

City of Sioux Falls Council Meeting
Minutes
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, July 10, 2018, at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

Council Member Curt Soehl
Council Member Pat Starr
Council Member Theresa Stehly
Council Member Janet Brekke
Council Member Christine M. Erickson
Council Member Rick Kiley
Council Member Greg Neitzert
Council Member Marshall Selberg
Mayor Paul TenHaken

ABSENT

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 Rick Kiley to approve the Consent Agenda.
Vote to approve: Roll Call: Yeses, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, 8.
Noes, 0.
Motion Passed.

MINUTES

- Informational Meeting of Tuesday, July 3, 2018, at 4 p.m.
- Regular City Council Meeting of Tuesday, July 3, 2018, at 7 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the July 6, 2018, memo.

2. Approval of the notice of change orders on the July 6, 2018, memo.
3. Report of Requests for Quotes for Fuel dated: June 27, 2018; 7,500 gallons of #2 Dyed Diesel; Midway Service (\$2.2909); Cole's Petroleum (\$2.3068); Harms Oil (\$2.2866); Howes Oil (\$2.3395); Stern Oil (\$2.3030); CHS, Inc. and Olson Oil, both no bid. Bid awarded to: Harms Oil.
4. Report of Requests for Quotes for Fuel dated: July 2, 2018; 724 gallons of Unleaded Ethanol & 355 gallons of #2 Clear Diesel; Midway Service (\$2.42 Unleaded Ethanol & \$2.68 Clear Diesel); Stern Oil (\$2.4758 Unleaded Ethanol & \$2.7332 Clear Diesel); Cole's Petroleum, Harms Oil, Howes Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Midway Service.
5. Report of Requests for Quotes for Fuel dated: July 3, 2018; 7,500 gallons of #2 Dyed Diesel and 8,500 gallons of Unleaded Ethanol; Cole's Petroleum (\$2.3328 Diesel & \$2.3570 Ethanol); Midway Service, Harms Oil, Howes Oil, Stern Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Cole's Petroleum.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rick Kiley to approve the Regular Agenda.
Vote to approve: Roll Call: Yeses, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, 8.
Noes, 0.
Motion Passed.

PUBLIC INPUT

Heather Pastor spoke about a deceased neighbor, the reputations of her and her fiancø, and working with a patient advocate.

James Reed spoke about the 10th Street HyVee road being fixed, being a productive citizen, and the police.

Catherine Riffle spoke about her advocacy for the homeless, her education, her tires being ruined by potholes, a meeting on July 19th to help the homeless, her health, and the need for an emergency shelter for the homeless.

Steven Siano presented and spoke about a letter, from his counselor, which he stated supports his credibility regarding the information he has been providing to the City Council and others regarding his mental and physical health.

Lanny Stricherz spoke about walk lights, sidewalks, cleaning up the bike path,

and snow removal.

James Johnson spoke about the City's garbage containers not being in compliance with the City's laws.

Janelle Cain spoke about the proposed LifeScape parking lot and upcoming feasibility study.

David Zokaites spoke about the Oath of Office.

INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Tuesday, July 17, 2018, at 7 p.m., for Item 6:

6. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. (Highways and Streets, \$900,000; Parks, \$800,000)

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rick Kiley to set a date of hearing and 2nd Reading for Tuesday, July 17, 2018, at 7 p.m.

Vote to set a date: Roll Call: Yeses, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, 8. Noes, 0.
Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, July 17, 2018, at 7 p.m., for Item 7:

7. 1st Reading: AN ORDINANCE APPROVING THE ANNUAL RATE INCREASE PURSUANT TO THE FRANCHISE AGREEMENT FOR GROUND AMBULANCE SERVICE FOR THE CITY OF SIOUX FALLS WITH PARAMEDICS LOGISTICS SOUTH DAKOTA, LLC.

A motion was made by Council Member Rick Kiley and seconded by Council Member Janet Brekke to set a date of hearing and 2nd Reading for Tuesday, July 17, 2018, at 7 p.m.

Vote to set a date: Roll Call: Yeses, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, 8. Noes, 0.
Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, July 17, 2018, at 7 p.m., for Item 8:

8. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, DECLARING CERTAIN PROPERTY OF THE CITY OF SIOUX FALLS SURPLUS AND APPROVING GRATUITOUS TRANSFER OF REAL PROPERTY. (State Veterans Cemetery)

A motion was made by Council Member Rick Kiley and seconded by Council Member Greg Neitzert to withdraw Item 8.

Vote to withdraw: Roll Call: Yeses, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, 8. Noes, 0.
Motion Passed.

HEARINGS AND RESOLUTIONS

9. A RESOLUTION DECLARING IT NECESSARY TO LEVY AND LEVYING A FRONTAGE ASSESSMENT AGAINST THE LOTS, TRACTS, AND PARCELS OF LAND FRONTING AND ABUTTING UPON 21ST ST. FROM PHILLIPS AVE. TO 7TH AVE. IN THE CITY OF SIOUX FALLS FOR THE PURPOSE OF MAINTAINING, PLANTING, AND OTHERWISE IMPROVING AND CARING FOR THE CENTER PARKWAYS AND BOULEVARD THEREON.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Marshall Selberg to adopt said Resolution No. 59-18.

Vote to adopt: Roll Call: Yeses, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, 8. Noes, 0.
Motion Passed.

RESOLUTION NO. 59-18

A RESOLUTION DECLARING IT NECESSARY TO LEVY AND LEVYING A FRONTAGE ASSESSMENT AGAINST THE LOTS, TRACTS, AND PARCELS OF LAND FRONTING AND ABUTTING UPON 21ST ST. FROM PHILLIPS AVE. TO 7TH AVE. IN THE CITY OF SIOUX FALLS FOR THE PURPOSE OF MAINTAINING, PLANTING, AND OTHERWISE IMPROVING AND CARING FOR THE CENTER PARKWAYS AND BOULEVARD THEREON.

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

Section 1. It is necessary to levy and there shall be levied a frontage assessment upon each and every lot, tract, and parcel of land abutting and fronting upon 21st St. from Phillips Ave. to 7th Ave. in the city of Sioux Falls for the purpose of creating a fund to be used in maintaining, planting, and otherwise improving and caring for the center parkways and boulevard on 21st St. from Phillips Ave. to 7th Ave. in the city of Sioux Falls.

Section 2. There shall be an assessment against each lot, tract, and parcel of land abutting and fronting upon 21st St. from Phillips Ave. to 7th Ave. in the city of Sioux Falls, the sum of eighty-five cents (\$.85) per front foot for the year 2019.

Section 3. That the City Clerk's Office shall certify such frontage assessments to the county auditor of Minnehaha County, SD, and the same shall be collected in and as municipal taxes for general purposes.

Date adopted: 07/10/18 .

Paul TenHaken

Mayor

ATTEST:

Thomas M. Greco

City Clerk

10. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PERMANENT TELECOMMUNICATION EASEMENT BETWEEN THE CITY OF SIOUX FALLS AND SDN COMMUNICATIONS.

A motion was made by Council Member Greg Neitzert and seconded by Council Member Curt Soehl to adopt said Resolution No. 60-18.

Vote to adopt: Roll Call: Yeses, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 60-18

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PERMANENT TELECOMMUNICATION EASEMENT BETWEEN THE CITY OF SIOUX FALLS AND SDN COMMUNICATIONS.

WHEREAS, the City is the owner of the following described real estate in Sioux Falls, Minnehaha County, SD:

Lot 1, Block 1A, Brown Drug Addition to the City of Sioux Falls, Minnehaha County, South Dakota;

WHEREAS, the City is developing the above-described property which necessitates the relocation of existing SDN Communications telecommunication utilities. This easement will accommodate SDN Communications in the relocation of those utilities to the benefit of the City.

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 it approves the document titled Permanent Telecommunication Easement. The easement is attached hereto and hereby made part of this resolution as if set out in full.

Section 2. That the Mayor is authorized to sign on behalf of the City the attached Permanent Telecommunication Easement.

Section 3. 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: 07/10/18 .

Paul TenHaken

Mayor

ATTEST:

Thomas M. Greco

City Clerk

11. A RESOLUTION ADOPTING THE OFFICIAL FLAG OF THE CITY OF SIOUX FALLS.

A motion was made by Council Member Pat Starr and seconded by Council Member Christine M. Erickson to adopt said Resolution No. 61-18.

Vote to adopt: Roll Call: Yeses, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 61-18

A RESOLUTION ADOPTING THE OFFICIAL FLAG OF THE CITY OF SIOUX FALLS.

WHEREAS, many of the major cities of the United States have adopted official city flags for display at city facilities and at civic functions; and

WHEREAS, the City of Sioux Falls, SD, desires to adopt an official city flag; and

WHEREAS, the committee to establish a suitable flying banner for the City of Sioux Falls solicited and received over 90 flag designs, worked through a two-stage paneled jury voting process, and engaged over 3,000 individuals to review each design and seriously consider its representation of the present and the future of the City of Sioux Falls; and

WHEREAS, the Flag of Sioux Falls, designed by Max Rabkin, was selected as a clear symbol of our community pride in a growing and evolving city; and

WHEREAS, said design s central feature is the stylized Falls of the Big Sioux River in blue and white with a sun in a blue setting representing the Flag of South Dakota and red base recalling the historical importance of Sioux quartzite in building early Sioux Falls; and

WHEREAS, said design will identify, unify, and inspire the citizens of Sioux Falls; and

WHEREAS, it would be an honor and distinction to adopt said design for the official flag of the City of Sioux Falls, SD;

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:

That the said design attached is hereby adopted as the official flag of the City of Sioux Falls, SD.

The City shall publish the resolution without attachment, after its passage. The attachment is on file and available for inspection in the office of the City Clerk.

Date adopted: 07/10/18 .

Paul TenHaken

Mayor

ATTEST:

Thomas M. Greco

City Clerk

NEW BUSINESS

There was none.

ADJOURNMENT

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Pat Starr to adjourn at 8:27 p.m.

Mayor Paul TenHaken asked 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. 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 FOR SPECIFIC PROGRAMMING TIMES.