

City of Sioux Falls Council Meeting
Minutes
Carnegie Town Hall, 235 West 10th Street
MEETING OF Monday, October 19, 2015, at 7 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. Staggars
Council Member Kenny Anderson Jr.
Council Member Christine M. Erickson
Council Member Michelle Erpenbach
Council Member Greg Jamison
Mayor Mike T. Huether

ABSENT

INVOCATION

§ Pastor Bob Chell, St. Dysmas Lutheran Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

§ World Polio Day -- October 23, 2015

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Roling to approve the 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: Water Reclamation, Regional Wastewater System Joint Powers Agreement, City of Brandon.

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

MINUTES

§ City Council Meeting of Tuesday, October 13, 2015, at 7 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the October 15, 2015, memo.

A motion was made by Council Member Dean Karsky and seconded by Council Member Rex Rolwing to approve the following agreement: Water Reclamation, Regional Wastewater System Joint Powers Agreement, City of Brandon.

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.

Motion Passed.

2. Report of Requests for Quotes for Fuel dated October 7, 2015; #2 Clear Diesel, 7500 Gallons; CHS, Inc. (\$2.1293); Howes Oil (\$2.115); Harms Oil (\$2.11); Midwest Oil and Petroleum Traders Co., no bids. Bid awarded to: Harms Oil.
3. Report of Requests for Quotes for Fuel dated October 9, 2015; Unleaded Ethanol & E85, 6500 Gallons Unleaded/2000 Gallons E85; Harms Oil (\$2.0200 Unleaded/\$1.8750 E85); CHS, Inc., Cole's Petroleum, Howes Oil and Olson Oil, no bids. Bid awarded to: Harms Oil.

APPLICATIONS

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 November 7 and 12, 2015.

The following abatement was 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:

5. Roger Thielsen, 1012 North Sherman Avenue, for 2014 taxes in the amount of \$258.32. The applicant was not aware of the Elderly Disabled Property Tax Assessment Freeze.

NOTICE OF HEARINGS

Set a date of hearing for Monday, November 2, 2015, at 7 p.m. for Items 6 through 11:

6. New 2015-16 Retail Malt Beverage License for Sanford Frontiers, Sanford Pentagon, 2210 West Pentagon Place, with Special Use Permit (2013-12-13) being approved on January 8, 2014.
7. New 2015 Retail Wine License for Sanford Frontiers, Sanford Pentagon, 2210 West Pentagon Place, with Special Use Permit (2013-12-13) being approved on January 8, 2014.
8. New 2015-16 Retail Malt Beverage License for Hydra Beer Company, Hydra Beer Company, 2425 South Shirley Avenue (CUP not required).
9. New 2016 Retail Wine License for Hydra Beer Company, Hydra Beer Company, 2425 South Shirley Avenue (CUP not required).
10. 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 12, 2015.
11. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the New Colossus to be operated at Chef to Plate, 1712 South Minnesota Avenue, for a fundraiser on November 4, 2015.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Michelle Erpenbach to approve the Regular Agenda.

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.

PUBLIC INPUT

Rhanda Heller, Licensed Massage Therapist, spoke regarding massage therapists and the South Dakota Board of Massage Therapy. She cited a number of businesses that offered massage, but were not licensed and asked that the City and State start working together on this issue.
Scott Ehrisman addressed massage therapists based on the previous speaker; the proposed cell phone ban suggesting this issue be put to a vote of the people; ban on single-serve malt beverages; peddler's licensing; and Robert's Rules regarding the wearing of hats.

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

UNFINISHED BUSINESS

12. New 2015-16 Retail Malt Beverage License for Jacky s Restaurant LLC, to be operated at Jacky s Restaurant, 1301 East Benson Road (CUP not required). Pending final inspection per Fire and Health.
13. New 2015 Retail Wine License for Jacky s Restaurant LLC, to be operated at Jacky s Restaurant, 1301 East Benson Road (CUP not required). Pending final inspection per Fire and Health.
14. Transfer of 2015 Retail Liquor License, with Sunday sales certificate, from Dave Kulish, Martini s Casino & Lounge, 4823 South Louise Avenue, to US Hotel and Resort Management Inc., 2320 South Louise Avenue (CUP not required).
15. New 2015-16 Retail Malt Beverage License, with video lottery terminals, for MG Oil Company, to be operated at Happy Jack s Sioux Falls II, 4823 South Louise Avenue (CUP not required).
16. Special One-Day Malt Beverage, Special One-Day Wine and Special One-Day Off-Sale Package Wine Dealer Licenses for the Multi-Cultural Center of Sioux Falls to be operated at 515 North Main Avenue, for a fundraiser on December 5, 2015.
17. Special One-Day Wine License for the Democratic Forum to be operated at the History Club, 758 South Phillips Avenue, for a fundraiser on November 12, 2015.
18. Transfer of 2015 Retail Liquor License, including Sunday sales certificate, from W&P of Sioux Falls LLC, W&P of Sioux Falls LLC, located on Lot 9A, Block 17, Dawley Farm Village Addition, to W&P of Sioux Falls LLC, Buffalo Wild Wings, 2601 South Louise Avenue, #100 (full service restaurant, CUP not required).

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to approve Items 12 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

19. Deferred from the City Council Meeting on 10/6/15: 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHWEST CORNER OF W. 12TH ST. AND S. DISCOVERY AVE. FROM THE CN CONSERVATION DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT, INCLUDING CONDITIONS AS ALLOWED IN SECTION 160.650 (e) PLACING LIMITATIONS ON REGULATIONS WITHIN THE MD1 FORM, PETITION NO. 3238-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning

Commission recommends approval (4-2) with the following stipulation which has been added to the ordinance: 1) Buildings shall be no more than one story in height.

A motion was made by Council Member Dean Karsky and seconded by Council Member Rex Roling to remand this rezoning request back to the City Planning Commission.

Vote to remand: 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.

20. Deferred from the City Council Meetings on 4/21/15, 6/2/15, 8/4/15 and 10/6/15: 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. AND W. OF N. MARLOW AVE. AND N. OF E. PADDINGTON ST. FROM THE AG, AGRICULTURE DISTRICT TO THE RS, SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT, PETITION NO.2249-2015 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

A motion was made by Council Member Greg Jamison and seconded by Council Member Michelle Erpenbach to adopt said Ordinance.

A substitute motion was made by Council Member Rex Roling and seconded by Council Member Kenny Anderson Jr. to defer action to Tuesday, November 17, 2015, at 7 p.m.

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

21. Deferred from the City Council Meeting on 10/6/15: 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY SOUTHWEST OF GREAT BEAR RECREATION AREA FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 3271-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Kenny Anderson Jr. to adopt said Ordinance.

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

22. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING THE FEES SUBCHAPTER OF CHAPTER 95 PARKS AND RECREATION.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Christine M. Erickson to adopt said Ordinance No. 98-15.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Greg Jamison to amend Section 1, Definitions, as follows:

- # Reduced Income to read, Families/individuals who are residents of Sioux Falls and actively receive reduced or free school lunches, or who actively receive Medicaid benefits.
- # Adult amended by changing 16 to 18.
- # Child amended by changing 15 to 17.

Vote to amend: 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 Rex Roling and seconded by Council Member Kenny Anderson Jr. to amend Section 2 under the Summer Aquatic Season Fee Schedule and the Fall, Winter & Spring Aquatic Season Fee Schedule as follows:

- # Daily admission child shall be \$3, \$4 & \$5 in 2016, 2017 & 2018 respectively.
- # Daily admission adult shall be \$4, \$5 & \$6 in 2016, 2017 & 2018 respectively.
- # Daily admission senior citizen shall be \$3, \$4 & \$5 in 2016, 2017 & 2018 respectively.

Vote to amend: 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 Greg Jamison and seconded by Council Member Christine M. Erickson to amend Section 2 as follows:

- # Under Summer Aquatic Season Fee Schedule and the Fall, Winter & Spring Aquatic Season Fee Schedule add Veteran to Senior Citizen and Reduced Income Adult Season Pass.
- # Under Annual Aquatic Season Fee Schedule add Veteran to Senior Citizen and Reduced Income Individual Adult Annual Pass.

Vote to amend: 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 Christine M. Erickson to amend Section 1, Definitions, as follows:

- § Add definition Fall, Winter & Spring Reduced Income which shall read,

Families/individuals who are residents of Sioux Falls and who actively receive reduced or free school lunches, who actively receive Medicaid benefits, receive South Dakota Temporary Assistance for Needy Families (TANF), or have an active Dakota EBT card food stamp card.

§ Section 2 under Fall, Winter, and Spring Aquatic Season Fee Schedule, add Fall Winter & Spring Reduced-Income Daily Admission with a fee of \$1 per person in 2016, 2017 & 2018.

§ Section 2 under Fall, Winter, and Spring Aquatic Season Fee Schedule, Reduced-Income Family Season Pass be amended to read, Fall, Winter & Spring Reduced-Income Family Season Pass.

§ Section 2 under Fall, Winter, and Spring Aquatic Season Fee Schedule, Senior Citizen and Reduced - Income Adult Season Pass be amended to read, Senior Citizen and Fall, Winter & Spring Reduced - Income Adult Season Pass.

§ Section 2 under Fall, Winter & Spring Aquatic Fee Schedule remove Free Season Pass.

A motion was made by Council Member Dean Karsky and seconded by Council Member Christine M. Erickson to offer a friendly amendment to Insert Veteran as approved in Amendment 3 to Section 2 under Fall, Winter, and Spring Aquatic Season Fee Schedule, Senior Citizen and Reduced - Income Adult Season Pass which will read, Veteran and Senior Citizen and Fall, Winter & Spring Reduced - Income Adult Season Pass.

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

A motion was made by Council Member Rex Rolfling to amend Section 2, adding to Summer Aquatic Season Fee Schedule, Summer reduced-income daily admission at \$1 each for the years 2016, 2017, and 2018 and deleting Free Season Pass.
Motion died for lack of a second.

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

23. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, CORRECTING LEGAL DESCRIPTIONS OF ORDINANCE NO. 58-15.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Rolfling to adopt said Ordinance No. 99-15.

Vote to adopt: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Rolfling, 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, November 10, 2015, at 7 p.m. for Item 24:

24. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE

CODE OF ORDINANCES OF THE CITY BY ADDING DEFINITIONS TO CHAPTER 70: GENERAL PROVISIONS AND ADDING SECTIONS TO CHAPTER 76: TRAFFIC REGULATIONS, SUBCHAPTER MISCELLANEOUS DRIVING RULES RESTRICTING THE USE OF WIRELESS COMMUNICATION DEVICES.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to set a date of hearing and 2nd Reading for Tuesday, November 10, 2015, at 7 p.m. for Item 24.

Vote to set a date: Roll Call: Yeses, Rick Kiley, Rex Roling, Michelle Erpenbach, 3. Noes, Dean Karsky, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Greg Jamison, 5.
Motion Failed.

Council Member Kenny Anderson Jr. left the meeting at this time.

Set a date of hearing and 2nd Reading for Monday, November 2, 2015, at 7 p.m. for Item 25:

25. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING CHAPTER 38 OF THE CODE OF ORDINANCES OF THE CITY PERTAINING TO ELECTIONS.

A motion was made by Council Member Greg Jamison and seconded by Council Member Christine M. Erickson to set a date of hearing and 2nd Reading for Monday, November 2, 2015, at 7 p.m. for Item 25.

Vote to set a date: Roll Call: Yeses, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, 7. Noes, 0.
Motion Passed.

Council Member Kenny Anderson Jr. returned to the meeting at this time.

Set a date of hearing and 2nd Reading for Monday, November 2, 2015, at 7 p.m. for Item 26:

26. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 6601 S. HEMINGSTONE TRL. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN AND RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICTS TO THE REC RECREATION DISTRICT, PETITION NO. 3335-2015, 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 Greg Jamison to set a date of hearing and 2nd Reading for Monday, November 2, 2015, at 7 p.m. for Item 26.

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 Monday, November 2, 2015, at 7 p.m. for Item 27:

27. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHEAST CORNER OF E. 41ST ST. AND S. VETERANS PKWY. FROM THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY AND C-3 COMMERCIAL COMMUNITY DISTRICTS TO THE RA-3 APARTMENT RESIDENTIAL HIGH DENSITY DISTRICT, PETITION NO. 3456-2015, 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 Rick Kiley to set a date of hearing and 2nd Reading for Monday, November 2, 2015, at 7 p.m. for Item 27.

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 Monday, November 2, 2015, at 7 p.m. for Item 28:

28. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1600 1700 W. RUSSELL ST. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR AND C-3 COMMERCIAL COMMUNITY DISTRICTS TO THE C-4 COMMERCIAL REGIONAL DISTRICT, PETITION NO. 3494-2015, 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 Christine M. Erickson to set a date of hearing and 2nd Reading for Monday, November 2, 2015, at 7 p.m. for Item 28.

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, 7. Noes, 0. Council Member Greg Jamison was excused from the meeting and the vote on this item.
Motion Passed.

Set a date of hearing and 2nd Reading for Monday, November 2, 2015, at 7 p.m. for Item 29:

29. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 504 AND 508 S. VAN EPS AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE I-1 LIGHT INDUSTRIAL DISTRICT, PETITION NO. 3499-2015, 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 Christine M. Erickson to set a date of hearing and 2nd Reading for Monday, November 2, 2015, at 7 p.m. for Item 29.

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 Monday, November 2, 2015, at 7 p.m.
for Item 30:

30. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
PROPERTY AT 3210 S. SUMMIT AVE. FROM THE RD-1 TWIN HOME/DUPLEX
RESIDENTIAL SUBURBAN DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND
STREETCAR DISTRICT, PETITION NO. 3500-2015, AND AMENDING THE OFFICIAL
ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends
approval.

A motion was made by Council Member Michelle Erpenbach and seconded by Council
Member Rex Roling to set a date of hearing and 2nd Reading for Monday,
November 2, 2015, at 7 p.m. for Item 30.

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 Monday, November 2, 2015, at 7 p.m.
for Item 31:

31. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
PROPERTY AT NORTHEAST CORNER OF W. 22ND ST. AND S. ELLIS RD. FROM THE LW
LIVE-WORK DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN AND RD-
2 TOWNHOME RESIDENTIAL SUBURBAN DISTRICTS, PETITION NO. 3504-2015, 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 Rex Roling to set a date of hearing and 2nd Reading for Monday,
November 2, 2015, at 7 p.m. for Item 31.

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 Monday, November 2, 2015, at 7 p.m.
for Item 32:

32. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
PROPERTY AT SOUTHWEST CORNER OF W. 53RD ST. AND S. LOUISE AVE. FROM THE O
OFFICE DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT,
PETITION NO. 3510-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF
SIOUX FALLS. Planning Commission recommends approval.

A motion was made by Council Member Christine M. Erickson and seconded by
Council Member Dean Karsky to set a date of hearing and 2nd Reading for Monday,
November 2, 2015, at 7 p.m. for Item 32.

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.

HEARINGS AND RESOLUTIONS

33. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF IMANI RIDGE. Planning Commission recommends approval.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Dean Karsky to adopt said Resolution.

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

34. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL ARCHITECTURAL AND ENGINEERING DESIGN SERVICES AGREEMENT BETWEEN THE CITY AND KOCH HAZARD FOR THE SIOUX FALLS ADMINISTRATIVE OFFICE BUILDING, 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 Michelle Erpenbach and seconded by Council Member Rex Roling to adopt said Resolution No. 111-15.

Vote to adopt: 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.

RESOLUTION NO. 111-15

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL ARCHITECTURAL AND ENGINEERING DESIGN SERVICES AGREEMENT BETWEEN THE CITY AND KOCH HAZARD FOR THE SIOUX FALLS ADMINISTRATIVE OFFICE BUILDING, 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 Koch Hazard to provide professional architectural and engineering design services for the Sioux Falls Administrative Office Building;

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 Koch Hazard (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 Koch Hazard.

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 and consistent with 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: 10/19/15 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

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

A motion was made by Council Member Dean Karsky and seconded by Council Member Michelle Erpenbach to adopt said Resolution No. 112-15.

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

Motion Passed.

RESOLUTION NO. 112-15

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
Deborah Deng	Commission on Human Relations	Appointed for a term from October 2015 to May 2017 (to fill the unexpired term of Yesenia Pagan-Rosario).

Mark Anderson	Infrastructure Review Advisory Board	Reappointed for a term from October 2015 to October 2018 (at-large representative).
Chris Fischer	Infrastructure Review Advisory Board	Appointed for a term from October 2015 to October 2018 (at-large representative).
Craig Lauritzen	Infrastructure Review Advisory Board	Appointed for a term from October 2015 to October 2018 (consulting engineer representative).
Joel McDowell	Infrastructure Review Advisory Board	Appointed for a term from October 2015 to October 2018 (Home Builders Association representative).
Lorrae Lindquist	Parks and Recreation Board	Reappointed for a term from October 2015 to October 2020.
Matt Burns	Sioux Falls Sports Authority Board of Directors	Appointed for a term from October 2015 to November 2016 (to replace Doug Barthel).

Date adopted: 10/19/15 .

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 at 9:56 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.

AS YOUR ELECTED REPRESENTATIVES, THE CITY COUNCIL VALUES YOUR INPUT AND FEEDBACK. WHEN THE CITY COUNCIL WILL ACT AS A DECISION-MAKER ON AN UPCOMING MATTER INVOLVING A LICENSE OR A PERMIT, PERSONS ARE ENCOURAGED TO PROVIDE WRITTEN COMMENTS TO THE ENTIRE CITY COUNCIL OR TO PROVIDE ORAL COMMENT AT THE PUBLIC MEETING WHEN THAT ITEM IS CONSIDERED BY THE ENTIRE CITY COUNCIL. THOSE WHO PROVIDE COMMENTS IN ANY MANNER SHOULD UNDERSTAND THAT THEIR COMMENTS MAY 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 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 P.M. THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AIR LIVE THE FOURTH TUESDAY OF EACH MONTH AT 5 P.M. REGULAR MEETINGS OF THE CITY COUNCIL ARE ALSO ARCHIVED AND AVAILABLE FOR VIEWING ON DEMAND AT 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 A.M. ON THURSDAYS, AND 6 P.M. ON SATURDAYS. COUNCIL COMMITTEE MEETINGS AT 12:30 A.M. AND 8 A.M. ON THURSDAYS, AND 5 P.M. ON SATURDAYS. CITY COUNCIL MEETINGS AT 2:30 AM AND 10 A.M. ON THURSDAYS, AND 7 P.M. ON SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 8 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.