

City of Sioux Falls Council Meeting  
Minutes  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Tuesday, September 16, 2014, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

Council Member Dean Karsky  
Council Member Rick Kiley  
Council Member Rex Roling  
Council Member Kermit L. Staggers  
Council Member Kenny Anderson Jr.  
Council Member Christine M. Erickson  
Council Member Michelle Erpenbach  
Council Member Greg Jamison  
Mayor Mike T. Huether

ABSENT

INVOCATION

- Dr. Erich McCandless, Empire Baptist Temple

PLEDGE OF ALLEGIANCE

RECOGNITION/AWARDS

- Outstanding Citizen Award Presentation by Police Chief Doug Barthel
- Resolution from the Sioux Falls Development Foundation Board of Directors presented by Tom Simmons, Sioux Falls Development Foundation Chair

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A request was made by Council Member Dean Karsky to move the following agreement from Item 1 to the Regular Agenda for discussion purposes: Police, Project No. N/A, Taxi Meter Calibration and Testing, to award a bid, Stellar Limo, to establish pricing.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Dean Karsky to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach,

Greg Jamison, 8. Noes, 0.  
Motion Passed.

#### MINUTES

- Informational Meeting of Tuesday, September 9, 2014, at 4:00 p.m.
- City Council Meeting of Tuesday, September 9, 2014, at 7:00 p.m.

#### COMMUNICATIONS

1. Approval of Contracts/Agreements on September 11, 2014 memo.

A motion was made by Council Member Dean Karsky and seconded by Council Member Rex Rolfig to deny the agreement for Police, Project No. N/A, Taxi Meter Calibration and Testing, to award a bid, Stellar Limo, to establish pricing.

A substitute motion was made by Council Member Michelle Erpenbach and seconded by Council Member Dean Karsky to approve the agreement for Police, Project No. N/A, Taxi Meter Calibration and Testing, to award a bid, Stellar Limo, to establish pricing.

Vote to approve: Roll Call: Yeses, 0. Noes, Dean Karsky, Rick Kiley, Rex Rolfig, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 8.  
Motion Failed.

2. Notice of Change Orders on the September 11, 2014 memo.

#### APPLICATIONS

3. Special One-Day Liquor License requests for Great Bear Recreation Park Inc., Great Bear Recreation Park, to be operated at 5901 East Rice Street, for special events on October 4 and October 11, 2014.
4. Special One-Day Liquor Licenses for Washington Pavilion Management Inc., to be operated at Washington Pavilion of Arts & Science, 301 South Main Avenue for special events on October 3, 9, 11, and 25, 2014.
5. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering to be operated at The Old Courthouse Museum, 200 West 6th Street, for a USD History Convention on October 9, 2014.

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, October 7, 2014, at 7:00 p.m. on Items 6 and 7:

6. Transfer of 2014-15 Package Malt Beverage License from Maria Luz Lima, La Michoacana Mexican Store, 2319 West 12th Street, to Luis Giron, Tienda El Quetzal, 2319 West 12th Street (CUP not required).
7. New 2014-15 Package Malt Beverage License for WAM, LLC, All Day Cafø/ TapHouse 41, 2101 West 41st Street, Suite 24 (CUP not required).

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Dean Karsky and seconded by Council Member Christine M. Erickson to approve the Regular Agenda.

A motion was made by Council Member Dean Karsky and seconded by Council Member Rex Rolwing to amend the Regular Agenda by moving Agenda Item 25 after Agenda Item 18.

Vote to amend: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Rolwing, Kermit L. Staggars, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.  
Motion Passed.

Vote to approve as amended: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Rolwing, Kermit L. Staggars, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.  
Motion Passed.

#### PUBLIC INPUT

Scott Ehrisman spoke on the Paha Sapa Unity Concert in the Black Hills, the tax increase for platting fees adopted by the City Council on 9/15/08, and code enforcement.

Joy Tuscherer spoke regarding the funding of Paratransit and the Transit Task Force.

Item 1 was discussed at this time. See item for action taken.

#### UNFINISHED BUSINESS

8. Transfer of 2014 Retail Liquor License, including Sunday sales certificate and video lottery terminals, from SRS Inc., Wild Willies, 4200 North Cliff Avenue, to SRS Inc., Sandbar, to be operated at Lot 2A, Block 1 Lake

Lorraine addition (general location 2200-2400 South Marion Road) with Conditional Use Permit (2014-03-11) being approved on April 2, 2014. Pending permits and final inspections per Fire, Health and Building Services.

9. New 2014-15 Retail Malt Beverage License, including video lottery terminals, for The BarCode Bar & Grill LLC, The BarCode Bar & Grill to be operated at 4200 North Cliff Avenue (CUP not required). Pending final inspections per Fire and Health.
10. New 2014 Retail Wine License, including video lottery terminals, for The BarCode Bar & Grill LLC, The BarCode Bar & Grill to be operated at 4200 North Cliff Avenue (CUP not required). Pending final inspections per Fire and Health.
11. New 2014-15 Retail Malt Beverage License for Pappy s The Original Inc., Pappy s The Original to be operated at 101 South Phillips Avenue, Suite 101 (CUP not required). Pending permits and final inspections per Fire, Health and Building Services.
12. New 2014 Retail Wine License for Pappy s The Original Inc., Pappy s The Original to be operated at 101 South Phillips Avenue, Suite 101 (CUP not required). Pending permits and final inspections per Fire, Health and Building Services.
13. Special One-Day Liquor License for Sertoma Butterfly House and Marine Cove, 4320 South Oxbow Avenue for a fundraiser on September 23, 2014. Pending permits and final inspections per Fire, Health and Building Services.
14. Special One-Day Malt Beverage and Special One-Day Wine Licenses for The Banquet to be operated at Cliff Avenue Greenhouse & Garden Center, 2101 East 26th Street for a Supply Our Students fundraiser on September 25, 2014.
15. Special One-Day Wine Licenses for Downtown Sioux Falls, Inc., to be operated at the following locations: 8th & Railroad Center Lobby, 401 East 8th Street, Bead Co., 319 South Phillips Avenue, CH Patisserie, 309 South Phillips Avenue, Chelsea s Boutique, 321 South Phillips Avenue, Cliff Hangers Gallery, 126 South Phillips Avenue, Great Outdoor Store, 201 East Tenth Street, Lillian s, 311 South Phillips Avenue, Rehfeld s Art & Framing, 210 South Phillips Avenue, Simply Perfect, 401 East 8th Street #108, Sticks and Steel, 401 East 8th Street Suite 118, Young & Richard s, 222 South Phillips Avenue, Zandbroz Variety, 209 South Phillips Avenue, Exposure Gallery & Studios, 401 North Phillips Avenue, Sun Flower Photography, 400 North Main Avenue, and Lot 2029, 333 South Phillips Avenue, for the First Friday Art & Wine Walk on October 3, 2014.
16. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Oglala Pet Project to be operated at the 8th & Railroad Center parking lot and back deck, 401 East 8th Street, for a fundraiser on October 4, 2014.

17. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering to be operated at Avera At Home, 5116 South Solberg Avenue, for a Board Member Tour on October 7, 2014.

18. Special One-Day Malt Beverage and Special One-Day Wine Licenses for The Feisty Fighters to be operated at Landscape Garden Center, 7201 South Minnesota Avenue, for a fundraiser on November 18, 2014.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Kenny Anderson Jr. to approve Items 8 through 18.

Vote to approve: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Rolwing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

Item 25 was discussed at this time. See item for action taken.

19. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING APPROPRIATIONS AND THE MEANS OF FINANCING FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Kenny Anderson Jr. to adopt said Ordinance No. 69-14.

A motion was made by Council Member Dean Karsky and seconded by Council Member Rick Kiley to amend Ordinance No. 69-14 to reflect changes to the resolution adopting the budget and the Capital Program.

Vote to amend: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Rolwing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

Vote to adopt as amended: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Rolwing, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 7. Noes, Kermit L. Staggers, 1.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, October 7, 2014, at 7:00 p.m. for Item 20:

20. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 201 S. FRANKLIN AVE. FROM THE I-2, HEAVY INDUSTRIAL DISTRICT TO THE C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 2014-

08-03 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.  
Planning Commission recommends approval.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to set a date of hearing and 2nd Reading for Tuesday, October 7, 2014, at 7:00 p.m. for Item 20.

Vote to set a date: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.  
Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, October 7, 2014, at 7:00 p.m. for Item 21:

21. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 2525 W. 3RD ST. FROM THE C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2014-08-04 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

A motion was made by Council Member Dean Karsky and seconded by Council Member Michelle Erpenbach to set a date of hearing and 2nd Reading for Tuesday, October 7, 2014, at 7:00 p.m. for Item 21.

Vote to set a date: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.  
Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, October 7, 2014, at 7:00 p.m. for Item 22:

22. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT SD HWY. 42 AND E. SIX MILE RD. FROM THE RA-1, APARTMENT RESIDENTIAL LOW DENSITY DISTRICT TO THE RA-3, APARTMENT RESIDENTIAL HIGH-DENSITY DISTRICT, PETITION NO. 2014-08-09 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

A motion was made by Council Member Rex Roling and seconded by Council Member Dean Karsky to set a date of hearing and 2nd Reading for Tuesday, October 7, 2014, at 7:00 p.m. for Item 22.

Vote to set a date: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.  
Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, October 7, 2014, at 7:00

p.m. for Item 23:

23. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE 2013 SHAPE PLACES ZONING ORDINANCE OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Kenny Anderson Jr. to set a date of hearing and 2nd Reading for Tuesday, October 7, 2014, at 7:00 p.m. for Item 23.

Vote to set a date: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Rolwing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.  
Motion Passed.

#### HEARINGS AND RESOLUTIONS

24. A RESOLUTION APPOINTING AN AUDIT COMMITTEE MEMBER TO THE CITY COUNCIL AUDIT COMMITTEE.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution No. 112-14.

Vote to adopt: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Rolwing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.  
Motion Passed.

#### RESOLUTION NO. 112-14

A RESOLUTION APPOINTING AN AUDIT COMMITTEE MEMBER TO THE CITY COUNCIL AUDIT COMMITTEE.

BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That the City Council appoints the following member to serve on the Audit Committee pursuant to Ordinance 74-10, Section 32.022 of the Code of Ordinances of Sioux Falls, SD:

Name	Committee	Term
Seth Peterson	Audit Committee	Appointed for a term from September 2014 to September 2017.

Date adopted: 09/16/14 .

Mike T. Huether

Mayor  
ATTEST:  
Lorie Hogstad

City Clerk

25. A RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015, AND THE 2015 2019 CAPITAL PROGRAM.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to adopt said Resolution No. 113-14.

A motion was made by Council Member Kermit L. Staggars to amend the 2015 General Fund Revenue Budget by reducing the increase of property tax by \$708,249 (1.4% CPI adjustment pursuant to SDCL 10-13-35) (2015). Since there is no second, the motion is not before the meeting.

A motion was made by Council Member Kermit L. Staggars to amend the Capital Improvement Program by deleting \$300,000 of City Taxpayer Funds for Rail Yard Improvements, Project No. 11066. (2015 - 2016) (Pg. 69). Since there is no second, the motion is not before the meeting.

A motion was made by Council Member Kermit L. Staggars and seconded by Council Member Kenny Anderson Jr. to amend the Capital Improvement Program, by deleting \$1,450,000 (2015-2019) Project No. 17001, Core Façade Revitalization Program (Pg. 143).

Vote to amend the main motion: Roll Call: Yeses, Kermit L. Staggars, 1. Noes, Dean Karsky, Rick Kiley, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 7.  
Motion Failed.

A motion was made by Council Member Kermit L. Staggars to amend the 2015 General Fund Expense Budget by not hiring an additional Economic Development employee at a cost of \$85,044 for Economic Development Department. Since there is no second, the motion is not before the meeting.

A motion was made by Council Member Kermit L. Staggars to amend the Capital Improvement Program, by modifying Project No. 14009 Aquatics Facilities Development by moving \$114,000 for Drake Springs Ultra Violet disinfectant from 2018 to 2015 (Pg.95). Since there is no second, the motion is not before the meeting.

A motion was made by Council Member Kermit L. Staggars to amend the Capital Improvement Program by deleting \$72,000 in the 2016 budget for picnic facilities at the Sanford Sports Complex. Sanford Sports Complex Improvements Project No. 14028 (Pg.115). Since there is no second, the motion is not before the meeting.

A motion was made by Council Member Kermit L. Staggars and seconded by Council Member Dean Karsky to amend the Capital Improvement Program by deleting \$2,110,350 for a Community Center in the Harrisburg School System. Project No. 14024. Explorer Community Center (2018 - 2019) (Pg. 112).



Vote to amend the main motion: Roll Call: Yeses, Kermit L. Staggars, 1. Noes, Dean Karsky, Rick Kiley, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 7.  
Motion Failed.

A motion was made by Council Member Kermit L. Staggars and seconded by Council Member Dean Karsky to amend the Capital Improvement Program by deleting \$358,000, for pathways and air conditioning for warming house, Project No. 14029, Memorial Park Development (2015 - 2016) (Pg. 119).

Vote to amend the main motion: Roll Call: Yeses, Kermit L. Staggars, 1. Noes, Dean Karsky, Rick Kiley, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 7.  
Motion Failed.

A motion was made by Council Member Kermit L. Staggars to amend the Capital Improvement Program, by deleting \$101,690 Project No. 14006, New Disc Golf Course Development (2016) (Pg. 120).  
Since there is no second, the motion is not before the meeting.

A motion was made by Council Member Kermit L. Staggars to amend the Capital Improvement Program, by deleting \$344,000, for additional conference room and increased reception area, Project No. 14052, Park Administration Building Improvements (2015 -2016) (Pg. 123).  
Since there is no second, the motion is not before the meeting.

A motion was made by Council Member Kermit L. Staggars and seconded by Council Member Kenny Anderson Jr. to amend the Capital Improvement Program, by deleting \$272,000 for visitor s locker room improvements, Project No. 14011, Sioux Falls Stadium Improvements (2018 - 2019) (Pg. 133).

Vote to amend the main motion: Roll Call: Yeses, Kermit L. Staggars, Kenny Anderson Jr., 2. Noes, Dean Karsky, Rick Kiley, Rex Roling, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 6.  
Motion Failed.

A motion was made by Council Member Kermit L. Staggars to amend the Capital Improvement Program by deleting \$80,000 to design new band shell to replace historic McKennan band shell modify Project No. 14040, McKennan Park Improvements (2019) (Pg. 131).  
Since there is no second, the motion is not before the meeting.

A motion was made by Council Member Kermit L. Staggars to amend the 2015 General Fund Expense Budget by not hiring 2 additional Park Service employees at the cost of \$108,374 to maintain the medians, right of ways, and other public spaces for the Parks and Recreation Department.  
Since there is no second, the motion is not before the meeting.

A motion was made by Council Member Kermit L. Staggars and seconded by Council Member Kenny Anderson Jr. to amend the Capital Improvement Program by deleting \$601,500 for Project No. 14027, Dog Park Development (Pg. 114).

Vote to amend the main motion: Roll Call: Yeses, Kermit L. Staggers, 1. Noes, Dean Karsky, Rick Kiley, Rex Rolwing, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 7.  
Motion Failed.

A motion was made by Council Member Kermit L. Staggers to amend the 2015 Entertainment Tax Fund Capital Budget by deleting \$204,400 for Washington Pavilion garden; Project No. 13010, Sculpture Garden Improvements (2015) (Pg. 92).  
Since there is no second, the motion is not before the meeting.

A motion was made by Council Member Kermit L. Staggers to amend the 2015 Entertainment Tax Fund Capital Budget by deleting \$140,987 for Washington Pavilion Phone System Replacement (2015) (Pg. 212).  
Since there is no second, the motion is not before the meeting.

A motion was made by Council Member Kermit L. Staggers and seconded by Council Member Kenny Anderson Jr. to amend the Entertainment Tax Fund Capital Budget by deleting \$320,000 for Washington Pavilion - Escalators (2018) Pg. 91.

Vote to amend the main motion: Roll Call: Yeses, Kermit L. Staggers, Kenny Anderson Jr., 2. Noes, Dean Karsky, Rick Kiley, Rex Rolwing, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 6.  
Motion Failed.

A motion was made by Council Member Kermit L. Staggers to amend the 2015 General Fund Expense Budget by not hiring an additional customer service employee at the cost of \$48,219 for the Planning and Building Services Department.  
Since there is no second, the motion is not before the meeting.

A motion was made by Council Member Kermit L. Staggers to amend the 2015 General Fund Expense Budget by adding \$100,000 to the Police Expense Budget to create a fund for innocent citizens whose private property was damage by police in the line of duty.  
Since there is no second, the motion is not before the meeting.

A motion was made by Council Member Kermit L. Staggers to amend the Capital Improvement Program, by subtracting \$103,000 from the Sales Tax revenue source to equal the \$150,000 in other donations (2015) from Project No. 14026, Zoo Master Plan Improvements (Pg. 113).  
Since there is no second, the motion is not before the meeting.

A motion was made by Council Member Kermit L. Staggers to amend the 2015 General Fund Expense Budget by not increasing the subsidy \$106,724 for Zoo/Delbridge Museum Operating Support (2015).  
Since there is no second, the motion is not before the meeting.

A motion was made by Council Member Kermit L. Staggers to amend the 2015

General Fund Expense Budget by adding \$500,000 to the Public Works Expense Budget for sidewalk repair.

Since there is no second, the motion is not before the meeting.

A motion was made by Council Member Kermit L. Staggers to amend the 2015 General Fund Expense Budget by adding \$500,000 to the Parks and Recreation Expense Budget for maintaining trees in the City right of way.

Since there is no second, the motion is not before the meeting.

A motion was made by Council Member Greg Jamison and seconded by Council Member Kenny Anderson Jr. to amend the 2015 General Fund Expense Budget by adding \$4,000 to the City Council s budget Citizen Survey.

Vote to amend the main motion: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 7. Noes, Kermit L. Staggers, 1.

Motion Passed.

A motion was made by Council Member Dean Karsky and seconded by Council Member Kenny Anderson Jr. to amend the 2015 General Fund budget by deleting \$180,800 in expense and \$54,025 in revenue from the Parks and Recreation budget for operation of the Sioux Falls Ice and Recreation Center (SFIRC).

Vote to amend the main motion: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Dean Karsky to amend the Transit Fund budget by adding \$110,000 for transit operations to offset the 2015 proposed fare increase to be funded by an equal increase in the transfer from the General Fund.

A motion was made by Council Member Kermit L. Staggers to amend the amended motion by removing the words, "transit operations to offset the 2015 proposed fare increase," and replacing with "transfer passes."

Since there is no second, the motion is not before the meeting.

Vote to amend the main motion: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 7. Noes, Kermit L. Staggers, 1.

Motion Passed.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Roling to amend the 2015 Entertainment Tax Fund Capital by adding \$55,400 for Washington Pavilion Electric Load Leveler.

Vote to amend the main motion: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Kenny Anderson Jr. to amend the Community Development Fund budget by adding \$250,000 for the large affordable housing initiative to be funded by an equal increase in the transfer from the General Fund.

Vote to amend the main motion: Roll Call: Yeses, Rick Kiley, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 6. Noes, Dean Karsky, Kermit L. Staggers, 2.  
Motion Passed.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Kenny Anderson Jr. to amend the Economic Development Fund budget by adding \$500,000 for a Workforce Development Pilot Program.

Vote to amend the main motion: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 7. Noes, Kermit L. Staggers, 1.  
Motion Passed.

Vote to adopt with amendments: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.  
Motion Passed.

RESOLUTION NO. 113-14

A RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015, AND THE 2015 2019 CAPITAL PROGRAM.  
BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:  
That the Mayor s 2015 Budget and 2015 2019 Capital Program as submitted to the City Council are hereby approved.

Date adopted: 09/16/14 .

Mike T. Huether

Mayor  
ATTEST:  
Lorie Hogstad  
City Clerk

26. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONSTRUCTION MANAGER AT-RISK AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND SIOUX FALLS CONSTRUCTION, A JOURNEY GROUP COMPANY, FOR CONSTRUCTION MANAGER AT-RISK SERVICES FOR THE INDOOR AQUATICS FACILITY AT SPELLERBERG PARK, ALONG WITH OTHER DOCUMENTS, AMENDMENTS, CHANGE ORDERS, OR OTHER INSTRUMENTS AS MAY BE DEEMED NECESSARY AND APPROPRIATE CONSISTENT WITH THE TERMS OF THE AGREEMENT.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to adopt said Resolution No. 114-14.

Vote to adopt: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Rolwing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.  
Motion Passed.

RESOLUTION NO. 114-14

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONSTRUCTION MANAGER AT-RISK AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND SIOUX FALLS CONSTRUCTION, A JOURNEY GROUP COMPANY, FOR CONSTRUCTION MANAGER AT-RISK SERVICES FOR THE INDOOR AQUATICS FACILITY AT SPELLERBERG PARK, ALONG WITH OTHER DOCUMENTS, AMENDMENTS, CHANGE ORDERS, OR OTHER INSTRUMENTS AS MAY BE DEEMED NECESSARY AND APPROPRIATE CONSISTENT WITH THE TERMS OF THE AGREEMENT.

WHEREAS, on July 18, 2014, the City of Sioux Falls (the City ) requested proposals for construction manager at-risk services for the indoor aquatics facility at Spellerberg Park; and

WHEREAS, as a result of the request for proposal process, the City selected Sioux Falls Construction, a Journey Group Company, to provide construction manager at-risk services;

If there aren't any "WHEREAS" phrases, skip "NOW, THEREFORE" and begin with just "BE IT RESOLVED..."

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

Section 1. That the documents for Construction Manager At-Risk Services between the City and Sioux Falls Construction, a Journey Group Company (the Agreement ), substantially in the form attached hereto and made a part of this resolution, are hereby approved.

Section 2. That the Mayor is authorized to sign such Agreement after it is ratified and executed by Sioux Falls Construction, a Journey Group Company.

Section 3. In connection with the authorization of the Agreement, the Mayor, City Clerk, Finance Director, Public Works Director, City Attorney, and other officers of the City shall be authorized to enter into, execute, and deliver the Agreement and the following documents, instruments, and agreements as may be deemed necessary by the parties, consistent with the terms of the Agreement, which do not exceed the authorized Project Budget.

- A. Amendments, Change Orders, and Change Directives to the Agreement;
- B. Insertion of Exhibits into the Agreement which are mutually agreed upon by the parties; and
- C. Other required documents or instruments which are mutually agreed upon by the parties pursuant to the Agreement.

The execution and delivery of all such amendments, change orders, change directives, exhibits, documents, and instruments is hereby authorized and directed to be in such form and to contain such terms, consistent with this Resolution, as the officers of the City designated herein shall determine to be necessary and desirable.

Section 4. That the City shall publish this resolution, without attachments, after its passage. The attachments are on file and available for inspection in the office of the City Clerk.

Date adopted: 09/16/14 .

Mike T. Huether

Mayor  
ATTEST:  
Lorie Hogstad  
City Clerk

27. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL ARCHITECTURAL AND ENGINEERING DESIGN SERVICES AGREEMENT BETWEEN THE CITY AND TSP, INC. FOR THE INDOOR AQUATICS FACILITY AT SPELLERBERG PARK, ALONG WITH OTHER DOCUMENTS, AMENDMENTS, CHANGE ORDERS, OR OTHER INSTRUMENTS AS MAY BE DEEMED NECESSARY AND APPROPRIATE CONSISTENT WITH THE TERMS OF THE AGREEMENT.

A motion was made by Council Member Dean Karsky and seconded by Council Member Rex Rolwing to adopt said Resolution No. 115-14.

Vote to adopt: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Rolwing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.  
Motion Passed.

RESOLUTION NO. 115-14

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL ARCHITECTURAL AND ENGINEERING DESIGN SERVICES AGREEMENT BETWEEN THE CITY AND TSP, INC. FOR THE INDOOR AQUATICS FACILITY AT SPELLERBERG PARK, ALONG WITH OTHER DOCUMENTS, AMENDMENTS, CHANGE ORDERS, OR OTHER INSTRUMENTS AS MAY BE DEEMED NECESSARY AND APPROPRIATE CONSISTENT WITH THE TERMS OF THE AGREEMENT.

WHEREAS, the City selected TSP, Inc. to provide professional architectural and engineering design services for the indoor aquatics facility at Spellerberg Park;

If there aren't any "WHEREAS" phrases, skip "NOW, THEREFORE" and begin with just "BE IT RESOLVED..."

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

Section 1. That the documents for Professional Architectural and Engineering Design Services between the City and TSP, Inc. (the Agreement), substantially in the form attached hereto and made a part of this resolution, are hereby approved.

Section 2. That the Mayor is authorized to sign such Agreement after it is ratified and executed by TSP, Inc.

Section 3. In connection with the authorization of the Agreement, the Mayor, City Clerk, Finance Director, Public Works Director, City Attorney, and other officers of the City shall be authorized to enter into, execute, and deliver the Agreement and the following documents, instruments, and agreements as may be deemed necessary by the parties, consistent with the terms of the Agreement, which do not exceed the authorized Project Budget:

- A. Amendments, Change Orders, and Change Directives to the Agreement;
- B. Insertion of Exhibits into the Agreement which are mutually agreed upon by the parties; and
- C. Other required documents or instruments which are mutually agreed upon by the parties pursuant to the Agreement.

The execution and delivery of all such amendments, change orders, change directives, exhibits, documents, and instruments is hereby authorized and directed to be in such form and to contain such terms, consistent with this Resolution, as the officers of the City designated herein shall determine to be necessary and desirable.

Section 4. The City shall publish this resolution, without attachments, after its passage. The attachments are on file and available for inspection in the office of the City Clerk.

Date adopted: 09/16/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

28. A RESOLUTION APPROVING THE RELEASE OF PERMANENT SANITARY EASEMENTS LOCATED IN LOT 2B, BLOCK 1, LAKE LORRAINE ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA, AND TRACT 1, LAKE LORRAINE ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA, AND LOT 5 AND LOT 6 OF THE RESUBDIVISION OF SIOUX FALLS FARMSTEAD IN SECTION 25, TOWNSHIP 101 NORTH, RANGE 50 WEST OF THE 5TH P.M., MINNEHAHA COUNTY, SOUTH DAKOTA.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to adopt said Resolution No. 116-14.

Vote to adopt: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Rolwing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 116-14

A RESOLUTION APPROVING THE RELEASE OF PERMANENT SANITARY EASEMENTS LOCATED IN LOT 2B, BLOCK 1, LAKE LORRAINE ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA, AND TRACT 1, LAKE LORRAINE ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA, AND LOT 5 AND LOT 6 OF THE RESUBDIVISION OF SIOUX FALLS FARMSTEAD IN SECTION 25, TOWNSHIP 101 NORTH, RANGE 50 WEST OF THE 5TH P.M., MINNEHAHA COUNTY, SOUTH DAKOTA.

WHEREAS, the City of Sioux Falls, South Dakota, no longer needs the permanent sanitary sewer easement areas across the above-described real property, as shown on Exhibit A. Signed approvals from all public and private utilities are on file with the office of the City Engineer; and

WHEREAS, the permanent sanitary sewer easements were recorded in the office of the Register of Deeds for Minnehaha County, SD, on April 14, 1971, in Book 103 of Miscellaneous on Page 371-372, and also on April 14, 1971, in Book 103 of Miscellaneous on Page 373-374;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That it approves the release of the permanent easement areas, as shown on attached Exhibit A, and affecting the real property described as Lot 2B, Block 1, Lake Lorraine Addition to the City of Sioux Falls, and Tract 1, Lake Lorraine Addition to the City of Sioux Falls, and Lot 5 and Lot 6 of the Resubdivision of Sioux Falls in Section 25, Township 101 North, Range 50 West of the 5th P.M. all in Minnehaha County, SD, and that the City Clerk shall cause to be recorded with the Register of Deeds, Minnehaha County, South Dakota, a duly certified transcript of this resolution.

Date adopted: 09/16/14 .

Mike T. Huether

Mayor  
ATTEST:  
Lorie Hogstad  
City Clerk

29. A RESOLUTION APPROVING THE RELEASE OF A PORTION OF PERMANENT UTILITY EASEMENT LOCATED IN TRACT 4A OF MARTENS ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Roling to adopt said Resolution No. 117-14.

Vote to adopt: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.  
Motion Passed.

RESOLUTION NO. 117-14

A RESOLUTION APPROVING THE RELEASE OF A PORTION OF PERMANENT UTILITY EASEMENT LOCATED IN TRACT 4A OF MARTENS ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.

WHEREAS, the City of Sioux Falls, South Dakota, no longer needs the portion of permanent utility easement area across the above-described real property, as shown on Exhibit A. Signed approvals from all public and private utilities are on file with the office of the City Engineer; and

WHEREAS, the portion of permanent utility easement was created by the filed plat in the office of the Register of Deeds for Minnehaha County, SD, on June 4, 2004, in Book 66 of Plats on Page 108, and also reconfirmed by the filed replat in the office of the Register of Deeds for Minnehaha County, SD, on May 26, 2005, in Book 67 of Plats on Page 127;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That it approves the release of a portion of permanent utility easement area, as shown on attached Exhibit A, and affecting the real property described as Tract 4A of Martens Addition to the City of Sioux Falls, Minnehaha County, SD, and that the City Clerk shall cause to be recorded with the Register of Deeds, Minnehaha County, South Dakota, a duly certified transcript of this resolution.

Date adopted: 09/16/14 .

Mike T. Huether

Mayor  
ATTEST:  
Lorie Hogstad  
City Clerk



30. A RESOLUTION APPROVING THE RELEASE OF A PORTION OF PERMANENT SANITARY SEWER EASEMENT AND UTILITY EASEMENT LOCATED IN LOT 1B OF OAKWOOD HILLS ESTATES, AN ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution No. 118-14.

Vote to adopt: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Rolwing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.  
Motion Passed.

RESOLUTION NO. 118-14

A RESOLUTION APPROVING THE RELEASE OF A PORTION OF PERMANENT SANITARY SEWER EASEMENT AND UTILITY EASEMENT LOCATED IN LOT 1B OF OAKWOOD HILLS ESTATES, AN ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.  
WHEREAS, the City of Sioux Falls, South Dakota, no longer needs the portion of permanent sanitary sewer easement and permanent utility easement area across the above-described real property, as shown on Exhibit A. Signed approvals from all public and private utilities are on file with the office of the City Engineer; and

WHEREAS, the portion of permanent sanitary sewer and permanent utility easement was created by the filed plat in the office of the Register of Deeds for Minnehaha County, SD, on August 16, 2013, in Book 75 of Plats on page 251, and by filed plat in the office of the Register of Deeds for Minnehaha County, SD; NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That it approves the release of a portion of permanent sanitary sewer easement and permanent utility easement area, as shown on attached Exhibit A, and affecting the real property described as Lot 1B of Oakwood Hills Estates, an Addition to the City of Sioux Falls, Minnehaha County, SD, and that the City Clerk shall cause to be recorded with the Register of Deeds, Minnehaha County, South Dakota, a duly certified transcript of this resolution.

Date adopted: 09/16/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

31. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Christine M. Erickson to adopt said Resolution No. 119-14.

Vote to adopt: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Rolwing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 119-14

A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.

BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That it gives its advice and consent to the following Mayoral appointments:

Name	Board	Term
Ben Arndt	Arena/Convention Entertainment Center Board	Reappointed for a term from September 2014 through September 2019.
Angela Bakke	Arena/Convention Entertainment Center Board	Appointed for a term from September 2014 through September 2019 (to replace Kevin Garry).
Nicholle Schuelke	Arena/Convention Entertainment Center Board	Appointed for a term from September 2014 through September 2019 (to replace Michael Ness).
Tom Van Wyhe	Arena/Convention Entertainment Center Board	Reappointed for a term from September 2014 through September 2019.
Jennifer Schaefer	Public Parking Advisory Board	Appointed for a term from September 2014 through January 2017 (to fill the unexpired term of Rod Carlson).

Date adopted: 09/16/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

ADJOURNMENT

A motion was made by Council Member Rex Rolwing and seconded by Council Member Dean Karsky to adjourn at 9:20 p.m.

Mayor Huether called for a voice vote. All members voted yes.

Motion Passed.

Lorie Hogstad, CMC  
City Clerk

MEETING ASSISTANCE: UPON REQUEST, ACCOMMODATIONS FOR MEETINGS WILL BE PROVIDED FOR PERSONS WITH DISABILITIES. PLEASE CONTACT THE CITY CLERK S OFFICE, CARNEGIE TOWN HALL, AT (605) 367-8080 (VOICE) OR (605) 367-7039 (TDD) 24 HOURS

IN ADVANCE OF THE MEETING.

ADDRESSING THE COUNCIL: PERSONS ADDRESSING THE COUNCIL SHALL USE THE MICROPHONE AT THE PODIUM. PLEASE STATE YOUR NAME. PRESENTATIONS ARE LIMITED TO FIVE MINUTES.

LIVE BROADCASTS OF COUNCIL MEETINGS ON CITYLINK: INFORMATIONAL MEETINGS AIR LIVE ON TUESDAYS EACH MONTH AT 4:00 P.M. COUNCIL COMMITTEE MEETINGS AIR LIVE THE FIRST, SECOND, AND THIRD TUESDAYS OF EACH MONTH IMMEDIATELY FOLLOWING THE INFORMATIONAL MEETING. CITY COUNCIL MEETINGS AIR LIVE THE FIRST, SECOND, AND THIRD TUESDAYS OF EACH MONTH AT 7:00 P.M. THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AIR LIVE THE FOURTH TUESDAY OF EACH MONTH AT 5:00 P.M. REGULAR MEETINGS OF THE CITY COUNCIL ARE ALSO ARCHIVED AND AVAILABLE FOR VIEWING ON DEMAND AT [WWW.SIOUXFALLS.ORG](http://WWW.SIOUXFALLS.ORG). LINKS TO EACH MEETING S VIDEO ARE POSTED ON THE MEETING MINUTES AND AGENDAS PAGE.

CLOSED CAPTIONING: CITY COUNCIL MEETINGS ARE CLOSE CAPTIONED ON CITYLINK.

CITYLINK REBROADCAST: INFORMATIONAL MEETINGS AT 1:30 A.M. AND 9:00 A.M. ON THURSDAYS, AND 6:00 P.M. ON SATURDAYS. COUNCIL COMMITTEE MEETINGS AT 12:30 A.M. AND 8:00 A.M. ON THURSDAYS, AND 5:00 P.M. ON SATURDAYS. CITY COUNCIL MEETINGS AT 2:30 AM AND 10:00 A.M. ON THURSDAYS, AND 7:00 P.M. ON SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 8:00 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1:00 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.