

City of Sioux Falls Council Meeting  
Minutes  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Tuesday, October 14, 2014, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

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

ABSENT

INVOCATION

- Council Member Michelle Erpenbach

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

- Domestic Violence Awareness Month, October 2014
- Lights-On-After-School Day, October 23, 2014

RECOGNITION/AWARDS

- Theresa Stehly for receiving the 2014 Spirit of Dakota Award
- Presentation of Master Municipal Clerk Certification to Tamara Jorgensen, Assistant City Clerk

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Michelle Erpenbach to approve the Consent Agenda.  
Vote to approve: Roll Call: Yeses, Rex Rolwing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, 8. Noes, 0.

Motion Passed.

#### MINUTES

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

#### COMMUNICATIONS

1. Approval of contracts/agreements on the October 9, 2014 memo.
2. Notice of change orders on the October 9, 2014 memo.
3. Report of Requests for Quotes for Fuel dated: October 1, 2014; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Harms Oil (\$2.7066); Howes Oil (\$2.7250); CHS, Inc. (\$2.7286); Olson Oil, no bid. Bid awarded to: Harms Oil.
4. Report of Requests for Quotes for Fuel dated: October 2, 2014; #2 Dyed Diesel Fuel; 7,500 gallons; Howes Oil (\$2.8000); Harms Oil (\$2.8073); CHS, Inc., Midwest Oil and Olson Oil, all no bid. Bid awarded to: Howes Oil.
5. Report of Requests for Quotes for Fuel dated: October 6, 2014; #2 Dyed Diesel Fuel; 1,000 gallons; Stern Oil (\$2.872); Howes Oil (\$2.999); and Midwest Oil (\$3.129). Bid awarded to: Stern Oil.
6. Report of Requests for Quotes for Fuel dated: October 7, 2014; #2 Dyed Diesel Fuel; 7,500 gallons; Harms Oil (\$2.8000); CHS, Inc. (\$2.8237); Howes Oil, Midwest Oil and Olson Oil, all no bid. Bid awarded to: Harms Oil.
7. Report of Requests for Quotes for Fuel dated: October 8, 2014; #2 Clear Diesel; 7,500; Harms Oil (\$3.00); Petroleum Traders Co. (\$3.008); CHS, Inc., Howes Oil and Midwest Oil, all no bid. Bid awarded to: Harms Oil.

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Greg Jamison and seconded by Council Member Rex Rolwing to approve the Regular Agenda.

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

Motion Passed.

PUBLIC INPUT

John Stratman spoke regarding his concerns for a property located at 1009 S. Sherman.

Bob Kolbe spoke about some historic properties that have been destroyed in Sioux Falls.

Scott Ehrisman recognized the City Clerk's staff for their accomplishments; thanked Theresa Stehly for teaching him to be a citizen advocate; was glad to hear that Councilor Christine M. Erickson was able to tip at the Jason Aldean show; building permits and building inspections.

I.L. Wiedermann spoke about a council member and her views on the Events Center siding.

INTRODUCTION AND ADOPTION OF ORDINANCES

8. Deferred from the City Council Meeting on Tuesday, October 7 - 2nd 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 Michelle Erpenbach and seconded by Council Member Kenny Anderson Jr. to adopt said Ordinance No. 79-14.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Michelle Erpenbach to amend, the main motion, by amending 160.203 Accessory Uses by adding to subsection (c) Day Care Center (3) after the word building and no more than 10,000 square feet of floor area dedicated to the daycare use.

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

Motion Passed.

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

Motion Passed.

9. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. City Council/City Clerk, \$110,000.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Rolwing to adopt said Ordinance No. 73-14.

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

Motion Passed.

10. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING CHAPTER 124: VEHICLES FOR HIRE.

A motion was made by Council Member Dean Karsky and seconded by Council Member Michelle Erpenbach to adopt said Ordinance No. 74-14.

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

Motion Passed.

11. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY RELOCATING THE ELECTRICITY PROVISIONS FROM PUBLIC WORKS AND RELOCATING TO LAND USAGE, TITLE XV, CHAPTER 150: BUILDING OF THE CODE OF ORDINANCES OF SIOUX FALLS, SD; AND ADOPTING TITLE V OF CHAPTER 55: ELECTRICITY, THE 2014 NATIONAL ELECTRICAL CODE AND AMENDMENTS THERETO.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Michelle Erpenbach to adopt said Ordinance No. 75-14.

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

Motion Passed.

12. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING A WATERTANK LEASE AGREEMENT. Western Heights.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Kenny Anderson Jr. to adopt said Ordinance No. 76-14.

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

Motion Passed.

13. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING A WATERTANK LEASE AGREEMENT. Melanie Tower.

A motion was made by Council Member Dean Karsky and seconded by Council Member Rex Rolwing to adopt said Ordinance No. 77-14.

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

Motion Passed.

14. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING A WATERTANK LEASE AGREEMENT. 57th Street Water Tower.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Christine M. Erickson to adopt said Ordinance No. 78-14.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, November 4, 2014, at 7:00 p.m. on Item 15:

15. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING CHAPTER 90: ANIMALS AND FOWL; SUBCHAPTER, GENERAL PROVISIONS.

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,

November 4, 2014, at 7:00 p.m. on Item 15.

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

Motion Passed.

#### HEARINGS AND RESOLUTIONS

16. A RESOLUTION APPROVING THE RELEASE OF A PERMANENT EASEMENT LOCATED IN TRACT 14, SUBDIVISION OF LOT D, ELLIS AND EASTERN 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 Rex Roling to adopt said Resolution No. 121-14.

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

Motion Passed.

#### RESOLUTION NO. 121-14

A RESOLUTION APPROVING THE RELEASE OF A PERMANENT EASEMENT LOCATED IN TRACT 14, SUBDIVISION OF LOT D, ELLIS AND EASTERN ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.

WHEREAS, the City of Sioux Falls, South Dakota, no longer needs part of the permanent drainageway 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 permanent drainageway easement was established by plat and filed in Book 61 of Plats on page 176 in the office of the Register of Deeds for Minnehaha County, SD, on September 9, 1999;

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

That it approves the release of part of the permanent drainageway easement area, as shown on attached Exhibit A, and affecting the real property described as Tract 14, Subdivision of Lot D, Ellis and Eastern 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: 10/14/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad  
City Clerk

ADJOURNMENT

A motion was made by Council Member Michelle Erpenbach and seconded by Council

Member Rex Roling to adjourn the meeting at 8:05 p.m.  
Mayor Huether called for a voice vote and all members present voted yes. Motion Passed.

Denise D. Tucker, CMC  
Assistant 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.