

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

REGULAR MEETING OF Wednesday, May 2, 2018, at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT ABSENT

Council Member Marshall Selberg

Council Member Pat Starr

Council Member Christine M. Erickson

Council Member Michelle Erpenbach Council Member Theresa Stehly

Council Member Rick Kiley

Council Member Greg Neitzert

Council Member Rex Roling

Mayor Mike T. Huether

INVOCATION

Jeff Aegerter, Direct Line Prayer Partner

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PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Day of Prayer - May 3, 2018

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Bike Month - May, 2018

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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: Multimedia Support, Carnegie Town Hall Broadcast Equipment Upgrade, Provide equipment, labor, supplies to install & program, AVI Systems, Inc. \$290,792.

A motion was made by Council Member Pat Starr and seconded by Council Member

Michelle Erpenbach to approve the Consent Agenda.

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

Motion Passed.

#### MINUTES

Informational Meeting of Tuesday, April 17, 2018, at 4 p.m.

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City Council Meeting of Tuesday, April 17, 2018, at 7 p.m.

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Joint City Council/Minnehaha County Commission Meeting of Tuesday,  
\* April 24, 2018, at 4 p.m.

Informational Meeting of Tuesday, April 24, 2018, at 4:30 p.m.

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#### COMMUNICATIONS

1. Approval of contracts/agreements on the April 27, 2018, memo.
2. Approval of the notice of change orders on the April 27, 2018, memo.

Communication received from the Great Plains Zoo & Delbridge Museum of Natural History requesting permission to consume, but not sell, liquor,  
3. wine, and/or malt beverages at 805 South Kiwanis Avenue, pursuant to SDCL 35-1-5.5, on Friday, June 1, 2018, from 5 p.m. - 9 p.m. for an appreciation event at the Zoo.

Report of Requests for Quotes for Fuel dated: April 11, 2018; 7,500 Gallons #

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Dyed Diesel; 175 Gallons #1 Clear Diesel; 175 Gallons #2 Clear Diesel; 500 Gallons Unleaded Ethanol; Midway Service (\$2.1694 #2 Dyed Diesel; \$2.5944 #1 Clear Diesel; \$2.5194 #2 Clear Diesel; \$2.2677 Unleaded Ethanol); Cole's  
4. Petroleum (\$2.142 #2 Dyed Diesel, No Bid on #1 & #2 Clear Diesel & Unleaded Ethanol); Howes Oil (\$2.1760 #2 Dyed Diesel; \$2.6625 #1 Clear Diesel; \$2.5625 #2 Clear Diesel, ; \$2.2677 Unleaded Ethanol); Stern Oil (\$2.2089 #2 Dye

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Diesel; No Bid on #1 & #2 Clear Diesel & Unleaded Ethanol. Harms Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: #2 Dyed Diesel Cole's Petroleum, #1 & #2 Clear Diesel & Unleaded Ethanol Midway Service.

Report of Requests for Quotes for Fuel dated: April 12, 2018; 7,500 Gallons of #2 Dyed Diesel; Midway Service (\$2.1965); Cole's Petroleum  
5. (\$2.1693); Howes Oil (\$2.18); Stern Oil (\$2.1977); CHS, Inc. (\$2.225). Harms Oil and Olson Oil, both no bid. Bid awarded to: Cole's Petroleum.

Report of Requests for Quotes for Fuel dated: April 13, 2018; 8,500 Gallons o

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6. Unleaded Ethanol; Midway Service: (\$2.1899); Cole's Petroleum (\$2.1919); Stern Oil (\$2.221). Harms Oil, Howes Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Midway Services.

Report of Requests for Quotes for Fuel dated: April 16, 2018; 22,500 Gallons

7. of #2 Dyed Diesel; Midway Service (\$2.1965); Cole's Petroleum (\$2.1826); Howes Oil (\$2.182 & \$2.192). Harms Oil, Stern Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Cole's Petroleum.

Report of Requests for Quotes for Fuel dated: April 20, 2018; 8,500 Gallons of Unleaded Ethanol; Midway Service (\$2.2166); Cole's Petroleum (\$2.2276)

8. Harms Oil (\$2.2384); Stern Oil: (\$2.2527); Howes Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Midwest Service.

Report of Requests for Quotes for Fuel dated: April 23, 2018; 19,00 Gallons of 50/50 blend of #1 Dyed Diesel & #2 Dyed Diesel; 1,300 Gallons of #1 Dyed Diesel; Midway Service (\$2.3642 of 50/50 & \$2.4350 of #1);

9. Cole's Petroleum (\$2.6150 of 50/50 & #1); Howes Oil (\$2.390 of 50/50 & \$2.4790/ of #1); Stern Oil (\$2.3695 of 50/50 & \$2.3970 of #1). Harms Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Midway Service for 50/50 & Stern Oil for #1.

Report of Requests for Quotes for Fuel dated: April 4, 2018; 7,500 Gallons 25/75 Blend #1 and #2 Clear Diesel; Harms Oil (\$2.6716 #1

10. Clear Diesel and \$2.5231 #2 Clear Diesel); Howes Oil (\$2.675 #1 Clear Diesel and \$2.4965 #2 Clear Diesel); CHS, Inc. (No bid on #1 Clear diesel and \$2.519 #2 Clear Diesel \$2.519). Midwest Oil, no bid. Bid awarded to: Howes Oil Co Inc.

#### APPLICATIONS

11. Various Retail Malt Beverage renewals for 2018-19 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit B.

Special One-Day Liquor Licenses for Washington Pavilion Management Inc.,

12. Washington Pavilion of Arts and Sciences, 301 South Main Avenue, for special events on May 7, June 7, June 16, July 7, July 21, and October 6, 2018.

Special One-Day Liquor License for Ovations Food Services LP, Sioux Falls

13. Convention Center to be operated at the Sioux Falls Orpheum Theater, 315 North Phillips Avenue, for a Magic Men show on May 19, 2018.

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, May 15, 2018, at 7 p.m. for Items 14 through 21:

New 2018 Retail Liquor License for Main and Main LLC, Courtyard by

14. Marriott, 4300 West Empire Place (CUP not required; this is an addition to an existing license).

New 2018-19 Retail Malt Beverage License, with video lottery terminals, for

15. Lida Investment Corp, Easy Dough Casino, 2309 West 12th Street (CUP not required, this is an addition to an existing license).

New 2018-19 Retail Malt Beverage License for Leslie Reyes, Jacky's Burrito

16. Express, 2315 West 12th Street, with Conditional Use Permit (7632-2017) being approved on December 6, 2017.

New 2017-18 Retail Malt Beverage License for Siwakoti Brothers LLC,

17. Himalayan Indian Cuisine, 5310 East Arrowhead Parkway (CUP not required; full service restaurant).

New 2018 Retail Wine License for Siwakoti Brothers LLC, Himalayan Indian  
18. Cuisine, 5310 East Arrowhead Parkway (CUP not required; full service  
restaurant).

Special One-Day Malt Beverage License for Full Circle Sandwich Kitchen LLC,  
19. Bread & Circus Sandwich Kitchen to be operated at Riverdale Park, 2000 East  
24th Street, for a Bean Bag Tournament on May 27, 2018.

Special One-Day Liquor License for TNT Entertainment, Wiley's Tavern to be  
20. operated in the parking lot at 320 North Main Avenue, for a bike show/  
concert on June 9, 2018.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for  
21. Stockyards Ag Experience, Stockyards Ag Experience Barn, 301 East Falls  
Park Drive, for donor receptions on June 19 and 26, 2018.

#### 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, Pat Starr, Christine M. Erickson, Michelle  
Erpenbach, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, 7.  
Noes, 0.

Motion Passed.

#### PUBLIC INPUT

David Zokaites spoke about bike trail issues.

Steven Siano spoke about bicycles, his health issues, and religion.

Carlton Retzlaff thanked the City Council for their service.

Item 1 was heard at this time.

A motion was made by Council Member Pat Starr and seconded by Council Member  
Greg Neitzert to defer the following from Agenda Item 1: Multimedia Support,  
Carnegie Town Hall Broadcast Equipment Upgrade, Provide equipment, labor,  
supplies to install & program, AVI Systems, Inc. \$290,792 to the City Council  
Meeting on Tuesday, May 8, 2018, at 7 p.m.

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

Motion Passed.

#### UNFINISHED BUSINESS

Deferred from the City Council Meeting of Tuesday, April 17, 2018, at 7  
22. p.m.: Item 1; Entertainment Venues; Sioux Falls Stadium Improvements;  
Professional services agreement; Walker Consultants; \$67,500.

New 2017-18 Retail Malt Beverage License for Aashna LLC, Xtra Time Sports  
23. Bar, 4719 East Arrowhead Parkway, with Conditional Use Permit (8209-2018)  
being approved on April 4, 2018. Pending permit issuance and final

inspections per Fire, Health and Building Services.

- New 2018 Retail Wine License for Aashna LLC, Xtra Time Sports Bar, 4719 East Arrowhead Parkway, with Conditional Use Permit (8209-2018) being approved on April 4, 2018. Pending permit issuance and final inspections per Fire, Health and Building Services.

- New 2018-19 Retail Malt Beverage License for Urban Chislic LLC, Urban Chislic, 441 West 85th Street (full service restaurant; CUP not required). Pending permit issuance and final inspections per Fire, Health and Building Services.

- New 2018 Retail Wine License for Urban Chislic LLC, Urban Chislic, 441 West 85th Street (full service restaurant; CUP not required). Pending permit issuance and final inspections per Fire, Health and Building Services.

- New 2017-18 Retail Malt Beverage License for Lalibela Restaurant LLC, Lalibela Restaurant, 200 South Kiwanis Avenue (full service restaurant; CUP not required). Pending final inspections per Fire, Health and Building Services.

- Renewal of 2018-19 Retail Malt Beverage License for Lalibela Restaurant LLC, Lalibela Restaurant, 200 South Kiwanis Avenue. Pending final inspections per Fire, Health and Building Services.

- New 2018 Retail Wine License for Lalibela Restaurant LLC, Lalibela Restaurant, 200 South Kiwanis Avenue. Pending final inspections per Fire, Health and Building Services.

- New 2018 Retail Wine License for Heineman Hospitality Corp, Looks Meat Market, 6213 Old Village Place (CUP not required; this is an addition to an existing license).

- New 2018 Retail Wine License for Winetime on Main LLC, Winetime on Main, 330 South Main Avenue (CUP not required). Pending final inspections per Fire, Health and Building Services.

- New 2018-19 Retail Malt Beverage License for Granite City Restaurant Operations Inc., Granite City Food & Brewery, 2620 South Louise Avenue (CUP not required; this is an addition to an existing license).

- Transfer of 2018 Retail Liquor License from Speak E-Z, LLC, Speak E-Z LLC, 1 South Phillips Avenue, to T Slat Inc., JJ's Wine, Spirits & Cigars, 3000 West 57th Street, with Conditional Use Permit (6910-2017) being approved on July 5, 2017, with the effective date of the transfer being June 1, 2018, or upon completion of building construction. Pending final inspections per Fire, Health and Building Services.

- Transfer of 2018 Package Liquor License, from T Slat Inc., JJ's Wine, Spirits & Cigars, 4810 South Western Avenue, to T Slat Inc., JJ's Wine, Spirits & Cigars, 3000 West 57th Street, with Conditional Use Permit (6910-2017) being approved on July 5, 2017, and with the effective date of the transfer being June 1,

2018, or upon completion of building construction. Pending final inspections per Fire, Health and Building Services.

Special One-Day Malt Beverage License for Zoological Society of Sioux  
35. Falls, Great Plains Zoo & Delbridge Museum of National History, 805 South Kiwanis Avenue, for a special event on May 21, 2018.

Special One-Day Liquor Licenses for Great Bear Recreation Park Inc., Great  
36. Bear Recreation Park, 5901 East Rice Street, for wedding receptions on May 19, June 2, July 28 and October 12, 2018.

A motion was made by Council Member Greg Neitzert and seconded by Council Member Christine M. Erickson to approve Item 22.

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

Motion Passed.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rex Roling to approve Items 23 through 36.

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

Motion Passed.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

Deferred from the City Council Meeting of Tuesday, April 3, 2018:

37. 2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES FOR CHAPTER 156: FLOODPLAIN MANAGEMENT. Planning Commission recommends approval (6-0).

A motion was made by Council Member Rex Roling and seconded by Council Member Marshall Selberg to adopt said Ordinance No. 32-18.

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

Motion Passed.

Deferred from the City Council Meeting of Tuesday, April 3, 2018:

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE  
38. CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 160: ZONING, SUBCHAPTER: ON-PREMISES SIGN REGULATIONS. Planning Commission recommends approval (6-0).

A motion was made by Council Member Rick Kiley and seconded by Council Member Greg Neitzert to adopt said Ordinance No. 33-18.

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

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE  
39. CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 160: ZONING, SUBCHAPTER:  
PARKING REGULATIONS. Planning Commission recommends approval (5-0).

A motion was made by Council Member Marshall Selberg and seconded by Council  
Member Rick Kiley to adopt said Ordinance No. 34-18.

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

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY  
LOCATED EAST OF N. CLIFF AVE., NORTH OF E. 29TH ST. N., AND SOUTH OF E. 34TH  
ST.  
40. N. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL-SUBURBAN AND RA-1 APARTMENT  
RESIDENTIAL-LOW DENSITY DISTRICTS TO THE RS SINGLE-FAMILY RESIDENTIAL-SUBURB  
AN  
DISTRICT, NO. 8170-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF  
SIOUX FALLS. Planning Commission recommends approval (5-0).

A motion was made by Council Member Rex Roling and seconded by Council Member  
Rick Kiley to adopt said Ordinance No. 35-18.

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

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING  
PROPERTY LOCATED NORTH OF W. 12TH ST. AND WEST OF S. ELLIS RD. FROM THE AG  
41. AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN DISTRICT,  
NO. 8173-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX  
FALLS. Planning Commission recommends approval (5-0).

A motion was made by Council Member Greg Neitzert and seconded by Council  
Member Rex Roling to adopt said Ordinance No. 36-18.

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

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING  
PROPERTY LOCATED NORTH OF E. 77TH ST. AND EAST OF S. CLIFF AVE. FROM THE S-  
42. 2 INSTITUTIONAL CAMPUS PLANNED UNIT DEVELOPMENT DISTRICT TO THE RA-  
3 APARTMENT RESIDENTIAL-HIGH DENSITY DISTRICT, NO. 8186-2018, AND AMENDING  
THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission  
recommends approval (5-0).

A motion was made by Council Member Christine M. Erickson and seconded by  
Council Member Marshall Selberg to adopt said Ordinance No. 37-18.

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

Noes, 0.

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED SOUTH OF W. 69TH ST. AND WEST OF S. TALLGRASS AVE. FROM THE S-2 INSTITUTIONAL CAMPUS PLANNED UNIT DEVELOPMENT AND C-4 COMMERCIAL-REGIONAL 43. DISTRICTS TO THE S-1 GENERAL INSTITUTIONAL, S-2 INSTITUTIONAL CAMPUS PLANNED UNIT DEVELOPMENT, C-4 COMMERCIAL-REGIONAL, CN CONSERVATION, AND REC RECREATION DISTRICTS, NO. 8201-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

A motion was made by Council Member Rex Rolwing and seconded by Council Member Christine M. Erickson to adopt said Ordinance No. 38-18.

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

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 309 S. JOLIET AVE. FROM THE C-2 COMMERCIAL-NEIGHBORHOOD 44. AND STREETCAR DISTRICT TO THE S-1 GENERAL INSTITUTIONAL DISTRICT, NO. 8206-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Michelle Erpenbach to adopt said Ordinance No. 39-18.

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

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED SOUTH OF W. 69TH ST. AND WEST OF S. SUNDOWNER AVE. FROM THE 45. AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN, RD-1 TWIN HOME/DUPLEX RESIDENTIAL-SUBURBAN, AND CN CONSERVATION DISTRICTS, NO. 8212-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

A motion was made by Council Member Rex Rolwing and seconded by Council Member Michelle Erpenbach to adopt said Ordinance No. 40-18.

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

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 196 1/2 E. 6TH ST. FROM THE I-2 HEAVY INDUSTRIAL 46. DISTRICT TO THE DTPUD DOWNTOWN PLANNED UNIT DEVELOPMENT AND REC RECREATION DISTRICTS, NO. 8213-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY



OF SIOUX FALLS. Planning Commission recommends approval (5-0).

A motion was made by Council Member Rick Kiley and seconded by Council Member Rex Rolwing to adopt said Ordinance No. 41-18.

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

Motion Passed.

Mayor Mike Huether passed the gavel to Council Chair Rick Kiley. Mayor Mike Huether left the meeting at this time.

Set a date of hearing and 2nd Reading for Tuesday, May 8, 2018, at 7 p.m. for Item 47:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE  
47. OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 51: UTILITY RATES AND  
CHARGES, PERTAINING TO WATER CUSTOMERS OUTSIDE THE CITY OF SIOUX  
FALLS.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Michelle Erpenbach to set a date of hearing and 2nd Reading for Tuesday, May 8, 2018, at 7 p.m. for Item 47.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, May 8, 2018, at 7 p.m. for Item 48:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE  
48. JOINT POWERS AGREEMENT WITH THE CITY OF TEA FOR USE OF THE SIOUX FALLS  
REGIONAL WASTEWATER SYSTEM.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Marshall Selberg to set a date of hearing and 2nd Reading for Tuesday, May 8, 2018, at 7 p.m. for Item 48.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, May 8, 2018, at 7 p.m. for Item 49:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE  
49. OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 124: TRANSPORTATION SERVICES,  
SUBCHAPTER: GENERAL PROVISIONS, TO ALLOW CASH TIPS TO BE ACCEPTED BY  
TRANSPORTATION NETWORK COMPANY DRIVERS.

A motion was made by Council Member Greg Neitzert and seconded by Council Member Marshall Selberg to set a date of hearing and 2nd Reading for Tuesday, May 8, 2018, at 7 p.m. for Item 49.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, May 8, 2018, at 7 p.m. for Item 50:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE 50. CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 124: TRANSPORTATION SERVICES, SUBCHAPTER: GENERAL PROVISIONS, TO ALLOW BUSINESS DECALS OR MARKINGS ON PASSENGER SERVICE VEHICLES.

A motion was made by Council Member Greg Neitzert and seconded by Council Member Marshall Selberg to set a date of hearing and 2nd Reading to Tuesday, May 8, 2018, at 7 p.m. for Item 50.

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

Motion Passed.

#### HEARINGS AND RESOLUTIONS

51. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF A SCULPTURE ON PUBLIC PROPERTY.

A motion was made by Council Member Rex Roling and seconded by Council Member Michelle Erpenbach to adopt said Resolution No. 40-18.

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

Motion Passed.

#### RESOLUTION NO. 40-18

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF A SCULPTURE ON PUBLIC PROPERTY.

WHEREAS, the City of Sioux Falls intends to place a City-owned bronze sculpture known as "When Buffalo Roamed" by artist Jerry McKellar, Washington, and selected by citizens as the 2017 SculptureWalk People's Choice Award; and

WHEREAS, the sculpture measures approximately 83" in height, 30" in width, and 24" in length and depicts a single life-like figure of a Native American man standing upon rocks. His dress includes beaded leather shoes, leather pants with fringe, and a beaded tunic with cape draped around his shoulders, with three feathers protruding from his swept back hair; and

WHEREAS, the proposed site placement for the "When Buffalo Roamed" sculpture be prominently displayed on a quartzite pedestal, with associated landscaping and lighting, located at 300 N. Minnesota Ave. at the north end of Van Eps Park, a city park; and

WHEREAS, as part of the Van Eps Park redevelopment project, the City of Sioux

Falls will be responsible for project costs associated with sculpture placement and installation and be included in the City's annual art conservation maintenance program; and

WHEREAS, the Sioux Falls Imagined-A Cultural Plan for a Vibrant and Prosperous City, and the Sioux Falls Visual Arts Commission, encourages and recommends the outdoor exhibition of public art in public places within Sioux Falls, SD; and

WHEREAS, both the Sioux Falls Visual Arts Commission and Parks and Recreation Board reviewed the proposed "When Buffalo Roamed" sculpture and placement on March 20 and April 17, 2018, respectively, and unanimously recommended approval for the sculpture and placement, as presented;

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

The "When Buffalo Roamed" sculpture and its placement at 300 N. Minnesota Ave. be approved as recommended.

Date adopted: 05/02/18 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

52. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF CHERRY LAKE RESERVE WEST ADDITION .

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rex Roling to adopt said Resolution No. 41-18.

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

Motion Passed.

RESOLUTION NO. 41-18

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF [CHERRY LAKE RESERVE WEST ADDITION ].

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

That the preliminary plan of [Cherry Lake Reserve West Addition ]to the City of Sioux Falls, [Minnehaha ] 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: 05/02/18 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

53. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF MEADOW VISTA ADDITION.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Greg Neitzert to adopt said Resolution No. 42-18.

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

Motion Passed.

RESOLUTION NO. 42-18

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

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

That the preliminary plan of [Meadow Vista Addition] to the City of Sioux Falls, [Minnehaha ] 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: 05/02/18 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

54. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF GALWAY VILLAGE ADDITION.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Michelle Erpenbach to adopt said Resolution No. 43-18.

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

Motion Passed.

RESOLUTION NO. 43-18

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

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

That the preliminary plan of [Galway Village 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: 05/02/18 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

55. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF SANFORD RESEARCH PARK ADDITION.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Christine M. Erickson to adopt said Resolution No. 44-18.

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

Motion Passed.

RESOLUTION NO. 44-18

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF [SANFORD RESEARCH PARK ADDITION].

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

That the preliminary plan of [Sanford Research Park 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: 05/02/18 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE  
56. LIMITS OF THE CITY OF SIOUX FALLS, SD.

ANNEXATION 8133-2018-2001 and 1911 S. Ellis Rd.

A motion was made by Council Member Rex Rolwing and seconded by Council Member

Greg Neitzert to adopt said Resolution 45-18.

A motion was made by Council Member Pat Starr and seconded by Council Member Michelle Erpenbach to amend by changing the final paragraph to read as follows:

"And that the City Clerk shall cause to be filed with the Register of Deeds, Minnehaha County, SD, a duly certified transcript of this resolution on November 30, 2018".

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

Motion Passed.

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

Motion Passed.

RESOLUTION NO. 45-18

ANNEXATION 8133-2018-2001 and 1911 S. Ellis Rd.

A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SD.

WHEREAS, there has been presented to the City Council of the City of Sioux Falls and filed with the City Clerk, a Petition in writing signed by the owners and otherwise in compliance with the provisions of SDCLChapter 9-4, requesting that the territory hereinafter described be included within the municipality;

WHEREAS, there has been an analysis completed in regard to the territory hereinafter described and it has been found that:

1. The property has been properly described and is contiguous to the current city limits.
2. The proposed land uses and densities are generally consistent with the Shape Sioux Falls 2040 Comprehensive Plan.
3. There is access to the major street network along S. Ellis Rd.
4. Sewer is available to site immediately.
5. Water service is available to site immediately.

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

That the following described properties are and the same hereby are included within the corporate limits of the city of Sioux Falls, Minnehaha County, and the boundary of the city is hereby extended to include such territory.

The South 120' of the North 679' of the East 379.5' of the N1/2 of the NE1/4 of Section 28, Township 101 N, Range 50 W of the 5th P.M., Minnehaha County, SD, except County Auditor's Lot H-1 of the NE1/4NE1/4 of said Section 28-T101N-R50W of the 5thP.M., Minnehaha County, SD, and except Lot H-2 contained therein; AND

The South 120' of the North 799' of the East 379.5' of the N1/2 of the NE1/4 of Section 28, Township 101 N, Range 50 W of the 5th P.M., Minnehaha County, SD, except the East 50' road thereof; AND

Also including S. Ellis Rd. right-of-way; County Auditor's Lot H-1 of the NE1/4 of the NE1/4 of Section 28, Township 101 N, Range 50 W of the 5th P.M., Minnehaha County, SD; Lot H-2 in the South 120' of the North 679' of the East 379.5' of the N1/2 of the NE1/4 of Section 28, Township 101 N, Range 50 W of the 5th P.M., except County Auditor's Lot H-1 of the NE1/4 of the NE1/4 of Section 28, Township 101 N, Range 50 W of the 5th P.M., Minnehaha County, SD.

And that the City Clerk shall cause to be filed with the Register of Deeds, Minnehaha County, SD, a duly certified transcript of this resolution on November 30, 2018.

Date adopted: 05/02/18 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

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

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Michelle Erpenbach to adopt said Resolution No. 46-18.

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

Motion Passed.

RESOLUTION NO. 46-18

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
Justine Donaway	Commission on Human Relations	Appointed for a term from May 2018 to May 2023 (to replace Jim Larson).
Megan Grode-Wolters	Commission on Human Relations	Appointed for a term from May 2018 to May 2023 (to replace Henry Scere II).

Joshua Reinfeld	Disability Awareness Commission	Appointed for a term from May 2018 to May 2021 (to replace Joyce Heiser).
Richard Boesel	Mechanical Board of Appeals and Examiners	Reappointed for a term from May 2018 to May 2021.
Roger Nikolas	Mechanical Board of Appeals and Examiners	Reappointed for a term from May 2018 to May 2021.
Tracy Dahl-Webb	Zoological Society of Sioux Falls Board of Directors	Appointed for a term from May 2018 to April 2020 (to fill the unexpired term of Jeffrey Griggs).

Date adopted: 05/02/18 .

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)

58. REPORT OF THE APRIL 26, 2018, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN  
MAJOR ORGANIZATIONAL UNITS.

NEW BUSINESS

Council Chair Rick Kiley congratulated Mayor-Elect Paul TenHaken; At-Large-  
Elect Council Members Christine M. Erickson and Janet Brekke; and Central  
District-Elect Member Curt Soehl for their recent election victories.

ADJOURNMENT

A motion was made by Council Member Christine M. Erickson and seconded by  
Council Member Michelle Erpenbach to adjourn the meeting at 8:22 p.m.

Council Chair 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](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.