

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, November 13, 2018, at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

PRESENT

ABSENT

Council Member Christine M. Erickson

Council Member Rick Kiley

Council Member Greg Neitzert

Council Member Marshall Selberg

Council Member Curt Soehl

Council Member Pat Starr

Council Member Theresa Stehly

Council Member Janet Brekke (arr. 7:01 p.m.)

Mayor Paul TenHaken

INVOCATION

Pastor Lars Olson, First Lutheran Church

\*

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Marshall Selberg and seconded by Council Member Curt Soehl to approve the Consent Agenda.

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

Motion Passed.

MINUTES

Informational Meeting of Monday, November 5, 2018, at 4 p.m.

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Regular City Council Meeting of Monday, November 5, 2018, at 7 p.m.

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COMMUNICATIONS

1. Approval of contracts/agreements on the November 9, 2018, memo.
2. Approval of notice of change orders on the November 9, 2018, memo.
3. A memorandum dated October 31, 2018, declaring surplus property.

Report of Requests for Quotes for Fuel dated: October 31, 2018; #1 Dyed Diese

1

(3,750 Gallons) & #2 Dyed Diesel (3,750 Gallons); Cole's Petroleum (\$2.6320 #

1

4. Dyed Diesel & \$2.3852 #2 Dyed Diesel); Midway Service, Harms Oil, Howes 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: November 1, 2018; 7,500 Gallons of

5. Unleaded Ethanol; Cole's Petroleum (\$2.0987); Midway Service, Harms Oil, Howes

s

Oil, Stern Oil, CHS, Inc., Olson Oil, all no bid. Bid awarded to: Cole's Petroleum.

Report of Requests for Quotes for Fuel dated: November 2, 2018; #1 Dyed Diese

1

(22,500 Gallons), # 1 Clear Diesel (314 Gallons) & #2 Clear Diesel (314 Gallons); Cole's Petroleum (\$2.5546 #1 Dyed Diesel, No Bid for #1 or #2 Clear

6. Diesel); Howes Oil (No Bid #1 Dyed Diesel, \$3.0225 #1 Clear Diesel and \$2.622

5

#2 Clear Diesel); Stern Oil (\$2.6195 #1 Dyed Diesel, \$3.0195 #1 Clear Diesel and \$2.8695 #2 Clear Diesel); Midway Service, Harms Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Cole's Petroleum for #1 Dyed Diesel an

d

Howes Oil for #1 Clear Diesel and #2 Clear Diesel.

Report of Requests for Quotes for Fuel dated: November 5, 2018; Unleaded Ethanol (7,500 Gallons); DEF (550 Gallons); Cole's Petroleum (\$2.0553

7. Unleaded, No Bid for DEF); Howes Oil (\$1.2990 DEF, No Bid for Unleaded Ethanol); Midway Service, Harms Oil, Stern Oil, CHS, Inc., and Olson Oil, all

no bid. Bid awarded to: Cole's Petroleum for Unleaded and Howes Oil for DEF.

8. Sioux Area Metro Report of Requests for Quotes for Fuel dated: November 6, 2018; 7,500 Gallons of 50/50 Blend of #1 and #2 Clear Diesel; Howes Oil (#1 Clear Diesel \$2.835 and #2 Clear Diesel \$2.5925); CHS, Inc., Harms Oil, Petroleum Traders, and Midwest Oil, all no bids. Bid awarded to: Howes Oil.

9. A communication was received from Cave Enterprises Operations LLC requesting permission to consume, but not sell, liquor, wine and/or malt beverages at The Old Courthouse Museum, 200 W. 6th St., on Monday, December 10, 2018, for a Leader's Christmas Party.

APPLICATIONS

Various Retail Liquor, Package Liquor, and Retail Wine License renewals  
10. for 2019 to be operated at various locations in the City of Sioux Falls,  
SD, identified as Exhibit B.

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

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

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

Motion Passed.

#### PUBLIC INPUT

Christopher "Living Man" Bruce spoke about his concerns and the dangers  
regarding 5G technology.

Janelle Cain spoke about her yard and the clearing of trees due to a Lifescape  
parking lot project.

Tim Stanga spoke about working with the City to get a couple of houses cleaned  
up in his neighborhood.

Sierra Broussard spoke about alleged incidents leading up to a recent  
suicide in the City and problems surrounding drug use in the City.

Bridget Myers spoke about her concerns regarding a proposal for senior  
apartments.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD,  
11. PROVIDING SUPPLEMENTAL APPROPRIATIONS. Highways & Streets  
(\$980,000).

A motion was made by Council Member Rick Kiley and seconded by Council Member  
Marshall Selberg to adopt said Ordinance No. 105-18.

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

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING  
12. PROVISIONAL SUPPLEMENTAL APPROPRIATIONS FOR SNOW REMOVAL OPERATIONS.  
Highways and Streets (\$1,000,000).

A motion was made by Council Member Pat Starr and seconded by Council Member  
Curt Soehl to adopt said Ordinance No. 106-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg  
Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet  
Brekke, 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 117:  
13. PEDDLERS AND VENDERS, SUBCHAPTER: Right-of-Way Allowances in the Central  
Business District; Generally TO ALLOW NATURAL GAS FIRE PITS IN FURNITURE  
ZONES.

A motion was made by Council Member Christine M. Erickson and seconded by  
Council Member Greg Neitzert to adopt said Ordinance No. 107-18.

A motion was made by Council Member Christine M. Erickson and seconded by Council  
Member Greg Neitzert to amend Section 117.079(b) by replacing "my" with "may" in  
the second sentence.

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

Motion Passed.

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

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING  
14. THE NAMING OF A FACILITY SPACE ON PUBLIC PROPERTY. "Papa John's Party  
Room 1" and "Papa John's Party Room 2" at the Midco Aquatic Center.

A motion was made by Council Member Rick Kiley and seconded by Council Member  
Marshall Selberg to adopt said Ordinance No. 108-18.

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

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE  
15. NAMING OF A FACILITY SPACE ON PUBLIC PROPERTY. "Sanford Health 50  
Meter Pool" and "Sanford Health Mezzanine" at Midco Aquatic Center.

A motion was made by Council Member Curt Soehl and seconded by Council Member  
Rick Kiley to adopt said Ordinance No. 109-18.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 4, 2018, at 7 p.m.  
for Item 16:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE  
16. OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 30: CITY COUNCIL, SUBCHAPTER:

ORGANIZATION AND PROCEDURE, SECTION 30.015, ADDRESSING THE COUNCIL; TIME LIMIT.

A motion was made by Council Member Janet Brekke and seconded by Council Member Greg Neitzert to set a date for Tuesday, December 4, 2018, at 7 p.m.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 11, 2018, at 7 p.m. for Item 17:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, EXTENDING THE 17. SURFACE AMBULANCE SERVICE FRANCHISE OF PARAMEDICS LOGISTICS SOUTH DAKOTA, LLC.

A motion was made by Council Member Curt Soehl and seconded by Council Member Rick Kiley to set a date for Tuesday, December 11, 2018, at 7 p.m.

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

Motion Passed.

#### HEARINGS AND RESOLUTIONS

18. A RESOLUTION AMENDING THE 2018-2022 CAPITAL PROGRAM.

A motion was made by Council Member Rick Kiley and seconded by Council Member Janet Brekke to adopt said Resolution No. 101-18.

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

Motion Passed.

RESOLUTION NO. 101-18

A RESOLUTION AMENDING THE 2018-2022 CAPITAL PROGRAM.

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

That the 2018-2022 Capital Program shall be amended as follows:

Public Works-Highways & Streets

Amend Capital Improvements Program Project No. 11006, Arterial Street Improvements, by increasing the amount of funding for Arterial Street Platting Fees by \$980,000 in 2018. The additional funding will require an increase in appropriations that will be funded by platting fees collected.

Date adopted: 11/13/18 .

Paul TenHaken

Mayor

ATTEST:

Thomas M. Greco

City Clerk

NOTICE OF HEARINGS FOR STREET VACATIONS

Set a hearing date for Tuesday, December 11, 2018, at 7 p.m. for Item 19:

A PROPOSED RESOLUTION VACATING THE S. EMERY AVE. RIGHT-OF-WAY FROM THE NORTH  
LINE OF LOT 2 BAKKEN'S ADDITION, IN GOVERNMENT LOT 2, SECTION 12, TOWNSHIP 1  
00  
19. NORTH, RANGE 51 WEST OF THE 5TH P.M., LINCOLN COUNTY, SD, TO THE CITY OF SIO  
UX  
FALLS TO LOTS 12 AND 13 BLOCK 1 OF GALWAY PARK ADDITION TO THE CITY OF SIOUX  
FALLS, LINCOLN COUNTY, SD, ACCORDING TO THE RECORDED PLAT THEREOF.

A motion was made by Council Member Christine M. Erickson and seconded by  
Council Member Greg Neitzert to set a date for Tuesday, December 11, 2018, at 7  
p.m.

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

Motion Passed.

ADJOURNMENT

A motion was made by Council Member Curt Soehl and seconded by Council Member  
Christine M. Erickson to adjourn at 8:52 p.m.

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

Motion Passed.

Denise D. Tucker, MMC

Assistant City Clerk

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

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

ADDRESSING THE COUNCIL: 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.