

City of Sioux Falls Council Meeting  
Minutes  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Tuesday, April 14, 2015, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

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

ABSENT

INVOCATION

- Senior Pastor Brett Best, Emmanuel Baptist Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

- Congenital Diaphragmatic Hernia Action Day - April 19, 2015
- National Volunteer Week - April 12-18, 2015
- Purple Up! for Military Kids Day - April 15, 2015

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

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

A request was made by Council Member Kermit L. Staggers to move the following agreement from Item 1 to the Regular Agenda for discussion purposes: Fire, Fire Employees Fitness Assessments, Options to extend the contract, Sanford Health. Vote to approve: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Rex Rolwing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, 8. Noes, 0.

Motion Passed.

#### MINUTES

- Informational Meeting of Tuesday, April 7, 2015, at 4:00 p.m.
- Regular City Council Meeting of Tuesday, April 7, 2015, at 7:00 p.m.

#### COMMUNICATIONS

1. Approval of contracts/agreements on the April 9, 2015 memo.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rick Kiley to approve Fire, Fire Employees Fitness Assessments, Options to extend the contract, Sanford Health.

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

Motion Passed.

2. Approval of notice of change orders on the April 9, 2015 memo.
3. Report of Requests for Quotes for Fuel dated: March 31, 2015; #2 Clear Diesel; 8,500 gallons; Harms Oil (\$1.98); CHS, Inc., Howes Oil, Midwest Oil, and Petroleum Traders Co., all no bid. Bid awarded to: Harms Oil.
4. A communication was received from Siouxland Heritage Museums requesting permission to consume, but not sell, liquor, wine and malt beverage at the Pettigrew Home and Museum, 131 N. Duluth Ave., on Thursday, May 28, 2015, from 6:00 p.m. until 8:00 p.m. for a conference opening reception.
5. A communication was received from Justin Harnisch requesting permission to consume, but not sell, malt beverages and wine at The Old Courthouse Museum, 200 W. Sixth St., on Saturday, June 20, 2015, 6:00 p.m. until 11:00 p.m., for a wedding reception.
6. A communication was received from Vilaiphone Phommaracksa requesting permission to consume, but not sell, liquor, beer and wine at the Multi-Cultural Center of Sioux Falls, 515 N. Main Ave., on Saturday, July 25, 2015, from 7:00 p.m. to 12:00 a.m., for a wedding event.

#### APPLICATIONS

The following abatements were recommended for approval by the Director of Equalization and the State's Attorney's Office for Minnehaha County; and the City Attorney for Sioux Falls:

7. City of Sioux Falls, Parcel #85513, Lot 10 Block 1 Sanford Sports Complex Addition to Sioux Falls, for 2014 property taxes in the amount of \$232.36. The City of Sioux Falls purchased the property on July 17, 2014.
  8. Frisbees Inc., 4101 S. Minnesota Ave., for 2014 property taxes in the amount of \$12,057.69. Due to an error in improvement value when properties were combined.
- Items 9-20: The amount requested is the difference between the elderly freeze and the non-elderly freeze.
9. Marjorie L. Buller, 601 E. 18th St., for 2014 property taxes in the amount of \$595.32.
  10. Florence E. Goertz, 5801 W. 27th St., for 2014 property taxes in the amount of \$1,230.03.
  11. Donald V. Jensen, 1100 S. Sycamore Ave., for 2014 property taxes in the amount of \$815.36.
  12. Beverly A. Kaufman, 4605 S. Oxbow Ave., #203, for 2014 property taxes in the amount of \$413.75.
  13. Billy D. Klein, 3205 S. Fourth Ave., for 2014 property taxes in the amount of \$1,198.44.
  14. Genevieve Liebsch, 5600 W. Circle Dr., for 2014 property taxes in the amount of \$1,477.34.
  15. George Morrison, 1124 N. Duluth Ave., for 2014 property taxes in the amount of \$517.06.
  16. Marian E. Noordsy, 2905 S. Jefferson Ave., for 2014 property taxes in the amount of \$1,078.50.
  17. John O. Ogle, 1601 S. Spring Ave., for 2014 property taxes in the amount of \$139.45.
  18. Vivian J. Pennock, 4302 S. Townpark Pl., for 2014 property taxes in the amount of \$401.36.
  19. Jeanne A. Simunek, 2712 S. George St., for 2014 property taxes in the amount of \$749.68.
  20. Barbara Stofferahn, 3116 S. Western Ave., for 2014 property taxes in the amount of \$1,437.64.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to approve the Regular Agenda.

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

PUBLIC INPUT

There was none.

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

INTRODUCTION AND ADOPTION OF ORDINANCES

21. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING § 30.025 CREATION OF AGENCIES, AUTHORITIES, COMMITTEES, BOARDS, COMMISSIONS, AND DISTRICTS AND § 30.026 RULES FOR BOARDS AND COMMISSIONS.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Michelle Erpenbach to adopt said Ordinance No. 36-15.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Michelle Erpenbach to amend the ordinance, by amending part (f) and changing the period to a comma and adding unless specifically provided by law .

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

Motion Passed.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, April 21, 2015, at 7:00 p.m. for Item 22:

22. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA, ESTABLISHING THE TAX INCREMENT REVENUES TO BE COLLECTED AND AUTHORIZING THE PAYMENT OF TAX INCREMENT REVENUES TO THE DEVELOPER IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT FOR TAX INCREMENTAL DISTRICT NO. SIXTEEN, CITY OF SIOUX FALLS.

A motion was made by Council Member Rick Kiley and seconded by Council Member Dean Karsky to set a date of hearing and 2nd Reading for Tuesday, April 21, 2015, at 7:00 p.m.

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

#### HEARINGS AND RESOLUTIONS

23. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE WILDLAND FIRE DIVISION OF THE SOUTH DAKOTA DEPARTMENT OF AGRICULTURE AND THE CITY OF SIOUX FALLS FOR COOPERATIVE EFFORTS IN FIRE PREVENTION AND SUPPRESSION EFFORTS AND NONFIRE ASSISTANCE.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rick Kiley to adopt said Resolution No. 26-15.

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

#### RESOLUTION NO. 26-15

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE WILDLAND FIRE DIVISION OF THE SOUTH DAKOTA DEPARTMENT OF AGRICULTURE AND THE CITY OF SIOUX FALLS FOR COOPERATIVE EFFORTS IN FIRE PREVENTION AND SUPPRESSION EFFORTS AND NONFIRE ASSISTANCE.  
WHEREAS, the City of Sioux Falls desires to enter into a cooperative agreement with the State of South Dakota for fire prevention and suppression efforts and nonfire assistance.  
THEREFORE BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:  
That pursuant to SDCL 1-24-3, the City of Sioux Falls approves the document entitled State of South Dakota Wildland Fire Agreement between the City of Sioux Falls and the Wildland Fire Division of the South Dakota Department of Agriculture, which is attached hereto and made a part of this Resolution.  
The Mayor is authorized to sign such Agreement after it is ratified and executed by the State of South Dakota.

Date adopted: 04/14/15 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad  
City Clerk

#### NEW BUSINESS

Mayor Mike Huether reiterated Senior Pastor Brett Best's comments regarding a recent house fire in Brandon, which resulted in the death of the homeowner and

a volunteer fire fighter. He offered prayers to all involved.

Huether recognized the University of Sioux Falls students in the audience.

#### ADJOURNMENT

A motion was made by Council Member Dean Karsky and seconded by Council Member Kenny Anderson Jr. to adjourn at 7:33 p.m.

Mayor Mike Huether called for a voice vote. All members 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.

AS YOUR ELECTED REPRESENTATIVES, THE CITY COUNCIL VALUES YOUR INPUT AND FEEDBACK. HOWEVER, THE SOUTH DAKOTA SUPREME COURT HAS RULED THAT CITY COUNCILORS MAY NOT ENGAGE IN PRIVATE COMMUNICATIONS WITH PERSONS WHEN THE CITY COUNCIL WILL ACT AS A DECISION-MAKER ON AN UPCOMING MATTER INVOLVING A LICENSE OR A PERMIT. IN THOSE INSTANCES, PERSONS ARE ENCOURAGED TO PROVIDE WRITTEN COMMENTS TO THE ENTIRE CITY COUNCIL OR TO PROVIDE ORAL COMMENT AT THE PUBLIC MEETING ON THAT MATTER WHEN IT IS CONSIDERED BY THE ENTIRE CITY COUNCIL. THOSE WHO PROVIDE COMMENTS SHOULD UNDERSTAND THAT THEIR COMMENTS WILL BECOME PART OF THE OFFICIAL RECORD AND SUBJECT TO REVIEW BY ALL PARTIES AND THE PUBLIC.

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.