

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, October 9, 2018, at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

PRESENT

ABSENT

Council Member Pat Starr

Council Member Theresa Stehly

Council Member Janet Brekke

Council Member Christine M. Erickson

Council Member Rick Kiley

Council Member Greg Neitzert

Council Member Marshall Selberg

Council Member Curt Soehl

Mayor Paul TenHaken

INVOCATION

Reverend Brett Best, Emmanuel Baptist Church

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PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

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

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

Motion Passed.

MINUTES

Informational Meeting of Tuesday, October 2, 2018, at 4 p.m.

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Regular City Council Meeting of Tuesday, October 2, 2018, at 7 p.m.

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#### COMMUNICATIONS

1. Approval of contracts/agreements on the October 5, 2018, memo.

2. Approval of notice of change orders on the October 5, 2018, memo.

Report of Requests for Quotes for Fuel dated: September 27, 2018; 15,000

3. Gallons of #2 Dyed Diesel; Cole's Petroleum (\$2.4468); Harms Oil (\$2.4390); Howes Oil (\$2.4770); Stern Oil (\$2.4434); CHS, Inc., Midwest Service and Olson Oil, all no bid. Bid awarded to: Harms Oil.

Sioux Area Metro. Report of Requests for Quotes for Fuel dated: September

4. 27, 2018; 9,000 Gallons of #2 Clear Diesel; Harms Oil (\$2.7274); Howes Oil (\$2.759); CHS, Inc., Petroleum Traders and Midwest Oil, all no bid. Bid awarded to: Harms Oil.

Report of Requests for Quotes for Fuel dated: September 28, 2018; 750

5. Gallons of #2 Dyed Diesel; Midway Service (\$2.523); Howes Oil (\$2.6450); CHS, Inc., Olson Oil, Cole's Petroleum, Stern Oil, and Harms Oil, all no bid. Bid awarded to: Midway Service.

A communication was received from Sara Krekelberg on behalf of The Compass

6. Center requesting permission to consume, but not sell, wine and beer at The Compass Center, 1704 S. Cleveland Ave., Suite 3, on Thursday, November 1, 2018, for a Chamber of Commerce Ribbon Cutting.

#### 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.

A motion was made by Council Member Marshall Selberg and seconded by Council Member Christine M. Erickson to amend the Regular Agenda by moving Item 12 immediately before Item 7.

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

Motion Passed.

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

Motion Passed.

##### PUBLIC INPUT

Heather Pastor spoke about payees and landlords.

James Reed gave a rebuttal about a landlord, contacting the Mayor's Office and

continuing to move forward.

Item 12 was heard at this time. See item for action taken.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Monday, October 15, 2018, at 7 p.m., for Item 7:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, CONVEYING LOT 19, 7. EXCEPT LOT H1 CONTAINED THEREIN, AND LOT 20, EXCEPT LOT H1 CONTAINED THEREIN, ALL IN BLOCK 1 OF GREATER SIOUX FALLS ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SD.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Curt Soehl to set a date of hearing and 2nd Reading for Monday, October 15, 2018, at 7 p.m. for Item 7.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Monday, October 15, 2018, at 7 p.m., for Item 8:

8. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR AFFORDABLE HOUSING PROJECTS.

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 Monday, October, 15, 2018, at 7 p.m. for Item 8.

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

Motion Passed.

#### HEARINGS AND RESOLUTIONS

A RESOLUTION VACATING THE 14-FOOT ALLEY RIGHT-OF-WAY LYING WEST OF AND 9. ADJACENT TO LOTS 1-24 IN BLOCK 89 OF SIOUX FALLS IMPROVEMENT COMPANY'S ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SD.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rick Kiley to adopt said Resolution No. 95-18.

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

Motion Passed.

RESOLUTION NO. 95-18

A RESOLUTION VACATING THE 14-FOOT ALLEY RIGHT-OF-WAY LYING WEST OF AND ADJACENT TO LOTS 1-24 IN BLOCK 89 OF SIOUX FALLS IMPROVEMENT COMPANY'S ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SD.

WHEREAS, a petition to vacate city right-of-way has been filed by the owners of the following described property:

Lots 1-24 in Block 89 of Sioux Falls Improvement Company's Addition to the City of Sioux Falls, Minnehaha County, SD

WHEREAS, the hearing was held on October 9, 2018, and the petition has been duly examined and investigated by the City Council of the City of Sioux Falls. Testimony in support of said petition has been heard, and no opposition hereto was voiced. Said property, as shown upon the plats attached to and made a part of said petition, has been used as a street, alley, or public ground but no longer serves a useful public purpose.

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

That the 14-foot alley right-of-way lying west of and adjacent to Lots 1-24 in Block 89 of Sioux Falls Improvement Company's Addition to the City of Sioux Falls, Minnehaha County, SD, as shown on Exhibit A, be and the same hereby is declared vacated, 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.

Date adopted: 10/09/18 .

Paul TenHaken

Mayor

ATTEST:

Thomas M. Greco

City Clerk

A RESOLUTION VACATING THE S. EUCLID AVE. RIGHT-OF-WAY FROM THE SOUTH 10. RIGHT-OF-WAY LINE OF W. 11TH ST. TO THE NORTH RIGHT-OF-WAY LINE OF W. 12TH ST.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Janet Brekke to adopt said Resolution No. 96-18.

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

Motion Passed.

RESOLUTION NO. 96-18

A RESOLUTION VACATING THE S. EUCLID AVE. RIGHT-OF-WAY FROM THE SOUTH RIGHT-OF-WAY LINE OF W. 11TH ST. TO THE NORTH RIGHT-OF-WAY LINE OF W.12TH ST.

WHEREAS, a petition to vacate City right-of-way has been filed by the owners of the following described property:

West Half of Lots 16-18 in Block 1 of Covell's First Addition to Sioux Falls, Minnehaha County, SD

East 86 Feet of Lots 1-3 in Block 16 of Covell's First Addition to Sioux Falls, Minnehaha County, SD

Lot 15 in Block 1 of Covell's First Addition to Sioux Falls, Minnehaha County, SD

Railroad right-of-way located in the SE1/4 SW1/4 of Section 17, Township 101 North, Range 49 West of the 5th P.M., Minnehaha County, SD

WHEREAS, the hearing was held on October 9, 2018, and the petition has been duly examined and investigated by the City Council of the City of Sioux Falls. Testimony in support of said petition has been heard, and no opposition hereto was voiced. Said property, as shown upon the plats attached to and made a part of said petition, has been used as a street, alley, or public ground but no longer serves a useful public purpose.

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

That the S. Euclid Ave. right-of-way from the south right-of-way line of W. 11th St. to the north right-of-way line of W. 12th St. as shown on Exhibit A, be and the same hereby is declared vacated, and subject to an easement reserved by the City of Sioux Falls in, over, and upon such vacated property as shown on Exhibit A for access, drainage, sewer, water and gas mains, electric, telephone lines, cable TV, and all public utility uses required or authorized by the City of Sioux Falls, 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.

Date adopted: 10/09/18 .

Paul TenHaken

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)

11. REPORT OF THE SEPTEMBER 28, 2018, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

NEW BUSINESS

12. A MOTION TO PROVIDE ADVICE AND CONSENT FOR THE APPOINTMENT OF SHAWN PRITCHETT AS THE DIRECTOR OF FINANCE.

Mayor Paul TenHaken relinquished the chair and turned the meeting over to Council Chair Christine M. Erickson.

A motion was made by Council Member Rick Kiley and seconded by Council Member Marshall Selberg to provide advice and consent for the appointment of Shawn Pritchett as the Director of Finance.

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

Motion Passed.

ADJOURNMENT

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rick Kiley to adjourn at 7:41 p.m.

Mayor Paul TenHaken called for a voice vote. All members voted yes.

Motion Passed.

Denise D. Tucker, MMC

Assistant City Clerk

MEETING ASSISTANCE: UPON REQUEST, ACCOMMODATIONS FOR MEETINGS WILL BE PROVIDED FOR PERSONS WITH DISABILITIES. PLEASE CONTACT THE CITY CLERK'S OFFICE, CARNEGIE TOWN HALL, AT (605) 367-8080 (VOICE) OR (605) 367-7039 (TDD) 24 HOURS IN ADVANCE OF THE MEETING.

AS YOUR ELECTED REPRESENTATIVES, THE CITY COUNCIL VALUES YOUR INPUT AND FEEDBACK. WHEN THE CITY COUNCIL WILL ACT AS A DECISION-MAKER ON AN UPCOMING MATTER INVOLVING A LICENSE OR A PERMIT, PERSONS ARE ENCOURAGED TO PROVIDE WRITTEN COMMENTS TO THE ENTIRE CITY COUNCIL OR TO PROVIDE ORAL COMMENT AT THE PUBLIC MEETING WHEN THAT ITEM IS CONSIDERED BY THE ENTIRE CITY COUNCIL. THOSE WHO PROVIDE COMMENTS IN ANY MANNER SHOULD UNDERSTAND THAT THEIR COMMENTS MAY BECOME PART OF THE OFFICIAL RECORD AND SUBJECT TO REVIEW BY ALL PARTIES AND THE PUBLIC.

ADDRESSING THE COUNCIL: PUBLIC INPUT IS ALLOWED FOR ANY ITEM ON THE REGULAR AGENDA. NOTWITHSTANDING THE PRECEDING SENTENCE, THE PUBLIC INPUT PORTION AT THE START OF A CITY COUNCIL MEETING SHALL LAST NO MORE THAN 30 MINUTES AND WILL BE LIMITED TO TOPICS WHICH DO NOT INVOLVE THOSE REGULAR AGENDA ITEMS APPEARING LATER IN THE AGENDA AS PUBLIC INPUT WILL BE RECEIVED WHEN THAT ITEM IS UP FOR DISCUSSION. PERSONS ADDRESSING THE COUNCIL SHALL USE THE MICROPHONE AT THE PODIUM. PLEASE STATE YOUR NAME AND UNLESS FURTHER TIME IS GRANTED BY THE COUNCIL, SHALL BE LIMITED TO THREE 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.