

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, February 20, 2018, at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Council Member Rick Kiley

Council Member Greg Neitzert

Council Member Theresa Stehly

Council Member Rex Roling

Council Member Marshall Selberg

Council Member Pat Starr

Mayor Mike T. Huether

INVOCATION

Reverend Brett Best , Emmanuel Baptist Church

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PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

Council Member Pat Starr requested the following item be pulled from Item 1 and placed for consideration on the Regular Agenda after Public Input: Health, Assignment and Assumption Agreement between Paramedics Plus, LLC & Paramedics Logistics South Dakota, LLC., for Surface Transport Services, Paramedics Logistics, SD, LLC.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rex Roling to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, 7.
Noes, 0.

Motion Passed.

MINUTES

City Council Meeting of Tuesday, February 13, 2018, at 7 p.m.

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COMMUNICATIONS

1. Approval of contracts/agreements on the February 16, 2018, memo.

Report for Requests for Quotes for Fuel dated: February 8, 2018; #1 & #2

2. Dyed Diesel; 3,750 Gallons each; Stern Oil (\$2.3222 #1 DM & \$2.0585 #2 DM); Harms Oil, Cole's Petroleum, CHS, Inc., Howes Oil, Midway Service, and Olson Oil, all no bid. Bid awarded to: Stern Oil.

Report of Requests for Quotes for Fuel dated: February 9, 2018; Clear Diesel

3. # 1 & #2; 4,500 Gallons each; CHS, Inc., (\$2.345 #1 CM & \$2.6075 #2 CM); Harms Oil (\$2.3178 #1 CM & \$2.5843 #2 CM); Howes Oil and Midwest Oil, both no bid. Bid awarded to: Harms Oil.

Report of Requests for Quotes for Fuel dated: February 13, 2018; Unleaded;

4. 8,500 Gallons; Midway Service (\$1.9939); Cole's Petroleum (\$1.9594); Stern Oil (\$2.0775); Harms Oil (\$1.9688); Howes Oil (\$1.9649); CHS, Inc. and Olson Oil, both no bid. Bid awarded to: Cole's Petroleum.

Approval of the SIOUXPERHERO Committee's recommendation that the City

5. Council award the following individuals the SIOUXPERHERO citizen recognition award: Angela DeClerk, Laurie Fluit, Clair Halverson, Jayme Nelson, and Tessica Severson.

APPLICATIONS

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

6. Masjid Attakwa, 710 S. West Ave., Parcel #52938, for 2016 property taxes in the amount of \$397.04. Reason: property is exempt from the tax.

Items 7 through 9: the amount requested is the difference between the elderly freeze and the non-elderly freeze.

7. Bob Wittrock, 703 Hermosa Dr., Parcel #32216, for 2017 property taxes in the amount of \$263.40.

8. Robert Natz, 2113 S. Western Ave., Parcel # 35043, for 2017 property taxes in the amount of \$611.28.

9. Norma Robinson, 2909 E. 23rd St., Parcel #36100, for 2017 property taxes in the amount of \$744.93.

The following abatements were recommended for approval by the Director of Equalization and deemed legally sufficient by the State's Attorney's Office for Lincoln County and the City Attorney for Sioux Falls:

Whispering Woods South, LLC., 5200 S Cliff Ave., for 2017 property taxes in

10. the amount of \$435.95. Reason: wrong acres assessed for the 2017 assessment; new plat.

Norman and Karen Johnson, 704 E. Shadow Creen Ln., for 2017 property taxes

11. in the amount of \$490.90. Reason: wrong assessment placed on the 2017 assessment.
12. Parcel #281.59.24.009A for 2017 property taxes in the amount of \$2,666.36. Reason: the applicant qualifies for property exemption under SDCL 10-4-40.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, March 6, 2018, at 7 p.m. for Items 13 through 29:

- Transfer of 2018 Retail Wine License from Max Nguyen, Nails Art, 5012 South Cliff Avenue, to Nails Art LLC, Nails Art, 5012 South Cliff Avenue, with Conditional Use Permit (2014-09-03) being approved on October 1, 2014.
- 13.

- Transfer of 2017-18 Retail Malt Beverage License, with video lottery terminals, from Nelson Operating Company, Friday's Hero, 1004 West 18th Street, to Nelson Operating Company, Northstar Grill & Pub, 4305 West 61st Street North (full service restaurant; CUP not required).
- 14.

- New 2018 Retail Wine License for Nelson Operating Company, Northstar Grill & Pub, 4305 West 61st Street North (full services restaurant; CUP not required).
- 15.

- New 2018 Retail Wine License for Shop Dog LLC, Shop Dog, 5015 South Western Avenue, Suite 130 (CUP not required).
- 16.

- New 2017-18 Retail Malt Beverage License for Myers LLC, Myers Deli, 221 South Phillips Avenue (CUP not required).
- 17.

- New 2018 Retail Wine License for Myers LLC, Myers Deli, 221 South Phillips Avenue (CUP not required).
- 18.

New 2018 Package Liquor License for Shenanigan's Pub Inc., Shenanigan's Sports Bar

- & Grill, 1903 South Ellis Road (CUP not required; this is an addition to an existing license).
- 19.

- Special One-Day Malt Beverage and Special One-Day Wine Licenses for Stockyards Ag Experience, 300 East Falls Park Drive, for a Young Professional's Network event on March 8, 2018.
- 20.

- Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America, Chef Dominique's Catering to be operated at Dakota Dental, 208 West 37th Street, for a retirement open house on March 22, 2018.
- 21.

- Special One-Day Malt Beverage and Special One-Day Wine Licenses for Senior Citizens Services to be operated at Active Generations, 2300 West 46th Street, for fundraiser events on March 22 and April 29, 2018.
- 22.

- Special One-Day Malt Beverage and Special One-Day Wine Licenses for Westward Ho Country Club Inc., The Country Club of Sioux Falls to be operated at Great Western Bank, 225 South Main Avenue, for a Chamber Mixer on April 10, 2018.
- 23.

- Special One-Day Liquor License for Butterfly House & Aquarium, 4320 South Oxbow Avenue, for a fundraiser on April 20, 2018.
- 24.

Special One-Day Wine License for Siouxland Heritage Museums to be operated
25. at Pettigrew Home & Museum, 131 North Duluth Avenue, for History Happy Hour
on April 26 and August 30, 2018.

Special One-Day Malt Beverage License for Sisters of the Presentation of
26. the Blessed Virgin Mary to be operated at Falls Park, 305 East Falls Park
Drive, for a fundraiser on May 12, 2018.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sioux
27. Falls Area Community Foundation to be operated at Sanford Imagenetics, 1321
West 22nd Street, for a fundraiser on May 3, 2018.

Special One-Day Malt Beverage License for Siouxland Heritage Museums to be
28. operated at Pettigrew Home & Museum, 131 North Duluth Avenue, for History
Happy Hour on May 24, 2018.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sioux
29. Falls Jazz & Blues Society to be operated at Yankton Trail Park, 3901 South
Minnesota Avenue, for JazzFest on July 20 and 21, 2018.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Christine M. Erickson and seconded by
Council Member Greg Neitzert to approve the Regular Agenda.

Vote to approve: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach,
Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, 7.
Noes, 0.

Motion Passed.

PUBLIC INPUT

Bruce Danielson spoke in opposition to House Bill 1204, the Uniform Power of
Attorney Act.

David Zokaites presented a slide show and spoke about the Events Center siding.

Sierra Broussard spoke about trafficking, pimping, domestic abuse, and drug
houses.

Scott Ehrisman spoke about SFFR's plan to get members ALS certified, timing of
end-of-year City financial reports, the Sanford Sports Complex expansion, and
confusion about the roles of the council and mayor by candidates.

Steven Siano spoke in opposition to the proposed Veterans Cemetery,
discrimination against him, and treason.

Tim Stanga spoke about his recommendation to enact an ordinance requiring
owners building houses on property, where a housing unit was previously torn
down, to pre-pay a sum of money that would be put toward affordable housing.

Item 1 was heard at this time:

A motion was made by Council Member Pat Starr to defer the following item from
Agenda Item 1 to Tuesday, March 6, 2018, at 7 p.m.: Health, Assignment and
Assumption Agreement between Paramedics Plus, LLC & Paramedics Logistics South
Dakota, LLC., for Surface Transport Services, Paramedics Logistics, SD, LLC.

Motion died for a lack of a second.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to approve the following item from Agenda Item 1: Health, Assignment and Assumption Agreement between Paramedics Plus, LLC & Paramedics Logistics South Dakota, LLC for Surface Transport Services, Paramedics Logistics, SD, LLC.

Vote to approve: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, 6. Noes, Pat Starr, 1.

Motion Passed.

UNFINISHED BUSINESS

Special One-Day Malt Beverage License for Siouxland Heritage Museums to be operated at Pettigrew Home & Museum, 131 North Duluth Avenue, for History Happy Hour on February 22, 2018.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Michelle Erpenbach to approve Item 30.

Vote to approve: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, 7. Noes, 0.

Motion Passed.

INTRODUCTION AND ADOPTION OF ORDINANCES

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 36 TO REQUIRE PROPOSED MANAGEMENT CONTRACTS FOR THE CITY'S PUBLIC FACILITIES OR PROPERTIES BE PRESENTED AT EITHER AN INFORMATIONAL MEETING, WORKING SESSION, OR STANDING COMMITTEE OF THE CITY COUNCIL SEVEN DAYS PRIOR TO ITS CONSIDERATION.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Marshall Selberg to adopt said Ordinance No. 14-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, March 6, 2018, at 7 p.m. for Item 32:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SOUTHEAST CORNER OF W. BENSON RD. AND I-29 FROM THE I-32. 1 LIGHT INDUSTRIAL DISTRICT TO THE C-4 COMMERCIAL-REGIONAL DISTRICT, PETITION NO. 7972-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rex Roling to set a date of hearing and 2nd Reading for Tuesday, March 6, 2018, at 7 p.m. for Item 32.

Vote to set a date: Roll Call: Yeses, Christine M. Erickson, Michelle

Erpenbach, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, March 6, 2018, at 7 p.m. for Item 33:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SOUTHWEST CORNER OF E. 18TH ST. AND S. DARRYL PL. FROM THE 33. C-2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR DISTRICT TO THE C-3 COMMERCIAL-COMMUNITY DISTRICT, PETITION NO. 7973-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

A motion was made by Council Member Rick Kiley and seconded by Council Member Rex Roling to set a date of hearing and 2nd Reading for Tuesday, March 6, 2018, at 7 p.m. for Item 33.

Vote to set a date: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, March 6, 2018, at 7 p.m. for Item 34:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 5600 W. UNIVERSITY TRL. FROM THE RD-1 TWIN HOME/DUPLEX 34. RESIDENTIAL-SUBURBAN DISTRICT TO THE PEDESTRIAN-ORIENTED PLANNED UNIT DEVELOPMENT DISTRICT, PETITION NO. 7975-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

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, March 6, 2018, at 7 p.m. for Item 34.

Vote to set a date: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, March 6, 2018, at 7 p.m. for Item 35:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 3015 S. MINNESOTA AVE. FROM THE C-3 COMMERCIAL-COMMUNITY DISTRICT TO 35. THE C-4 COMMERCIAL-REGIONAL DISTRICT, PETITION NO. 7978-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

A motion was made by Council Member Greg Neitzert and seconded by Council Member Christine M. Erickson to set a date of hearing and 2nd Reading for Tuesday, March 6, 2018, at 7 p.m. for Item 35.

Vote to set a date: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, March 6, 2018, at 7 p.m. for Item 36:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE NORTHEAST CORNER OF W. 12TH ST. AND S. MARION RD. FROM THE I-

36. 1 LIGHT INDUSTRIAL AND C-3 COMMERCIAL-COMMUNITY DISTRICTS TO THE I-1 LIGHT INDUSTRIAL AND C-3 COMMERCIAL-COMMUNITY DISTRICTS, PETITION NO. 7980-2018, A ND

AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission

recommends approval (8-0).

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rex Roling to set a date of hearing and 2nd Reading for Tuesday, March 6, 2018, at 7 p.m. for Item 36.

Vote to set a date: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, March 6, 2018, at 7 p.m. for Item 37:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED EAST OF N. WESTPORT AVE AND SOUTH OF W. 54TH ST. N. FROM THE AG

37. AGRICULTURE DISTRICT TO THE S-2 INSTITUTIONAL CAMPUS PLANNED UNIT DEVELOPMENT DISTRICT, PETITION NO. 7981-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Greg Neitzert to set a date of hearing and 2nd Reading for Tuesday, March 6, 2018, at 7 p.m. for Item 37.

Vote to set a date: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, March 6, 2018, at 7 p.m. for Item 38:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE 38. OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 30: CITY COUNCIL, SUBCHAPTER ORGANIZATION AND PROCEDURE, BY ADDING SUBSECTION (b) TO SECTION 30.029 TO REQUIRE DELIVERY OF ANY NOTICES OF INTENT TO SUE TO THE CITY COUNCIL.

A motion was made by Council Member Pat Starr and seconded by Council Member Christine M. Erickson to set a date of hearing and 2nd Reading for Tuesday,

March 6, 2018, at 7 p.m. for Item 38.

Vote to set a date: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Marshall Selberg, Pat Starr, 6. Noes, Rex Roling, 1.

Motion Passed.

HEARINGS AND RESOLUTIONS

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF 39. SCULPTURES ON PUBLIC PROPERTY FOR AN INTERNATIONALLY RECOGNIZED VISUAL ARTS PROGRAM KNOWN AS SCULPTUREWALK SIOUX FALLS 2018.

A motion was made by Council Member Rick Kiley and seconded by Council Member Rex Roling to adopt said Resolution No. 15-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 15-18

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF SCULPTURES ON PUBLIC PROPERTY FOR AN INTERNATIONALLY RECOGNIZED VISUAL ARTS PROGRAM KNOWN AS SCULPTUREWALK SIOUX FALLS 2018.

WHEREAS, the 2018 SculptureWalk program will bring a large number of sculptures to the central business district for outdoor display; and

WHEREAS, the SculptureWalk program enhances the beauty and culture of the downtown area for all citizens and visitors to enjoy; and

WHEREAS, 57 of the proposed sculptures will be placed on public right-of-way or other publicly owned property; and

WHEREAS, the exhibition of public art in the central business district is recommended and encouraged by the City of Sioux Falls' 2025 Downtown Plan and the 2014 adopted Sioux Falls Imagined-A Cultural Plan for a Vibrant and Prosperous City; and

WHEREAS, the SculptureWalk program represents a broad collaboration of individuals and entities, both public and private, including Downtown Sioux Falls, the Sioux Falls Arts Council, the Chamber of Commerce, and the City of Sioux Falls; and

WHEREAS, various City department staff and the Sioux Falls Visual Arts Commission have reviewed the proposed 2018 sculptures and their placements and recommend approval to the City Council;

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

That it approves the placement in public right-of-way and on public property of 57 sculptures, as described by the following:

Sculptures and Artists

"Vault"-D. Perry

"Grow"-T. Adams
"Unwinding"-K. Fiebiger
"Raccoon Group"-P. Park
"Beneath the Lilly Pads"-E. Thorsen
"Daphne"-G. Mendez
"Hallelujah"-P. Vogelaar
"Laura & Jack"-J. Maher
"Persist"-C. Stalheim
"Wild Wings"-H. Wall
"Power & Fragility of a Woman"-Rik Beuselinck
"Battle of Perception"-C. Martinek
"Girllilla & Tiney"-G. Hovey
"Mushroom"-B. Stillman
"Power of Three"-K. Fiebiger
"Rockfish"-D. Kelley
"World of Sound"-O. Obazee
"Carmen Marimba"-Leuning and Treeby
"Chimertrol"-J. Cannon
"Peace"-A. Mendez
"Fly Snag"-N. Johansen
"Foregatherers"-S. Quinlan
"Sweet Pops of Brilliance"-C. Snyder
"Tight Curve"-J. Satter
"Phoenix"-P. Frazee
"Pose"-T. Adams
"Overcoming"-S. Mozhnevsky
"The Family"-B. Hammond
"You're Away"-B. Carlyle
"Basking"-P. Stajcar
"Rattlesnake"-J. Frazee

"Mountain Love"-C. Knapp
"Transcendence"-H. Seggerman
"Crab Louis"-W. Salge
"Like The Stars, Forever"-R. Kobald
"Horse"-T. Sorenson
"Red Legged Frog"-P. Park
"Seahorse"-C. Nesseth
"When Pigs Fly, Amelia's Jet Pack"-D. Lewis
"Bear, Lee, Standing"-G. Hovey
"Resplendent Fervor"-G. Mendez
"Sasquatch"-D. Lewis
"Form 941 (makette)"-H. Royer
"Heart of Music"-O. Obazee
"Cascade"-D. Mayne
"Dove Spirit"-D. Turner
"Counter Balance"-J. Satter
"Dystopia"-T. James and A. Demarais
"Parental Love"-D. Zeller
"Study 6"-H. Royer
"Unity"-H. Wall
"Miss Ellie"-J. Windell
"Paper Boy"-Leuning and Treeby
"Rocky"-H. Hoy
"White Step"-H. Linke
"Orbit"-D. Skora
"Jete Jete"-S. Bormes
Alternates
"Midnight Flicker"-L. Clark
"Rusted Melody"-A. Mendez
"A la Prairie"-Z. Bowman

"Flying Eagle"-E. Thorsen

"Urban Buffalo"-J. McKellar

"Drifter"-E. Thorsen

"Tiger Salamander"-P. Park

"Hats Off - Blown Away"-L. Badger

"Black & Red"-D. Skora

"Corkscrew"-P. Vader

"Poison Dart Frog"-E. Altman

"Emotion N Motion"-L. Starck

Date adopted: 02/20/18 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

A RESOLUTION APPROVING THE RELEASE OF A PERMANENT EASEMENT LOCATED IN LOT 40. 1, BLOCK 1A BROWN DRUG ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SD, AND THAT PART OF VACATED MALL AVE. LYING ADJACENT THERETO.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Rick Kiley to adopt said Resolution No. 16-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Rolwing, Marshall Selberg, Pat Starr, 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 16-18

A RESOLUTION APPROVING THE RELEASE OF A PERMANENT EASEMENT LOCATED IN LOT 1, BLOCK 1A BROWN DRUG ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SD, AND THAT PART OF VACATED MALL AVE. LYING ADJACENT THERETO.

WHEREAS, the City of Sioux Falls, SD, no longer needs the permanent 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 drainage easement was established by Resolution No. 34-99 and filed in Book 235 of Misc. on page 194 in the office of the Register of Deeds for Minnehaha County, SD, on May 27, 1999;

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

That it approves the release of the permanent easement area, as shown on attached Exhibit A, and affecting the real property described as Lot 1, Block 1A Brown Drug 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, SD, a duly certified transcript of this resolution.

Date adopted: 02/20/18 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

41. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING DIAGONAL PARKING ON SEVENTH ST.

A motion was made by Council Member Greg Neitzert and seconded by Council Member Rex Roling to adopt said Resolution No. 17-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 17-18

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING DIAGONAL PARKING ON SEVENTH ST.

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

That it approves the establishment of diagonal parking on the north side of Seventh St. between Weber Ave. and Nesmith Ave.

Date adopted: 02/20/18 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

42. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING DIAGONAL PARKING ON PHILLIPS AVE.

A motion was made by Council Member Greg Neitzert and seconded by Council Member Marshall Selberg to adopt said Resolution No. 18-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach,

Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, 7.
Noes, 0.

Motion Passed.

RESOLUTION NO. 18-18

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING DIAGONAL PARKING ON PHILLIPS AVE.

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

That it approves the establishment of diagonal parking on the east and west sides of Phillips Ave. from Second St. to the south for 500 feet.

Date adopted: 02/20/18 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

43. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING DIAGONAL PARKING ON DAKOTA AVE.

A motion was made by Council Member Rex Roling and seconded by Council Member Rick Kiley to adopt said Resolution No. 19-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, 7.
Noes, 0.

Motion Passed.

RESOLUTION NO. 19-18

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING DIAGONAL PARKING ON DAKOTA AVE.

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

That it approves the establishment of diagonal parking on the west side of Dakota Ave. between Sixth St. and Main Ave.

Date adopted: 02/20/18 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

44. A RESOLUTION APPROVING THE 2018 AUDIT PLAN.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Rick Kiley to adopt said Resolution No. 20-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Rolwing, Marshall Selberg, Pat Starr, 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 20-18

A RESOLUTION APPROVING THE 2018 AUDIT PLAN.

WHEREAS, the Audit Committee shall develop and submit to the City Council for approval an annual audit plan pursuant to Ordinance No. 120-05; and

WHEREAS, the Audit Committee has developed and approved such a plan for 2018;

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

That the document attached to and part of this resolution entitled 2018 Audit Plan, City of Sioux Falls, is hereby approved.

That the Internal Audit Manager is authorized to carry out the audits and other projects as described in the 2018 Audit Plan.

Date adopted: 02/20/18 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, PROVIDING THE CITY COUNCIL'S
45. DIRECTION REGARDING THE USE OF AVAILABLE CASH ON HAND TO BE USED TOWARD
REFUNDING THE 2007B SALES TAX REVENUE BONDS.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Rolwing to adopt said Resolution No. 21-18.

A motion was made by Council Member Rick Kiley and seconded by Council Member Michelle Erpenbach to amend Item 45 by replacing "\$3.3 million" to "\$1.5 million" in the last paragraph.

Vote to amend: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Marshall Selberg, Pat Starr, 6. Noes, Rex Rolwing, 1.

Motion Passed.

Vote to adopt, as amended: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Rolwing, Marshall Selberg, Pat Starr,

7. Noes, 0.

Motion Passed.

RESOLUTION NO. 21-18

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, PROVIDING THE CITY COUNCIL'S DIRECTION REGARDING THE USE OF AVAILABLE CASH ON HAND TO BE USED TOWARD REFUNDING THE 2007B SALES TAX REVENUE BONDS.

WHEREAS, the City Council desires to refinance the 2007B Sales Tax Revenue Bonds; and

WHEREAS, the City Council on February 13, 2018, adopted Ordinance No. 12-18, which authorized the issuance of its Sales Tax Revenue Refunding Bonds (bond ordinance); and

WHEREAS, the bond ordinance allows, but does not require, the use of \$3.3 million in unobligated available cash in the Sales Tax Fund to reduce the amount of new bonds issued; and

WHEREAS, the Director of Finance has asked the City Council to provide direction regarding its preference as to the use of the \$3.3 million in unobligated available cash; and

WHEREAS, the Council has considered the benefits of reducing the amount of City-bonded debt and other potential uses for the \$3.3 million in unobligated available cash;

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

The City Council hereby declares its preference for the Director of Finance to use \$1.5 million of the unobligated available cash toward the refunding transaction for the purpose of reducing the amount of refunding bonds to be issued.

Date adopted: 02/20/18 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

NOTICE OF HEARINGS FOR STREET VACATIONS

Set a hearing date for Tuesday, March 13, 2018, at 7 p.m. for Items 46 and 47:

A PROPOSED RESOLUTION VACATING A PORTION OF THE 66' SECTION LINE RIGHT-OF-46. WAY NORTH AND SOUTH OF THE EAST/WEST 1/4 LINE OF SECTIONS 2 AND 3, TOWNSHIP 101 NORTH, RANGE 49 WEST OF THE 5TH P.M., MINNEHAHA COUNTY, SD.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Rick Kiley to set a date of hearing for Tuesday, March 13, 2018, at 7 p.m. for Item 46.

Vote to set a date: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Rolwing, Marshall Selberg, Pat Starr, 7. Noes, 0.

Motion Passed.

A PROPOSED RESOLUTION VACATING THE E. 34TH ST. N. RIGHT-OF-WAY FROM THE 47. WEST RIGHT-OF-WAY LINE OF N BAHNSON AVE. TO THE WEST, A DISTANCE OF 1,037.90 FEET.

A motion was made by Council Member Rick Kiley and seconded by Council Member Rex Rolwing to set a date of hearing for Tuesday, March 13, 2018, at 7 p.m. for Item 47.

Vote to set a date: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Rolwing, Marshall Selberg, Pat Starr, 7. Noes, 0.

Motion Passed.

ADJOURNMENT

A motion was made by Council Member Pat Starr and seconded by Council Member Christine M. Erickson to adjourn at 8:30 p.m.

Mayor Mike T. Huether called for a voice vote. All members present voted yes.

Motion Passed.

Thomas M. Greco

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.