Rapid City Human Relations Commission for terms to expire July 1, 2014. Second by Weifenbach. Motion carried. ***Place item on consent calendar***

No. LF061511-14 – Costello moved to confirm appointments of Jeanne Van Alstyne to fill a vacancy on the Urban Forestry Board for a three year term to expire December 31, 2013 and of Paul Ruder to fill a vacancy (due to a resignation) that will expire December 31, 2011. Second by Weifenbach. Motion carried. ***Place item on consent calendar***

No. LF061511-15 – Weifenbach moved to confirm appointment of Tim Johnson to fill a vacancy on the Business Improvement District (BID) Board (Hotel) and the reappointments of Kelly Knutson and Josh Uhre with terms expiring August 31, 2014 and confirm the reappointment of Michelle Lintz representing the Convention and Business Bureau. Second by Kroeger. Motion carried. ***Place item on consent calendar***

No. LF061511-16 – Weifenbach moved to confirm reappointments of Kyle Blada and Lee Geiger to the Historic Sign Review Committee, with terms to expire July 1, 2014. Second by Kroeger. Motion carried. ***Place item on consent calendar***

ITEMS FROM ALDERMEN AND COMMITTEE REPORTS

No. LF061511-01 – Weifenbach moved to continue report from the Ad Hoc Chapel Valley Emergency Management Task Force to the June 29, 2011, Legal and Finance Committee meeting. Second by Costello. Motion carried.

No. LF061511-02 – Weifenbach moved to continue recommendations from the Ad Hoc Sign Code Revision Task Force Committee to the July 13, 2011, Legal and Finance Committee meeting. Second by Kroeger. Costello asked the Council members that will be coming on board to dig into this information and read the discussions and suggestions that were made. He thanked the task force members for spending hours and hours looking into this code and offering recommendations. He hopes the new Council members will take that into account and take those efforts seriously. Motion carried.

Weifenbach said it has come to his attention that there is a little bit of a communication gap between Hills Alive and the citizens of the community as to what direction they want Hills Alive to take in the future regarding the use of Memorial Park. He wants the City Council to be aware of this situation. A temporary solution to the problem has been found for this year, and he would hope that some solution can be worked out for future years. Weifenbach moved to take discussion on Hills Alive and Memorial Park to the June 20, 2011, City Council meeting without recommendation. Second by Costello. Motion carried.

POLICE DEPARTMENT

No. LF061511-04 – Kroeger moved to approve Event Permit for Firefighter Combat Challenge on July 16-17, 2011. Second by Weifenbach. Motion carried. ***Place item on consent calendar***

No. LF061511-05 – Costello moved to approve Event Permit for Firehouse Brewing Company for motorcycle parking on the north side of the 600 block of Main Street August 7-12, 2011. Second by Kroeger. Motion carried. ***Place item on consent calendar***

No. LF061511-17 – Kroeger moved to approve request to submit Highway Safety Grant Application. Second by Weifenbach. Motion carried. ***Place item on consent calendar***

FIRE DEPARTMENT

No. LF061511-06 – Costello moved to approve request to waive banner fee for Firefighter Combat Challenge. Second by Kroeger. Motion carried. ***Place item on consent calendar***

GROWTH MANAGEMENT

No. 11TP014 – Weifenbach moved to approve Rapid City Bicycle and Pedestrian Master Plan. Second by Costello. Motion carried. ***Place item on consent calendar***

No. 11TP015 – Kroeger moved to authorize the Mayor and Finance Officer to sign a No Cost Time Extension for the Completion of the Piedmont Valley and Black Hawk Neighborhood Area Future Land Use Plan. Second by Costello. Motion carried. ***Place item on consent calendar***

No. LF061511-03 – Weifenbach moved to approve request from Rapid City Historic Preservation Commission to authorize Mayor and Finance Officer to sign Allocation Award between the State Historical Preservation Office, Office of History and Rapid City Historic Preservation Commission Project Number SD 11-012 in the amount of \$16,000. Second by Kroeger. Motion carried. ***Place item on consent calendar***

FINANCE DEPARTMENT

Costello moved to acknowledge the following volunteers for workmen's compensation purposes: Margaret OLeary, Cynthia Robertson, and Spencer Ray. Second by Weifenbach. Motion carried. ***Place item on consent calendar***

No. LF060111-19 – Costello moved to approve Second Reading and Recommendation of Ordinance No. 5720 Regarding Supplemental Appropriation #5 for 2011. Second by Kroeger. Motion carried.

No. LF061511-07 – Costello moved to approve Resolution No. 2011-079 Writing Off Uncollectable Ambulance Billing Accounts. Second by Kroeger. Motion carried. ***Place item on consent calendar***

Finance Officer Pauline Sumption said she and City Attorney Jason Green have been visiting with the county regarding financing of the Evidence Building and Public Safety Building parking ramp. The City's estimated portion of the cost at this time is \$3,840,000. The City Council needs to determine what kind of financing or payment plan they want and also what interest rate they want charged to the City. Bonding counsel has recommended an interest rate of 4.111%. Three options for repayment would be: a) If the City can come up with a funding source, it could make monthly or annual payments of principal and interest as soon as the building is completed; b) The City could pay interest only with a five year balloon payment; or c) No payments would be made until the five year balloon, at which time the City would pay the amount in full, including accumulated interest. Because there is no funding source readily available now, she would recommend option (c). Weifenbach moved to take Evidence Building and Public Safety Building parking ramp financing options to the June 20, 2011, City Council meeting without recommendation. Second by Kroeger. Motion carried.

CITY ATTORNEY'S OFFICE

No. LF061511-08 – Kroeger moved to approve Resolution No. 2011-078 to Add the Hilton Garden Inn to the City of Rapid City's Business Improvement District No. 1. Second by Costello. Motion carried. ***Place item on consent calendar***

No. LF061511-09 – Kroeger moved to approve Introduction and First Reading of Ordinance No. 5725 Clarifying the Permissible Fireworks in the City of Rapid City by Amending Section 8.24.020 of the Rapid City Municipal Code. Second by Costello. Motion carried.

Costello No. LF061511-10 – moved to acknowledge bingo request from The Club for Boys. Second by Weifenbach. Motion carried. ***Place item on consent calendar***

There being no further business, Costello moved to adjourn the meeting at 1:10 p.m. Second by Weifenbach. Motion carried.