

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

REGULAR MEETING OF Tuesday, March 6, 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

Mayor Mike T. Huether

Council Member Rex Rolwing

Council Member Marshall Selberg

Council Member Pat Starr

Council Member Theresa Stehly

INVOCATION

Pastor Kirk Thorson, Living Word Free Lutheran Church

*

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Women in Construction Week - March 4-10, 2018

*

Spread the Word to End the Word - March 7, 2018

*

Sioux Empire Water Festival Days - March 13 and 14, 2018

*

RECOGNITION/AWARDS

SIOUXPERHERO Citizen Recognition Awards

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The SIOUXPERHERO Citizen Recognition Awards were presented to: Laurie

Fluit, Angela DeClerk, Clair Halverson, Jayme Nelson, and Tessica Severson

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

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

Vote to approve: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, 7. Noes, 0. Council Member Michelle Erpenbach was absent for the vote on this item.

Motion Passed.

MINUTES

Informational Meeting of Tuesday, February 20, 2018, at 4 p.m.

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City Council Meeting of Tuesday, February 20, 2018, at 7 p.m.

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Informational Meeting of Tuesday, February 27, 2018, at 4 p.m.

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Joint City Council/Minnehaha County Commission Meeting of Tuesday,
* February 27, 2018, at 5:30 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the March 2, 2018, memo.
2. Approval of the notice of change orders on the March 2, 2018, memo.

Communication was received from the Sioux Falls Irish Club requesting

3. permission to consume, but not sell, beer and wine at the Avera Prairie Center, 1000 E. 23rd St., on March 16, 2018, pursuant to SDCL 35-1-5.5 , for a reception to honor the 2018 St. Patrick's Day Parade Grand Marshall.

Communication was received from the Butterfly House & Aquarium requesting

4. permission to consume, but not sell, wine and malt beverages at the Butterfly House & Aquarium, 4320 S. Oxbow Ave. on March 22, from 5 p.m. - 6:30 p.m., pursuant to SDCL 35-1-5.5, for hosting a leadership mixer.

Communication was received from the Siouxland Heritage

Museums requesting permission to consume, but not sell, beer and

5. wine at the Old Courthouse Museum, 200 W. Sixth St. on April 6, 2018, from 5 p.m. - 7 p.m., pursuant to SDCL 35-1-5.5, for an exhibit opening reception.

Communication received from the Unity Lodge #130, A.F. & A.M., requesting

6. permission to consume, but not sell, beer and wine at 520 S. First Ave. on April 28, 2018, between 11 a.m. and 5 p.m., pursuant to SDCL 35-1-5.5, for a "Wine and Canvas" style event.

Communication received from the Unity Lodge #130, A.F. & A.M.,

7. requesting permission to consume, but not sell, beer and wine at 520 S. First Ave. on May 10, 2018, between 11 a.m. and 5 p.m., pursuant to SDCL 35-1-5.5, for an awards dinner.

Report of Requests for Quotes for Fuel dated: February 15, 2018; 11,250

8. Gallons each Dyed Diesel #1 & #2 ;Stern Oil (\$2.3185/DM#1 & \$1.9985/DM#2); Midway Service, Cole's Petroleum, Harms Oil, Howes Oil, CHS, Inc., and Olson Oil: All no bid. Bid awarded to: Stern Oil.

Report of Requests for Quotes for Fuel dated: February 21, 2018; 8,950 Gallons of

9. unleaded and 350 Gallons of 50/50 blend; Midway Service (\$2.0037 for 8,500 of unleaded, \$2.0700 for 450 of unleaded and \$2.2600 for 350 of 50/50 blend); Cole's Petroleum (\$2.0156 for 8,500 gallons of unleaded - no bid on other); Stern Oil (\$2.1225 for 8,500 of unleaded, \$2.2025 for 450 of unleaded and \$2.6476 for 350 of 50/50 blend Harms Oil, Howes Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Midway Service.

Report of Requests for Quotes for Fuel dated: February 22, 2018; #1 and #2 Clear Diesel; 7,500 Gallons; CHS, Inc. (#1 Clear Diesel \$2.585 and #2 Clear

10. Diesel \$2.345); Harms Oil (#1 Clear Diesel \$2.571 and #2 Clear Diesel \$2.3476); Howes Oil, and Midwest Oil, both no bid. Bid awarded to: Harms Oil.

Report of Requests for Quotes for Fuel dated: February 23, 2018; 7,500 Gallons

11. of Dyed Diesel # 1 and 7,500 Gallons of Dyed Diesel # 2; Cole's Petroleum: (\$2.3650 for Dyed Diesel # 1 and \$2.1075 for Dyed Diesel # 2); Stern Oil: (\$2.2868 for Dyed Diesel # 1 and \$2.1026 for Dyed Diesel # 2); Midway Service, Harms Oil, Howes Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Stern Oil.

Report of Requests for Quotes for Fuel dated: February 26, 2018; 8,500 Gallons

12. of Unleaded; Midway Service (\$2.0685); Cole's Petroleum (\$2.0782); Stern Oil (\$2.1353); Harms Oil, Howes Oil, CHS, Inc. and Olson Oil, all no bid. Bid awarded to: Midway Service.

APPLICATIONS

Special One-Day Malt Beverage and Special One-Day Wine Licenses for

13. Catering America, Chef Dominique's Catering to be operated at the Old Courthouse Museum, 200 West 6th Street, for a wedding reception on October 6, 2018.

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:

City of Sioux Falls, 224 West Ninth Street, Parcel # 28629, for 2017

14. property taxes in the amount of \$164.38. Reason: Property is exempt from the tax.
15. City of Sioux Falls, 224 West Ninth Street, Parcel 37583, for 2017 property taxes in the amount of \$107.29. Reason: Property is exempt from the tax.
16. City of Sioux Falls, 224 West Ninth Street, Parcel 37584, for 2017 property taxes in the amount of \$180.64. Reason: Property is exempt from the tax.

South Dakota Department of Transportation, 700 E. Broadway Avenue, Pierre,
17. SD, Parcel 44201, for 2017 property taxes in the amount of \$818.84. Reason:
property is exempt from the tax.

South Dakota Department of Transportation, 700 E. Broadway Avenue, Pierre,
18. SD, Parcel # 44202, for 2017 property taxes in the amount of \$1,552.24.
Reason: property is exempt from the tax.

Items 19 through 24: The amount requested is the difference between the elderly
freeze and the non-elderly freeze.

19. Berton Perryman, 6201 W. Essex Drive, Parcel 51850, for 2017 property taxes
in the amount of \$292.82.

20. Carole Pagones, 3612 S. Bahnson, Parcel #59354, for 2017 property taxes in
the amount of \$457.19.

21. David Larson, 822 North Spring, Parcel 39381, for 2017 property taxes in
the amount of \$942.36.

22. Duane Ness, 1224 East 6th Street, Parcel #38395, for 2017 property taxes in
the amount of \$253.44.

23. Marlin Erickson, 1708 South Ester Drive, Parcel #36235, for 2017 property
taxes in the amount of \$267.00.

24. Charlotte Hanson, 3608 E. 24th Street, Parcel # 36198, for 2017 property
taxes in the amount of \$272.49.

The following abatements were recommended for denial by the Director of
Equalization:

Char Roth, 709 N. Blue Bell Lane, Parcel #86828, for 2017 taxes in the
25. amount of \$2,335.49. Reason: Equalization did not receive an owner
occupied application for this taxpayer.

Charles Geurts, 7808 W. Vista Park Street, Parcel #86746, for 2017
26. property taxes in the amount of \$1,090.28. Reason: Equalization did
not receive an owner occupied application for this taxpayer.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, March 20, 2018, at 7 p.m. for Items 27-29:

27. New 2017-18 Package Malt Beverage License for Bwengbugal Matembera &
Cynthia Yeanay, Glo Mini Market, 1300 West 12th Street (CUP not required).

Transfer of 2017-18 Package Malt Beverage License from Berenise Garcia-
28. Navarett & Alberto Carranza, Mi Casa Latina Mexican Store, 809 South Marion
Road, to Mi Casa Latina Mexican Store LLP, Mi Casa Mexican Store, 809 South
Marion Road (CUP not required).

Special One-Day Malt Beverage License for Sioux Falls Cyclones Inc., to be
29. operated at Riverdale Park, 2000 East 24th Street, for a fundraiser run on
April 7, 2018.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

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

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

Motion Passed.

PUBLIC INPUT

Heather Pastor spoke about being homeless.

Bruce Danielson spoke about the "Strong Towns" presentation held this weekend.

Nick Weiland spoke about noise decibel standards in the downtown area.

Scott Ehrisman spoke about noise decibel standards; soundproofing requirements; asking questions in public settings; lawsuits against local builders; and requirements for placement on election ballots.

Mike Yaeger spoke about noise decibel standards in the downtown area.

Sierra Broussard spoke about expressing support for downtown businesses and about noise decibel standards in the downtown area.

Jeff Hazard spoke about the Sioux Falls noise ordinances in comparison to other cities; the impacts and effects of hearing loss on an individual; and the noise decibel standards in the downtown area.

David Zokaites spoke about his former campaign for Mayor of Sioux Falls.

Christopher Reistroffer spoke about the noise decibel standards in the downtown area and about the culture in the downtown area.

Ileana Perez spoke about the Icon Lounge hosting Latino events during the month and about the noise decibel standards in the downtown area.

Jacob Carmeletti spoke about the noise decibel standards in the downtown area and about living in the downtown area.

Ellory Krieger spoke about supporting the Icon Lounge and living in the downtown area.

Will Wilcox spoke about living in the downtown area and enforcing the ordinances regarding noise decibel standards.

Robert Gregerscheck spoke about the future of listening to music in the downtown area.

Matthew Mika spoke about the impact an ordinance change would have on other music, arts, and entertainment venues in the city.

Xavier Pastrano spoke about the changes in downtown Sioux Falls and about local venues boosting the local economy.

Jesse Rierson spoke about enforcement by Animal Control; the city ordinances regarding exotic pets; and the ordinances restricting the number of pets and owner can have.

Jarod Kimball spoke about enforcement by Animal Control and the city ordinances regarding exotic pets.

Tim Stanga spoke about the noise decibel standards downtown and whether or not any ordinance changes will be city wide.

Jarod Pomranky spoke about complaints coming as a result of much louder venues vs. the regular type of music venues.

Kyle Rogers spoke about a recap of noise decibel standards that were discussed by previous speakers.

Nick Dinsmore spoke about the cultural benefits of living in Sioux Falls.

Adam Ellsworth spoke about controlling decibel levels within a facility and requesting an analysis be done on the baseline decibels in the downtown areas.

UNFINISHED BUSINESS

Transfer of 2018 Retail Wine License from Max Nguyen, Nails Art, 5012 South
30. 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.

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

New 2018 Retail Wine License for Nelson Operating Company, Northstar Grill
32. & Pub, 4305 West 61st Street North (full services restaurant; CUP not
required). Pending final inspections per Fire, Health and Building
Services.

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

New 2017-18 Retail Malt Beverage License for Myers LLC, Myers Deli, 221
34. South Phillips Avenue (CUP not required). Pending final inspections
per Health.

35. New 2018 Retail Wine License for Myers LLC, Myers Deli, 221 South Phillips
Avenue (CUP not required). Pending final inspections per Health.

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

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

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

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

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

Special One-Day Malt Beverage and Special One-Day Wine Licenses for
40. 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.

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

Special One-Day Wine License for Siouxland Heritage Museums to be operated
42. 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
43. 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
44. 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
45. 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
46. Falls Jazz & Blues Society to be operated at Yankton Trail Park, 3901 South
Minnesota Avenue, for JazzFest on July 20 and 21, 2018.

A motion was made by Council Member Rex Roling and seconded by Council Member
Christine M. Erickson to approve Items 30 through 46.

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

Motion Passed.

INTRODUCTION AND ADOPTION OF ORDINANCES

2ndReading: 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-
47. 1 LIGHT INDUSTRIAL DISTRICT TO THE C-4 COMMERCIAL-REGIONAL DISTRICT, PETITIO
N
NO. 7972-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FAL
LS.
Planning Commission recommends approval (8-0).

A motion was made by Council Member Rex Roling and seconded by Council Member
Michelle Erpenbach to adopt said Ordinance No. 15-18.

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

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SOUTHWEST CORNER OF E. 18TH ST. AND S. DARRYL PL. 48. FROM THE 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 Rex Roling and seconded by Council Member Marshall Selberg to adopt said Ordinance No. 16-18.

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

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 5600 W. UNIVERSITY TRL. FROM THE RD-1 TWIN HOME/DUPLEX 49. 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 Greg Neitzert and seconded by Council Member Rex Roling to adopt said Ordinance No. 17-18.

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

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 3015 S. MINNESOTA AVE. FROM THE C-3 COMMERCIAL-COMMUNITY 50. DISTRICT TO 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 Christine M. Erickson and seconded by Council Member Rex Roling to adopt said Ordinance No. 18-18.

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

Motion Passed.

2ndReading: 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 51. THE I-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, 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 adopt said Ordinance 19-18.

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

Motion Passed.

2ndReading: 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 52. THE AG 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 Rex Roling and seconded by Council Member Christine M. Erickson to adopt said Ordinance No. 20-18.

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

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 30: CITY COUNCIL, 53. 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 Theresa Stehly to adopt said Ordinance No. 21-18.

A motion was made by Council Member Pat Starr and seconded by Council Member Theresa Stehly to amend by adding "and any lawsuit filed in circuit court against the City of Sioux Falls" at the end of subsection (b). The amended sentence would read: "The city attorney shall deliver to the city council, within seven days of its receipt, a copy of any notice of intent to sue which is received by the city pursuant to SDCL 3-21 and any lawsuit filed in circuit court against the city of Sioux Falls."

Vote to amend: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Marshall Selberg, Pat Starr, Theresa Stehly, 7. Noes, Rex Roling, 1.

Motion Passed.

Vote to adopt, as amended: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Marshall Selberg, Pat Starr, Theresa Stehly, 7. Noes, Rex Roling, 1.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, March 13, 2018, at 7 p.m. for Item 54:

54. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, DECLARING CERTAIN REAL PROPERTY OF THE CITY SURPLUS AND APPROVING OFFER TO PURCHASE.

A motion was made by Council Member Rex Roling and seconded by Council Member Christine M. Erickson to set a date of hearing and 2nd Reading for Tuesday, March 13, 2018, at 7 p.m. for Item 54.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, March 13, 2018, at 7 p.m. for Item 55:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE MAYOR TO ENTER INTO A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND BEDROCK DEVELOPMENT, LLC, ALONG WITH OTHER DOCUMENTS, AMENDMENTS, OR OTHER INSTRUMENTS AS MAY BE DEEMED NECESSARY AND APPROPRIATE CONSISTENT WITH THE DEVELOPMENT AGREEMENT.

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 13, 2018, at 7 p.m. for Item 55.

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

Motion Passed.

HEARINGS AND RESOLUTIONS

56. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF DALCO ADDITION.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rex Roling to adopt said Resolution No. 22-18.

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

Motion Passed.

RESOLUTION NO. 22-18

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF [DALCO ADDITION].

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

That the preliminary plan of [Dalco Addition] to the City of Sioux Falls, [Lincoln] County, SD, is hereby approved, and the City Clerk of the City of Sioux Falls is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Date adopted: 03/06/18 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

57. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF NORTH RIDGE ADDITION.

A motion was made by Council Member Greg Neitzert and seconded by Council Member Marshall Selberg to adopt said Resolution No. 23-18.

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

Motion Passed.

RESOLUTION NO. 23-18

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF [NORTH RIDGE ADDITION].

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

That the preliminary plan of [North Ridge Addition] to the City of Sioux Falls, [Lincoln] County, SD, is hereby approved, and the City Clerk of the City of Sioux Falls is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Date adopted: 03/06/18 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND GREAT BEAR RECREATION PARK, INC. FOR THE MANAGEMENT OF THE

GREAT BEAR RECREATION PARK ("GREAT BEAR"), INCLUDING AN ALPINE SKIING FACILITY, GREAT BEAR LODGE, AND ALL OTHER GREAT BEAR FACILITIES.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Christine M. Erickson to adopt said Resolution No. 24-18.

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

Motion Passed.

RESOLUTION NO. 24-18

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND GREAT BEAR RECREATION PARK, INC. FOR THE MANAGEMENT OF THE GREAT BEAR RECREATION PARK ("GREAT BEAR"), INCLUDING AN ALPINE SKIING FACILITY, GREAT BEAR LODGE, AND ALL OTHER GREAT BEAR FACILITIES.

WHEREAS, the City of Sioux Falls (the "City") and Great Bear Recreation Park, Inc. (the "Manager") find that it is in the best interest of the people of the city of Sioux Falls, the Manager, and Great Bear that an Agreement be continued between the City and Manager, whereby the Manager shall continue to operate, manage, maintain, plan, and develop Great Bear Recreation Park, including the Alpine skiing facility owned by the City and management of a year-round public use of the Great Bear lodge and all other Great Bear facilities; and

WHEREAS, by virtue of its purpose and interests, the Manager is best qualified to the overall management and operation of Great Bear Recreation Park; and

WHEREAS, the Manager and the City find that it is in both parties' best interests that a five-year contract be now executed and subsequently entered into;

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 documents attached to and part of this resolution entitled "Management Agreement for Operation of Great Bear Recreation Park," being a five-year agreement for the Manager to manage the Great Bear Recreation Park, is hereby approved.

That the Mayor is authorized to sign such Agreement after it is ratified and executed by the Manager.

Date adopted: 03/06/18 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

REPORT OF OFFICERS/BOARDS/COMMITTEES/TRANSFERS OF UNENCUMBERED APPROPRIATION BALANCES AMONG PROGRAMS WITHIN A DEPARTMENT OR ORGANIZATIONAL UNIT AS PROVIDED IN THE SIOUX FALLS CITY CHARTER SECTION 5.07(d)

59. REPORT OF THE MARCH 2, 2018, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

ADJOURNMENT

A motion was made by Council Member Rex Rolwing and seconded by Council Member Michelle Erpenbach to adjourn the meeting at 9:37 p.m.

Council Chair Rick Kiley called for a voice vote, all members voted yes.

Motion Passed.

Tamara Jorgensen, 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.