Pursuant to due call and notice thereof, a regular meeting of the City Council of the City of Rapid City was held at the City/School Administration Center in Rapid City, South Dakota on Monday, October 1, 2018 at 6:35 P.M.

The following members were present: Mayor Steve Allender and the following Alderpersons: Jason Salamun, Lisa Modrick, Ritchie Nordstrom, Amanda Scott, Becky Drury, John Roberts, and Laura Armstrong; the following Alderpersons arrived during the course of the meeting: None; and the following were absent: Darla Drew, Steve Laurenti and Chad Lewis

Staff members present included: Finance Officer Pauline Sumption, City Attorney Joel Landeen, Police Chief Karl Jegeris, Assistant Fire Chief Jason Culberson, Community Development Director Ken Young, Public Works Director Dale Tech, Parks and Recreation Director Jeffrey Biegler, Budget Analyst Sean Kurbanov and Administrative Coordinator Heidi Weaver-Norris

Boy Scout Troup 44 lead the Pledge of Allegiance.

ADOPTION OF AGENDA
Motion was made by Salamun, second by Drury and carried to adopt the agenda.

AWARDS AND RECOGNITIONS
Chief Jegeris recognized nine years of service by RCPD K9 Jackson and thanked Sergeant Marcos Glass for the service Jackson has provided. Jackson was adopted by Glass.

Allender presented Executive Director Scott Engmann with the Proclamation for World Habitat Day. Engmann was thankful to be recognized. He said it’s not just about building homes. It’s also about building relationships and supporting the community. Black Hills Area Habitat for Humanity will continue to help build affordable homes. He also thanked the community for their donations to the ReStore.

PRESENTATION
Bill Casper with the Veterans Banner Program addressed the Council about purchasing more banner hangers to put on light poles in the downtown area. The Veterans Banner Program is using all available banner hangers this year and they have 14 more people wanting to sponsor the program. They currently have 18 banners that are three feet by two feet. Last year they honored only WWII Veterans. This year they are adding veterans from WWI up through Desert Storm. He wants to put up 72 more banners so that will total 90. He said the banners currently go from East Boulevard to West Boulevard. He would like to see banner holders on 28 light poles from East Boulevard pas the School of Mines. He stated he would also like to see pole holders on 46 light poles on West Boulevard. He is requesting a $10,000 allocation from the city for banner hangers. He realizes this isn’t the best time. He said the Banner project is important and he wants to do all he can to honor our veterans. Stan Adelstein spoke in support of the banner program. He said it’s a fantastic investment and fits the image of our city perfectly. It is a message of showing we care about the people who served us. Demitris Koukis is in favor of the banner project. He grew up in Greece and the United States helped his country. The banners show people who liberated his country. The city should display more veterans as appreciation.

GENERAL PUBLIC COMMENT
Joseph Updike, of Lambda Chi Alpha, is a Civil Engineering student. He is promoting 2nd annual Night in the Cold, a free event to help the homeless. The event is October 13, 2018 from 3:00 p.m. to 11:00 p.m. Students are volunteering their time to get the word out. Donations are being accepted and all proceeds will benefit the Cornerstone Rescue Mission. They want to have an impact on those in need.
Chuck Henrie spoke about the new benches for Rapid Ride. He said there is nothing on them and thinks advertising is taking too long.

**NON-PUBLIC HEARING ITEMS** -- Items 4 – 50

The following comments were for Item 20 (LF092618-11) A resolution declaring support for the relocation and construction of a new Indian Health Service Hospital in Rapid City. Art Zimiga said it’s difficult to make a decision. Sioux San has been here a long time. Many relatives created what Sioux San is today. He said it used to be a tuberculosis center. Sioux San came about because of the Lakota people. He wants his people to be able to vote on this. Carol Cloud Eagle worked at Sioux San for 15 years as a nurse. She loved working there and doesn’t want it to move. Jacqui Arpan has lived here for 35 years. She moved here because of IHS. She said she trusts taking her family there. She doesn’t want a decision made tonight because there are more people with input. Jacqueline Livermont is a retired nurse after 23 years. She doesn’t want it moved and thinks the Native Americans should get to vote. Dee Schumacher knows that Sioux San is on special property. It has been there for years. Her children have been raised and healed there. Elders have had extensive care. She would like to see Sioux San fixed. She said to put half a million dollars into repairs instead of moving. She is against the move. Theresa Spry said the native community hasn’t had a say on what they want to do. She doesn’t think the city can enforce rules on a federal agency. The Sioux San land is trust land and is worth a lot. Charmaine Whiteface thanked the Legal and Finance Committee and Laura Armstrong for hearing her out. She understands that Council cares about the Native American people. She said passing this doesn’t mean they will get better health care. She has had ties to Sioux San for over 100 years. She said moving Sioux San is wrong. She doesn’t think Great Plains has a success rate in managing a hospital. She asked that it not be moved. Mark Lone Hill said he called Great Plains and thinks they are being secretive. They told him he would get an email when there is a meeting. He asked to give the Native Americans time to see what they want to do. William Bearshield, Chairman of the Unified Tribal Health Board, address the council. He said he’s been looking into concerns dating back to 2012. The tribe had a group from Rapid City come to tribal council meeting in Rosebud with some concerns. The two main concerns were with the administrator itself and with the facility. The group didn’t want Sioux San to go into a clinic status but to remain in the hospital status. Bearshield was asked to go to Rapid City and look into things. They had a series of meetings for nine to twelve months. He said he had concerns and they needed to be addressed. They formed the Unified Health Board at that time. They were recognized by the Great Plains Tribal Chairman’s Association and the Great Plains Tribal Health Board and Indian Health Services. They got into their own issues with their own hospitals with Great Plains and that’s documented back to 2010 with the Dorgan Report. Bearshield was delegated to bring forward the concerns to the congressionals. The governing body of Pine Ridge, Cheyenne River and Rosebud passed the same resolution stating that they wanted to look at alternative ways to provide healthcare services in Rapid City to the people that utilize it. He said the Shepard Hill site would be larger than the three west river IHS hospitals. He said the tribal governments are in favor of doing something. He appreciates the local effort to increase services and bring quality healthcare to the people of Rapid City. Richard Greenwald, Pine Ridge Council Representative, became the IHS chair for the Oglala Sioux Tribe. They will continue to reach out to the community. The three tribes that Bearshield mentioned are the tribes that govern the Sioux San Hospital. He said the people want the buildings at Sioux San to remain. He wants the Native American community to decide on what they want done with the buildings. IHS is in favor of tearing down the old hospital but he thinks it could be used as a treatment center. He wants to work with the community on something that will be nice for everyone. He said IHS has failed everyone. He said tribes have taken over their hospitals across the nation and they are doing fine. He has a vision of something better for all of his people. He said they don’t just serve their three tribes. They had over 250 tribe members go through IHS. He said all of their meetings are open door. They need to figure out how to utilize the old buildings. Rosebud Sioux Tribe President, Rodney Bordeaux, spoke to the council. He said that Indian Healthcare won’t ever get better. He supports the concept of Sioux San expending their services. Rosebud is one of the most isolated reservations in the region and they don’t attract doctors. Plus, the services on the reservation are non-existent. He envisions Sioux San as being the regional
center where everyone can get better healthcare. In regard to the community, he understands the connection to family through Sioux San. His mother an aunt went to Sioux San as a school before it was turned into a sanitarium and then the IHS clinic. If Rosebud Tribe is in favor of moving Sioux San then he will go along with that. He is not against listening to the community. There are some very serious issues and he will continue to look into them. Oglala Sioux Tribe Vice-President, Darla Black, spoke to the council. She wants to preserve the buildings at Sioux San. They need a treatment center to serve their people. She works with young people and wants to promote education. This move would create over 400 jobs for their people. She would like everyone to support the change. They need to move forward especially for the younger generation. IHS healthcare has failed them. They need management that will serve them in an adequate way. The three tribes govern Sioux San. She stated a non-native person donated 20 acres for a vision of hope. She would like her people to get on board and think forward. Richard Boyd, citizen representative to the Unified Health Board, addressed the council. He said above all else they need a better health delivery. He is chairman of the Indian Health Committee. His committee is not affiliated with any tribes. He said they are asking for the support to better the healthcare for his people. He stated the people he has talked to are in favor of a new hospital. IHS doesn't take care of our people. They aren't in it for a new hospital. They want a better health delivery. Lone Hill said he would try to organize a meeting at the Mother Butler Center within the next week. CJ Means, Oglala council representative, spoke to the council. He wanted to invite the people home to each of their own reservations to address the council on their decision making. He said each reservation including Sioux San have no major healthcare program within them so they've had to go to Rapid City Regional. He stated they have been governed by the United States Government for way too many years. Indian Health Service has failed the Indian people. He has stories of his own where Sioux San didn't give him the right services. Sioux San didn't take care of his family, they sent them to Regional. He said all meetings have been open. They are fortunate that Shepard Hills is being donated to the tribes. Bev Warne is a board member of He Sapa Otipi. She is a nurse and cares about people. She is working at SDSU nursing program in Rapid City. She was asked to do something for her tribe regarding healthcare so she started mentoring students. She said they want to give back. They want to stay here and help. The new healthcare facility is a great opportunity for these students. OLC had 204 students wanting to be nurses. Most issues are poverty based. They need help with scholarships. She said there is wonderful history with Sioux San and the tribes need to use it for their people.

Chuck Henry said he supports Item 23 (LF092618-05).

CONSENT ITEMS – Items 4 – 48
The following items were removed from the Consent Items:

20. LF092618-11 – Approve Resolution No. 2018-073 a Resolution Declaring Support for the Relocation and Construction of a New Indian Health Service Hospital in Rapid City.

48. PW091118-11 – Authorize Mayor and Finance Office to Sign an Agreement between the City of Rapid City and FMG Engineering for Professional Engineering Services for Perrine and Unnamed Tributary Drainage Basin Design Plans (DBDPs) Amendment – Phase 2, Project No. 18-2430 / CIP No. 51189.2, in the amount of $146,196.00. (This item was continued from the September 17, 2018 City Council Meeting.)

Motion was made by Scott, second by Salamun and carried to approve items 4-48 as they appear on the Consent Items except 20 and 48.

Approve Minutes
4. Approve Minutes for the September 17, 2018 Regular Council meeting.
Public Works Committee Consent Items
5. PW092518-01 – Confirm the appointment of Maurice Miller to the Historic Sign Review Committee.
6. PW092518-02 - Confirm the reappointment of Rachel Caesar to the Tax Increment Financing (TIF) District Project Review Committee.
7. PW092518-03 - Confirm the reappointments of Erik Braun, Rachel Caesar, and Eric Ottenbacher (Alternate #2) to the Planning Commission.
8. PW092518-04 – Approve Change Order 1F to Western Construction, Inc. for Terracita Drive Area Pavement Rehabilitation Project, Project #17-2358/CIP 50549 for a decrease of $54,645.58.
9. PW092518-05 – Approve Change Order 1F to Mainline Contracting, Inc. for Alley South of Kansas City Street Between 4th St and 2nd St Sanitary Sewer Improvements Project, Project #16-2338/CIP 50827 for a decrease of $10,837.76.
10. PW092518-06 – Authorize Staff to Advertise for bids for Willow Ave, Ivy Ave, Fairlane Dr Street and Utility Reconstruction, Project No.15-2254 / CIP 50421.3-1C. Estimated Cost: $2,530,000.
11. PW092518-07 – Request Authorization for Mayor and Finance Officer to sign an Amendment to Construction Administration Professional Services Agreement with Ferber Engineering Company, Inc for West Omaha Drainage and Utility Improvements Mt. View Road to 11th Street Project 15-2316/CIP 50904.1 in the amount of $59,935.00.
12. PW092518-08 – Authorize Mayor and Finance Office to sign permanent easement to Black Hills Power, Inc. for relocation of power poles and appurtenances in advance of the W. Omaha Street to 12th Street Project No. 16-2099/ CIP No. 50904.
13. PW092518-09 – Request from Keystone Homes, LLC for a Variance to Waive the Requirement to Install Sidewalk along Valley Drive, Eagle Drive and Hillside Drive, Rapid City, per City Ordinance 12.08.060.
14. PW092518-10 – Authorize staff to purchase a rebuilt Caterpillar 836G Landfill Compactor for the Rapid City Solid Waste Landfill through Best Equipment for a total cost of $406,222.00.
15. PW092518-11 - Approve Change Order No. 1 to RCS Construction, Inc. for Cemetery Storage Building Project No. PR18-6165, for a decrease of $3,500.
16. PW092518-12 – Authorize Mayor and Finance Officer to sign Golf Course Food and Beverage Concession Agreement with Platinum Restaurant Group, Inc. (Marco’s Pizza) for a five year term from March 18, 2019 through March 18, 2024.
17. PW092518-13 – Acknowledge Water Reclamation Presentation – Dave VanCleave

Legal & Finance Committee Consent Items
18. LF092618-01 – Confirm the Reappointments of Todd Hollan, Nick Patton, Don Hedrick and Kelly Gibson to the Downtown Business Improvement District (BID) Board Each for Terms of Two Years.
19. LF092618-06 – Confirm the Reappointment of Malcom Chapman to the Community Investment Committee.
20. LF092618-10 – Accept Quitclaim Deed from Rapid City Economic Development Foundation, Inc. for Tract A of South Creek Industrial Park No. 2.
21. LF092618-04 – Approve Joint Powers Agreement for Internet Crimes Against Children Unit (ICAC) Between the State of South Dakota, Office of Attorney General Division of Criminal Investigation, the Pennington County Sheriff’s Office and the City of Rapid City.
22. LF092618-05 – Approve Joint Powers Agreement for a Psychologist Between the State of South Dakota, Office of Attorney General Division of Criminal Investigation, the Pennington County Sheriff’s Office and the City of Rapid City.
23. LF092618-09 – Authorize Staff to Purchase Equipment Lockers from Mid America Business Systems in the Amount of $27,644.25.
24. Acknowledge the Following Volunteers for Worker’s Compensation Purposes: Alice Bailey Nervig (RSVP+), Hope Hoesel (RSVP+), Sharon Hansen (RSVP+), Mary Miracle (RSVP+), Kristy Nemetz (Library), Dale Lawton (Library), Aspen Rearick (Parks & Recreation), Maya Rearick (Parks & Recreation), Brendon Sato (Parks & Recreation), Avery Webb (Parks & Recreation).
Emily Leech (Parks & Recreation), Trevor Cook (Parks & Recreation), Daniel High Bear (Parks & Recreation), Ashley Vincent (Parks & Recreation), Zachary Boeve (RSVP+)

26. LF092618-02 – Acknowledge August 2018 General Fund Cash Balance Report
27. LF092618-03 – Acknowledge July 2018 Sales Tax Report
28. LF092618-07 – Approve Resolution No. 2018-072 a Resolution Correcting an Error in Resolution No. 2018-065 a Resolution Levying Assessments for Abatement of Nuisances

RESOLUTION NO. 2018-072
A RESOLUTION CORRECTING AN ERROR IN RESOLUTION 2018-065 RESOLUTION LEVYING ASSESSMENTS FOR ABATEMENT OF NUISANCES

WHEREAS, on September 4, 2018, the Common Council adopted Resolution No. 2018-065 Resolution Levying Assessments for Abatement of Nuisances; and

WHEREAS, the Resolution levied assessments against several parcels for the City’s costs to abate nuisances on the properties; and

WHEREAS, the Resolution erroneously listed $724.00 the amount of the assessment for the property at 825 Willsie Avenue, legally described as Block Lot 3-5 of Block 6 of North Rapid Addition; and

WHEREAS, the correct assessment amount for the nuisance abatement at 825 Willsie Avenue is $402.00; and

WHEREAS, the City wishes to correct the error and impose the correct assessment on the property at 825 Willsie Avenue.

NOW, THEREFORE, BE IT RESOLVED by the Common Council that an assessment of $402.00 is hereby imposed upon the property at 825 Willsie Avenue, legally described as Lots 3-5 of Block 6 of North Rapid Addition.

BE IT FURTHER RESOLVED that the assessment imposed by Resolution No. 2018-065 on the property at 825 Willsie Avenue is hereby revoked and cancelled.

BE IT FURTHER RESOLVED that such assessment, unless paid within thirty days after the execution of this Resolution, shall be certified as delinquent to the Pennington County Auditor and payable through the Pennington County Treasurer’s Office with the statutory interest rate.

Dated this 1st day of October, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

29. LF092618-12 – Authorize the RSVP+ Program to Apply and Accept, if Awarded, the 2019 Corporation for National Community Services (CNCS) Grant
30. LF092618-14 – Approve Resolution No. 2018-075 a Resolution Levying Assessment for Abatement of Nuisances
RESOLUTION NO. 2018-075
RESOLUTION LEVYING ASSESSMENTS FOR
ABATEMENT OF NUISANCES

BE IT RESOLVED by the City Council of the City of Rapid City, South Dakota, as follows:

1. The City Council has made all investigations which it deems necessary and has found and determined that the condition of your property had constituted a nuisance. The City abated this nuisance. The cost of the abatement, including administrative costs, is the amount stated in the proposed Assessment Roll for Abatement of Nuisances.

2. The Assessment Roll for Abatement of Nuisances is hereby approved and assessments thereby specified are levied against each and every lot, piece, or parcel of land thereby described.

3. Such assessments, unless paid within thirty (30) days after the filing of the assessment roll in the Office of the Finance Officer, shall be certified as delinquent to the Pennington County Auditor and payable through the Pennington County Treasurer’s Office with the statutory interest rate.

Dated this 1st day of October, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

CIP Committee Consent Items
31. No. CIP092118-00 - Acknowledge Capital Improvement Programs Committee Monthly Updates for September 2018
32. No. CIP092118-03 – Approve Capital Plans for Government Facilities – (Fire & Emergency Services, Parks & Recreation, CSAC, Summary)
33. No. CIP092118-04 – Approve Capital Plan for Fire Vehicles
34. No. CIP092118-05 – Approve Capital Plan for Parks & Recreation
35. No. CIP092118-06 – Approve Capital Plan for Information Technology
36. No. CIP092118-01 – Acknowledge Financial Report (Summary, DCA Charges and Debt Service)
37. No. CIP092118-02 – Approve Capital Plan for PW Infrastructure (Formerly called Capital Plan for Streets, Drainage, MIP Projects).
38. No. CIP092118-07 – Approve 2019 Body-Cam CIP Funding Request – Karl Jegeris
39. No. CIP092118-08 – Acknowledge Explanation of the CIP Ordinance guidelines and policies to understand more clearly what is expected of the CIP Committee for planning and boundaries or limitations of the Committee – Ritchie Nordstrom

Community Development Services Department Consent Items
40. 18AN005 – Approve Resolution No. 2018-064 a Request by City of Rapid City to Consider and Application for a Resolution of Annexation of Prairie Acres South Mobile Home Park for Property Generally Located North of Seger Drive, East of 143rd Avenue, West of Dyess Avenue
RESOLUTION 2018-064
A RESOLUTION ANNEXING THE WITHIN DESCRIBED TERRITORY

WHEREAS, the City Council of the City of Rapid City has conducted a study pursuant to SDCL 9-4-4.1 to determine the need for annexing the within described territory contiguous to the City of Rapid City and to identify the resources necessary to extend the municipal boundaries, which study includes a document entitled “Prairie Acres South Mobile Home Park Annexation Study,” filed in the office of the City Finance Officer; and

WHEREAS, the study recommends that certain territory described therein and legal described in this Resolution be annexed to and included within the boundaries of the City of Rapid City; and

WHEREAS, the Resolution Declaring Intent to Extend the Boundaries of the City of Rapid City By Annexing was approved by the Common Council on August 6, 2018.

WHEREAS the City Council of the City of Rapid City deems it to be in the best interest of the City that the territory described in the petition be annexed and thereby included within the corporate limits of the City.

NOW THEREFORE, BE IT RESOLVED, by the City of Rapid City that the following territory, containing 21 acres, more or less, is hereby included within the corporate limits of the City and annexed thereto:

The W1/2 of the E1/2 of the SE1/4 of the SW1/4 Less Tract 1 of Vetch Subdivision; the E1/2 of the W1/2 of the SE1/4 of the SW1/4; all of the section line right-of-way and dedicated right-of-way lying north of Seger Drive including plat of Lot H1 and dedicated right of way in the W1/2 of the E1/2 of the SE1/4 of the SW1/4 less Tract 1 Vetch’s Subdivision and the E1/2 of the W1/2 SE1/4 of the SW1/4; plat of Lot H1 in the E1/2 of the E1/2 of the SE1/4 of the SW1/4; plat of Lot H1 in the SE1/4 less lots A, B, C and D; all of the dedicated right-of-way in Lot D of the Golden Eagle Subdivision in the SW1/4 of the SE1/4; plat of Lot H1 in Lot B in the SW1/4 of the SE1/4; plat of Lot H1 in W400’ of Lot A in the S1/2 of the SE1/4; and plat of Lot H2 in Lot A Less W400’ in the S1/2 of the SE1/4, all located in Section 20, T2N, R8E, BHM, Pennington County, South Dakota

Dated this 1st day of October, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:
s/ Pauline Sumption
Finance Officer

(SEAL)

41. 18TP028 – Approve the 2019 Unified Planning Work Program – Draft Report
42. 18TP030 – Approve Amendment No. 1 for Professional Services Agreement Between the City of Rapid City and SRF Consulting Group, Inc. for a No Cost Time Extension for the Completion of the Rapid City Quiet Zone Assessment
43. 18TP031 – Approve Amendment No. 2 for Professional Services Agreement Between the City of Rapid City and Felsburg Holt & Ullevig for a No Cost Time Extension for the Completion of the Rapid City Area Transit Feasibility Study
Mayor read in item (LF092618-11) Approve Resolution No. 2018-073 a Resolution Declaring Support for the Relocation and Construction of a New Indian Health Service Hospital in Rapid City. The Mayor said for approximately the last year, he and other members have been speaking with tribal officials from Cheyenne River, Rosebud and Pine Ridge. They have also been speaking with the Unified Tribal Health Board. He wanted to clarify this item on the agenda. This is a statement of support from the city council to pursue an alternative location. He said the Rapid City council is not a decision making authority on federal or tribal issues. Recently in the reporting of this item, there were several statements made, some by the Mayor. He has been around Sioux San Hospital for decades and he has seen the decline from an inpatient hospital to what it is today. There are days where some folks are left without adequate healthcare. His statements and the issue on the agenda are not to criticize the employees of Sioux San. The care is just not enough in his opinion. He has been in meetings with Sioux San officials who have declared that the physical location is a detriment to the Native American people of Rapid City. He said there are some transportation issues. Some have suggested a more central location that can be more easily accessed by the native people. This resolution poses no threat to the Sioux San land or the Indian Trust Land. This is a general statement of support. As of 2011 there were 566 federally recognized Indian tribes in the United States. At that time, seven years ago, there were 337 of them participating in the tribal self-governance program through IHS. The tribal self-governance program is operating now in 10 of the 12 IHS regions in the United States. He didn’t expect this to generate hard feelings. He believes the contacts with the tribes over the last year have indicated they want better healthcare. There are issues that come up in government that they can’t do anything about. The Mayor wanted to give a general statement of support to a group of tribes that are trying to create a better healthcare system. From his standpoint and from hearing from some of the Native American people, this is a crisis in Rapid City. Motion was made by Salamun, second by Roberts to approve. Salamun said he supports this because the Native American community deserves better healthcare than what IHS has provided. He stated the city of Rapid City does not want to take Sioux San land. The intention is get them healthcare they deserve. Drury stated she would be voting no. She feels some members of the Native American community feel left out and they want to have more meetings. Roberts said some people who he knows that have had contact with Sioux San in the last few years feel that the facility and services have gone downhill. He thinks this is a wonderful opportunity for the Native American people. Sioux San will still be a part of tribal land. He believes change should have started ten years ago. There is never going to be 100% of the people who agree. Motion carried 6-1 with Drury voting no.

RESOLUTION 2018-073
A RESOLUTION OF SUPPORT FOR THE RELOCATION AND CONSTRUCTION OF A NEW INDIAN HEALTH SERVICE HOSPITAL IN RAPID CITY

WHEREAS, Congress has authorized the construction of a new Indian Health Service (IHS) health facility in Rapid City; and
WHEREAS, while the IHS has been considering constructing the new facility at the existing Sioux San site on the west side of Rapid City, the Great Plains Tribal Chairmen’s Health Board has identified an alternative site for the health facility on East Anamosa Street in the Shepherd Hills area; and

WHEREAS, the Great Plains Tribal Chairmen’s Health Board has proposed the construction of the new facility at the Shepherd Hills site and the expansion of behavioral health services at the existing Sioux San facility; and

WHEREAS, a new facility at an alternative site can be developed and built without causing any disruption in health services, whereas the Sioux San site would need to be carefully phased in order to continue essential health services to the service population during construction; and

WHEREAS, there are areas within Rapid City that would be more convenient and accessible for the beneficiaries of IHS health facility services; and

WHEREAS, a new health facility could support, and benefit from, the health care education programs at Western Dakota Technical Institute, which collaborates with the Health Board on education components aimed at the particular needs of Native communities and populations; and

WHEREAS, an alternative site could be developed to provide more flexibility in space and design of a facility that will best meet the health care needs of the service population; and

WHEREAS, an alternative site will also allow the project to avoid issues related to historic preservation, in contrast to the Sioux San site, which includes many structures eligible for the National Registry of Historic Places, some of which the IHS proposes to raze as part of a new facility construction project at Sioux San; and

WHEREAS, for many years the Sioux San Hospital provided in-patient and emergency services to its patients, but recently IHS stopped providing such services; and

WHEREAS, an alternative site would allow for the possibility of future expansion into in-patient and emergency care.

NOW, THEREFORE, BE IT RESOLVED by the Common Council that the City of Rapid City supports an alternative site for the new IHS health facility to improve its accessibility to patients and to avoid the demolition of historic structures in the City.

BE IT FURTHER RESOLVED that the Common Council of Rapid City also supports the resumption of in-patient and emergency services to the IHS beneficiaries at the Rapid City Service Unit.

Dated this 1st day of October, 2018.

CITY OF RAPID CITY
s/ Steve Allender
Mayor

ATTEST:

s/ Pauline Sumption
Finance Officer

(SEAL)
Mayor read in item (PW091118-11) Authorize Mayor and Finance Office to Sign an Agreement between the City of Rapid City and FMG Engineering for Professional Engineering Services for Perrine andUnnamed Tributary Drainage Basin Design Plans (DBDPs) Amendment – Phase 2, Project No. 18-2430/CIP No. 51189.2, in the amount of $146,196.00. (This item was continued from the September 17, 2018 City Council Meeting.) Motion was made by Scott, second by Roberts and carried to continue to the October 30, 2018 Public Works meeting per staff recommendation.

NON-CONSENT ITEMS – Items 49 – 50
Mike Derby spoke on Item 50 (18OA011). He said he owns Canyon Lake Resort and is a licensed realtor. He said he would feel more comfortable if the short-term rental ordinance was passed first. He knows that it is coming up soon and thinks this item should come after that. He is concerned with the number of days because it says you have to rent it for more than 28 days. He would prefer 90 days to prevent people from utilizing those accessory units for Air BNB’s. At his facility, they converted the owner’s house to a lodging facility because they are a commercial operation. He’s mostly concerned about the 28 days particularly that’s because that allows twelve rental units throughout the year. If this ordinance moves forward he asked that council change the time period over 28 days so it does not become a short-term rental. Jean Kessloff spoke on the same item. She lives in the historic district and the West Boulevard Neighborhood Association has worked for 42 years trying to protect the historic district. It is Rapid City’s only historic district. The integrity of the historic district is being compromised and she would like council to leave it alone. Pat Roseland, President of the West Boulevard Neighborhood Association, spoke to the council. He wants to see the historic district preserved. The unknown of what the accessory dwelling units can bring to the historic district is frightening.

Ordinances
Ordinance 6283 (LF091218-01) An Ordinance Regarding Supplemental Appropriation #6 for 2018 having passed its first reading on September 17, 2018 motion was made by Scott, second by Roberts that the title be read the second time. Upon vote being taken the following voted AYE: Salamun, Modrick, Nordstrom, Scott, Drury, Armstrong and Roberts. NO: None; whereupon the Mayor declared the motion passed and Ordinance 6283 was declared duly passed upon its second reading.

Ordinance 6249 (18OA011) An Ordinance Amendment to Allow for Accessory Dwelling Units in Residential Districts. Motion was made by Scott, second by Roberts to continue this item to the October 15, 2018 city council meeting. She thinks council needs more time to consider allowing this. She doesn’t think that Rapid City needs it at this time. Modrick said the Planning Commission thinks the ordinance still needs work. She explained the 28 days was because there are 28 days in February. She indicated there are still questions to staff that need to be answered. She thinks there are too many variables but stated there has been a tremendous amount of time spent on this. She hopes staff can come back with more answers. Young requested that staff be allowed to give their presentation. He said they worked hard on it and he believes they have the answers the council is looking for. He said the presenter can’t be there for the next meeting. Roberts would like to see the item continued especially since three councilmembers are missing. He was hoping this ordinance would cover non-conforming duplexes. He thinks this is another way for the city to collect a fee. Salamun asked that staff be given the time for their presentation and other councilmembers can stream the meeting. Young suggested an alternative recommendation to schedule a working session outside of council to answer all their questions. Amended motion was made by Scott, second by Roberts to table the item. Motion carried 7-0.

PUBLIC HEARING ITEMS – Items 51 – 56
CONSENT PUBLIC HEARING ITEMS – Items 51 – 55
The following item was removed from the Consent Items:

55.   Fiesta Tequila Mexican Restaurant LLC, DBA Fiesta Tequila Mexican Restaurant, 1001 E North Street for a Retail (on-off Sale) Malt Beverage & SD Farm Wine License.
Motion was made by Nordstrom, second by Modrick and carried to approve items 51-54 as they appear on the Consent Public Hearing Items except Item 55.

**Alcohol Licenses**

51. Rapid City Chamber of Commerce for a SPECIAL EVENT on-Sale Malt Beverage and on-Sale Wine License for an Event scheduled for October 9, 2018 at VAST Broadband, 809 Deadwood Ave

52. Rapid City Chamber of Commerce for a SPECIAL EVENT on-Sale Malt Beverage and on-Sale Wine License for an Event scheduled for October 18, 2018 at Regional Health Center, 2925 Regional Way

53. Rapid City Catholic School System for a SPECIAL EVENT On-Sale Malt Beverage, On-Sale Wine and Off-sale package wine license for an Event scheduled for November 30, 2018 at Terra Sancta, 2101 City Springs Road

54. Western Dakota Tech Foundation for a SPECIAL EVENT On-Sale Malt Beverage and On-Sale Wine License for an Event schedule for October 25, 2018 at Western Dakota Tech, 800 Michelson Drive

END OF CONSENT PUBLIC HEARING CALENDAR

Mayor read in item 55. Fiesta Tequila Mexican Restaurant LLC, DBA Fiesta Tequila Mexican Restaurant, 1001 E North Street for a Retail (on-off Sale) Malt Beverage & SD Farm Wine License. Salamun stated Sumption wanted to address this item. She said as of today, they have not met a stipulation in the conditional use permit regarding the parking agreement so the item needed to be continued. Motion was made by Nordstrom, second by Modrick and carried to continue this item to the November 5, 2018 City Council meeting.

**NON-CONSENT PUBLIC HEARING ITEMS** – Item 56

Mayor read in item (No. 18RZ022) Second Reading, Ordinance 6274, an Ordinance Amending Section 17.06 of Chapter 17 of the Rapid City Municipal Code, a request by KTM Design Solutions, Inc. for BH Capital, LLC for a Rezoning from General Agricultural District to Medium Density Residential District for property generally described as being located east of Valley Drive and west of Copperfield Vista. Motion was made by Scott, second by Drury and carried to continue to the October 15, 2018 City Council meeting.

**BILLS**

The following bills have been audited:

BILL LIST – OCTOBER 1, 2018

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<tr>
<th>Description</th>
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<tr>
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<td>SD RETIREMENT SYSTEM, SPECIAL PAY PLAN- EBRIGHT, D. PD 09/21/18</td>
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<td>MARKET SQUARE LLC, TID52 E ST CHARLES ST, PD 09/21/18</td>
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<td>BLACK HILLS ENERGY, ELECTRICITY, PD 09/26/18</td>
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<td>MONTANA DAKOTA UTILITIES, NATURAL GAS, PD 09/26/18</td>
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Sumption presented the bill list of $9,813,861.96. Motion was made by Nordstrom, second by Roberts and carried to authorize (No. CC100118-01) the Finance Officer to issue warrants or treasurer checks, drawn on proper funds, in payment thereof.

**ADJOURN**

There being no further business to come before the Council at this time, motion was made by Salamun, second by Roberts and carried to adjourn the meeting at 8:31 p.m.

Dated this 1st day of October, 2018.

**ATTEST:**

________________________________________
Finance Officer

________________________________________
Mayor

(SEAL)