

City of Sioux Falls Council Meeting  
Minutes  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Tuesday, September 13, 2016, at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

| PRESENT                              | ABSENT |
|--------------------------------------|--------|
| Council Member Greg Neitzert         |        |
| Council Member Rex Roling            |        |
| Council Member Marshall Selberg      |        |
| Council Member Pat Starr             |        |
| Council Member Theresa Stehly        |        |
| Council Member Christine M. Erickson |        |
| Council Member Michelle Erpenbach    |        |
| Council Member Rick Kiley            |        |
| Mayor Mike T. Huether                |        |

INVOCATION

- Dr. Ron Tottingham, Empire Baptist Temple

PLEDGE OF ALLEGIANCE

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 Roling, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, 8. Noes, 0.

Motion Passed.

MINUTES

- Informational Meeting of Tuesday, September 6, 2016, at 4 p.m.
- Joint City Council/Minnehaha County Commission Meeting of Tuesday, September 6, 2016, at 5:05 p.m.
- Regular City Council Meeting of Tuesday, September 6, 2016, at 7 p.m.

## COMMUNICATIONS

1. Approval of contracts/agreements on the September 9, 2016, memo.
2. Report of Requests for Quotes for Fuel dated: August 31, 2016; Unleaded Ethanol; 650 gallons; Midway Service (\$2.0668); Howes Oil (\$2.1135); Cole's Petroleum (\$2.1700); Stern Oil, no bid. Bid awarded to: Midway Service.
3. Report of Requests for Quotes for Fuel dated: August 31, 2016; Clear Diesel #1; 608 gallons; Midway Service (\$2.0350); Howes Oil, (\$2.0587); Cole's Petroleum (\$2.2000); and Stern Oil, no bid. Bid awarded to: Midway Service.
4. Report of Requests for Quotes for Fuel dated: September 1, 2016; Unleaded Ethanol & #2 Dyed Diesel; 3,000 Gallons Unleaded/5,500 Gallons #2 Diesel; Harms Oil (\$1.6705 Unleaded/\$1.5528 #2 Diesel); Stern Oil (\$1.6858 Unleaded/\$1.5535 #2 Diesel); Howes Oil (\$1.6785 Unleaded/\$1.5630 #2 Diesel); CHS, Inc. (\$1.7850 Unleaded/\$1.6550 #2 Diesel); Cole's Petroleum, Midway Service and Olson Oil, all no bid. Bid awarded to: Harms Oil.
5. A communication was received from Skyler Tuttle requesting permission to consume, but not sell, wine, malt beverage and liquor at the Old Courthouse Museum, 200 W. 6th St., on Saturday, October 22, 2016, for a wedding reception.

## REGULAR AGENDA ITEMS

### APPROVAL OF REGULAR AGENDA

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

Vote to approve: Roll Call: Yeses, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, 8. Noes, 0.

Motion Passed.

### PUBLIC INPUT

Scott Ehrisman spoke about Council Chair Rex Roling's trip to Washington, D.C., the F-35 fighter jet, the Construction Manager at Risk audit, the SCHEELS IcePlex and the Huether Family Match Pointe centers.

David Zokaites spoke about Project TRIM.

Tim Stanga spoke about the Midco Aquatic Center's hours of operation and the Denny Sanford Premier Center.

Sierra Broussard spoke about a variety of concerns she has with the Sioux Falls Police Department.

INTRODUCTION AND ADOPTION OF ORDINANCES

6. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 600 N. BAHNSON AVE. FROM THE AG AGRICULTURE DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY AND RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICTS, PETITION NO. 4677-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0). This is a second reading of an ordinance that is expected to be withdrawn by the applicant.

A motion was made by Council Member Pat Starr and seconded by Council Member Christine M. Erickson to withdraw Item 6.

Vote to withdraw: Roll Call: Yeses, Rex Rolwing, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, 8. Noes, 0.

Motion Passed.

7. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE NAMING OF A FACILITY SPACE ON PUBLIC PROPERTY.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Christine M. Erickson to adopt said Ordinance No. 102-16.

Vote to adopt: Roll Call: Yeses, Rex Rolwing, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, 8. Noes, 0.

Motion Passed.

8. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, CALLING A SPECIAL ELECTION ON THE ISSUE OF WHETHER THE CITY OF SIOUX FALLS, SD, SHOULD BUILD AN ADMINISTRATIVE OFFICE BUILDING AND ASSOCIATED SITE IMPROVEMENTS.

A motion was made by Council Member Pat Starr and seconded by Council Member Theresa Stehly to adopt Item 8.

Vote to adopt: Roll Call: Yeses, Pat Starr, Theresa Stehly, 2. Noes, Rex Rolwing, Marshall Selberg, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, 6.

Motion Failed.

Set a date of hearing and 2nd Reading for Tuesday, September 20, 2016, at 7 p.m., for Item 9:

9. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING APPROPRIATIONS AND THE MEANS OF FINANCING FOR THE FISCAL YEAR ENDING DECEMBER 31, 2017.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Rick Kiley to set a date of hearing and 2nd Reading for Tuesday, September 20, 2016.

Vote to set a date: Roll Call: Yeses, Rex Rolwing, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, 8. Noes, 0.  
Motion Passed.

#### HEARINGS AND RESOLUTIONS

#### 10. PUBLIC HEARING FOR PUBLIC INPUT FOR A RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2017, AND THE 2017-2021 CAPITAL PROGRAM.

Darcy Jensen, Executive Director of Prairie View Prevention Services, spoke about the impact the agency has made regarding youth and substance abuse.

#### 11. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE MAIN STREET BUSINESS IMPROVEMENT DISTRICT IN THE CITY OF SIOUX FALLS, SD.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Christine M. Erickson to adopt said Resolution No. 92-16.

Vote to adopt: Roll Call: Yeses, Rex Rolwing, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, 8. Noes, 0.  
Motion Passed.

#### RESOLUTION NO. 92-16

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE MAIN STREET BUSINESS IMPROVEMENT DISTRICT IN THE CITY OF SIOUX FALLS, SD.

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

Section 1. That the 2016 special assessment roll for the Main Street Business Improvement District in the City of Sioux Falls, SD, is hereby approved, and the assessment as set out in said special assessment roll approved this date is hereby levied against the property described therein and becomes a lien against such property upon filing of said special assessment roll in the City Finance Office.

Section 2. Said assessment may be paid in one annual installment based on the assessed valuations of the property adjusted each year and shall be collected under Plan One Collection by County Treasurer as provided in SDCL 9-43.

Date adopted: 09/13/16 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco  
City Clerk

NOTICE TO PROPERTY OWNERS

Notice is hereby given that assessments levied under the above resolution will become due and payable at the office of the County Treasurer in one installment, together with 3.25% interest for the quarterly rate each year in accordance with SDCL 9-43. The first installment, with interest, will become due with general taxes and will be payable at the County Treasurer s Office on January 1, 2017.

Notice is further given that the special assessment roll approved in the above resolution was filed with the City Finance Office on the 13th day of September, 2016, and that the whole of said assessment may be paid without interest to the City Finance Office on or before 30 days after said filing.

Thomas M. Greco

City Clerk

12. A RESOLUTION APPROVING THE RELEASE OF PART OF A PERMANENT WATER MAIN EASEMENT LOCATED IN LOTS 3, 4, AND 5, BLOCK 3, WINDSWEPT MEADOWS ADDITION TO THE CITY OF SIOUX FALLS, LINCOLN COUNTY, SD.

A motion was made by Council Member Greg Neitzert and seconded by Council Member Marshall Selberg to adopt said Resolution No. 93-16.

Vote to adopt: Roll Call: Yeses, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 93-16

A RESOLUTION APPROVING THE RELEASE OF PART OF A PERMANENT WATER MAIN EASEMENT LOCATED IN LOTS 3, 4, AND 5, BLOCK 3, WINDSWEPT MEADOWS ADDITION TO THE CITY OF SIOUX FALLS, LINCOLN COUNTY, SD.

WHEREAS, the City of Sioux Falls, SD, no longer needs part of the permanent water main 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;

WHEREAS, the permanent water main easement was established by plat and filed in Book 3 of Plats on page 47 in the office of the Register of Deeds for Lincoln County, SD, on May 6, 2009;

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

That it approves the release of part of the permanent water main easement area, as shown on attached Exhibit A, and affecting the real property described as Lots 3, 4, and 5, Block 3, Windswept Meadows Addition to the City of Sioux Falls, Lincoln County, SD, and that the City Clerk shall cause to be recorded with the Register of Deeds, Lincoln County, SD, a duly certified transcript of this resolution.

Date adopted: 09/13/16 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco  
City Clerk

13. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR CONSTRUCTION OF  
SIDEWALK ON E. 10TH ST. FROM S. BAHNSON AVE. TO S. SYCAMORE AVE.

A motion was made by Council Member Rex Rolwing and seconded by Council Member  
Rick Kiley to adopt said Resolution No. 94-16.

Vote to adopt: Roll Call: Yeses, Rex Rolwing, Marshall Selberg, Pat Starr,  
Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg  
Neitzert, 8. Noes, 0.  
Motion Passed.

RESOLUTION NO.

94-16

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR CONSTRUCTION OF SIDEWALK  
ON E. 10TH ST. FROM S. BAHNSON AVE. TO S. SYCAMORE AVE.

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

SECTION 1. That the special assessment roll for the assessment of the property  
assessable for construction of sidewalk on E. 10th St. from S. Bahnson Ave. to  
S. Sycamore Ave. pursuant to a contract entered into with Big Al s Contracting  
on the 4th day of May, 2015, be and the same is hereby approved and the  
assessment as set out in the special assessment roll approved this date is  
hereby levied against the property described therein and becomes a lien against  
such property upon filing of the special assessment roll in the City Accounting  
Office.

SECTION 2. The assessment may be paid in five annual installments and shall be  
collected under Plan One Collection by County Treasurer as provided in SDCL 9-  
43.

Date adopted: 09/13/16 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco  
City Clerk

NOTICE TO PROPERTY OWNERS

Notice is hereby given that assessments levied under the above resolution will  
become due and payable at the office of the County Treasurer in five  
installments, together with interest at  
3.50 percent per annum in accordance with SDCL 9-43. The first installment,  
with interest, will become due with general taxes and will be payable at the  
County Treasurer s Office on  
January 1, 2017; the remaining installments, with interest, will become due and  
payable annually at the County Treasurer s Office on January 1 of each  
following year until total assessment, with interest, is paid in full.

Notice is further given that the special assessment roll approved in the above

resolution was filed with the City Clerk s Office on the 13th day of September, 2016, and that the whole of said assessment, or any installment thereof, may be paid without interest to the City Accounting Office on or before 30 days after said filing.

Thomas M. Greco

City Clerk

14. A RESOLUTION AUTHORIZING SIOUX FALLS FIRE RESCUE TO GIFT THREE KEISER SLEDS TO THE WATERTOWN, SOUTH DAKOTA, FIRE RESCUE DEPARTMENT.

A motion was made by Council Member Rex Roling and seconded by Council Member Marshall Selberg to adopt said Resolution No. 95-16.

Vote to adopt: Roll Call: Yeses, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 95-16

A RESOLUTION AUTHORIZING SIOUX FALLS FIRE RESCUE TO GIFT THREE KEISER SLEDS TO THE WATERTOWN, SOUTH DAKOTA, FIRE RESCUE DEPARTMENT.

WHEREAS, Sioux Falls Fire Rescue has declared as surplus three Keiser Sleds; and

WHEREAS, Watertown Fire Rescue located in Watertown, SD, finds it desirable to acquire the above-described surplus property;

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

That the gifting by Sioux Falls Fire Rescue to Watertown Fire Rescue of the following surplus property:

- Three Keiser Sleds

is hereby approved.

Date adopted: 09/13/16 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

NEW BUSINESS

15. A motion advising, giving consent, and approving the Mayor's Interim Successors as identified in Executive Order 16-21.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rex Roling to approve Item 15.

Vote to approve: Roll Call: Yeses, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, 8. Noes, 0.  
Motion Passed.

#### ADJOURNMENT

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Pat Starr to adjourn at 8:34 p.m.

Mayor Mike Huether called for a voice vote. All members said yes. Motion Passed.

Denise D. Tucker, MMC  
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. 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](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, COMMITTEE MEETINGS, AND CITY COUNCIL MEETINGS ON FRIDAYS AND SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS ON FIRST FRIDAY AND SUNDAY AFTER LIVE MEETING. GO TO CITYLINK AT [WWW.SIOUXFALLS.ORG](http://WWW.SIOUXFALLS.ORG) FOR SPECIFIC PROGRAMMING TIMES.