

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, December 12, 2017, at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Council Member Rick Kiley

Council Member Greg Neitzert

Council Member Rex Rolwing

Council Member Marshall Selberg

Council Member Pat Starr (arr. 7:09 p.m.)

Council Member Theresa Stehly

Mayor Mike T. Huether

INVOCATION

Pastor Carman VanSchaick, Celebrate Church

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PLEDGE OF ALLEGIANCE

RECOGNITION/AWARDS

V.L. Crusinberry Award was awarded to Tony Schnetter, Engineering

\* Technician II, Public Works/Engineering; and Mike Gramlick, Fire  
Captain, Sioux Falls Fire Rescue

Jeanne Fullenkamp Management Excellence Award was awarded to Shana

\* Nelson, Business Analyst, Finance Department; and Wes Philips,  
Principal Engineer, Public Works/Engineering

Excellence in Safety Award was awarded to Josh Brinkman and Maegen

\* Bult, Park Service Workers, Park and Recreation; and Troy Scandin,  
Fire Captain, Sioux Falls Fire Rescue

CONSENT AGENDA ITEMS

## APPROVAL OF CONSENT AGENDA

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

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

Motion Passed.

## MINUTES

Informational Meeting of Tuesday, December 5, 2017, at 4 p.m.

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Regular City Council Meeting of Tuesday, December 5, 2017, at 7 p.m.

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## COMMUNICATIONS

1. Approval of contracts/agreements on the December 8, 2017, memo.
2. Approval of the notice of change orders on the December 8, 2017, memo.
3. A memorandum dated November 30, 2017, declaring surplus property.

Report of Requests for Quotes for Fuel dated: November 29, 2017; #1 Dyed Diesel & #2 Dyed Diesel Fuel; 7,500 Gallons of each; Harms Oil (\$2.2742 #1

4. Dyed/\$2.0241 #2 Dyed); Cole's Petroleum (\$2.2925 #1 Dyed/\$2.0125 #2 Dyed); Stern Oil, CHS, Inc., Howes Oil, Midway Service, and Olson Oil, all no bid. Bid awarded to: Harms Oil.

Report of Requests for Quotes for Fuel dated: November 1, 2017; Unleaded

5. Fuel; 5,500 Gallons; Cole's Petroleum (\$1.9072); Midway Service (\$1.8935); Harms Oil, Stern Oil, CHS, Inc., Howes Oil, and Olson Oil, all no bid. Bid awarded to: Midway Service.

Report of Requests for Quotes for Fuel dated: November 4, 2017; #2 Clear

6. Diesel; 9,000 Gallons; Howes Oil (\$2.3075); Harms Oil (\$2.2998); CHS, Inc., and Midwest Oil, both no bid. Bid awarded to: Harms Oil.

## 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, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, 8. Noes, 0.

Motion Passed.

## PUBLIC INPUT

Scott Ehrisman spoke about railcars and switching yards; RFPs, contracts and

state law.

Jeff Davis spoke about the Annexation Task Force.

Robert Kolbe spoke about the number of States and reflections of theseason.

Zach DeBoer spoke about the new parking ramp.

David Zokaites spoke about the newparking ramp and sang a song for the Parade of Lights.

Tim Stanga spoke about therailroad, handing out City Council information cards, paying down theLewis and Clark project, and last week's City Council meeting.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Tuesday, December 19, 2017 at 7 p.m. for Item 7:

7. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE NAMING OF A FACILITY SPACE ON PUBLIC PROPERTY.

A motion was made by Council Member Rick Kiley and seconded by Council Member Michelle Erpenbach to set a date of hearing and 2nd Reading for Tuesday, December 19, 2017, at 7 p.m. for Item 7.

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, December 19, 2017 at 7 p.m. for Item 8:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, SETTING THE  
8. REGULAR CITY ELECTION DATE FOR TUESDAY, APRIL 10, 2018, AND AUTHORIZING A JOINT ELECTION WITH THE SIOUX FALLS SCHOOL DISTRICT NO. 49-5.

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, December 19, 2017, at 7 p.m. for Item 8.

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, December 19, 2017 at 7 p.m. for Item 9:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE ISSUANCE OF ITS STORM DRAINAGE SYSTEM REVENUE BONDS TO THE SOUTH DAKOTA CONSERVANCY DISTRICT, AUTHORIZING THE USE OF THE PROCEEDS THEREOF FOR CAPITAL IMPROVEMENTS, PLEDGING A PORTION OF THE STORM DRAINAGE SYSTEM  
9. REVENUE OF THE CITY FOR THE PAYMENT OF SAID STORM DRAINAGE SYSTEM REVENUE BONDS, FIXING THE TERMS OF SUCH SAID STORM DRAINAGE SYSTEM REVENUE BONDS,

AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE CITY AND THE SOUTH DAKOTA CONSERVANCY DISTRICT, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH STORM DRAINAGE SYSTEM REVENUE BONDS TO THE SOUTH DAKOTA CONSERVANCY DISTRICT. (\$8,829,000)

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rex Roling to set a date of hearing and 2nd Reading for Tuesday, December 19, 2017, at 7 p.m. for Item 9.

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, December 19, 2017 at 7 p.m. for Item 10:

10. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. (Transit, \$100,000)

A motion was made by Council Member Rick Kiley and seconded by Council Member Michelle Erpenbach to set a date of hearing and 2nd Reading for Tuesday, December 19, 2017, at 7 p.m. for Item 10.

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

A RESOLUTION ESTABLISHING A PAY-FOR-PERFORMANCE PROGRAM FOR THE CITY  
11. COUNCIL-APPOINTED POSITIONS OF BUDGET ANALYST, CITY CLERK, INTERNAL AUDITOR, INTERNAL AUDIT MANAGER, AND THE CITY COUNCIL OPERATIONS MANAGER.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rex Roling to adopt said Resolution No. 117-17.

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. 117-17

A RESOLUTION ESTABLISHING A PAY-FOR-PERFORMANCE PROGRAM FOR THE CITY COUNCIL-APPOINTED POSITIONS OF BUDGET ANALYST, CITY CLERK, INTERNAL AUDITOR, INTERNAL AUDIT MANAGER, AND THE CITY COUNCIL OPERATIONS MANAGER.

WHEREAS, Section 2.08 of the Charter of the City of Sioux Falls authorizes the City Council to appoint an officer of the City who shall oversee the operations of the City Clerk's Office and therefore shall carry the title City Clerk; and

WHEREAS, Section 2.10 of the Charter of the City of Sioux Falls authorizes the City Council to provide for an independent audit of all City accounts and may provide for more frequent audits as necessary; and

WHEREAS, the Internal Audit Manager and the Internal Auditor will have structural reporting authority to the City Council's Audit Committee; and

WHEREAS, the Budget Analyst will have structural reporting authority to the City Council's Fiscal Committee; and

WHEREAS, the City Clerk and City Council Operations Manager will have structural reporting authority to the City Council's Operations Committee; and

WHEREAS, the City Council will maintain a market-competitive salary range and a pay-for-performance program for the positions of Budget Analyst, City Clerk, Internal Auditor, Internal Audit Manager, and City Council Operations Manager; and

WHEREAS, the City Council shall determine the scope and nature of the work of the Budget Analyst, City Clerk, Internal Auditor, Internal Audit Manager, and City Council Operations Manager;

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

1. The 2018 biweekly salary ranges for the Budget Analyst shall be as follows: biweekly minimum range-\$2,222.40; maximum-\$3,131.20.
2. The 2018 biweekly salary ranges for the City Clerk shall be as follows: biweekly minimum range-\$2,414.40; maximum-\$3,448.00.
3. The 2018 hourly salary ranges for the Internal Auditor shall be as follows: hourly minimum range-\$22.49; maximum-\$31.24.
4. The 2018 biweekly salary ranges for the Internal Audit Manager shall be as follows: biweekly minimum range-\$2,290.40; maximum-\$3,248.00.
5. The 2018 biweekly salary ranges for the City Council Operations Manager shall be as follows: biweekly minimum range-\$2,632.80; maximum-\$3,789.60.
6. The City Council's appointed employees' salaries will be modified on the first pay period of the calendar year to reflect any adopted inflation adjustment to the assigned salary range.
7. Performance-based increases shall be recommended by the respective City Council committee having structural authority and approved by the City Council. The performance increase shall be in addition to any inflation adjustment and shall be effective on the employee's anniversary date.
8. Performance shall be assessed annually based on the following three-level scale of performance: exceeds performance expectations, meets expectations, and failed to meet expectations.
9. Evaluative criteria will address any or all of the following key competencies when determining the level of performance: demonstrated leadership and teamwork, effective performance management of subordinate staff, effective fiscal and operational management of defined responsibilities, effective communication, and City business knowledge.
10. The Director of Human Resources shall assist the City Council in administering the salary and pay-for-performance program and for the purposes of advising market-based pay recommendations and adherence to federal, state, and City employment practices.
11. The City Council may modify the provisions relating to the performance pay guidelines in any one calendar year based on budgetary reasons or at their discretionary authority.

Date adopted: 12/12/17 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

12. A RESOLUTION OF THE CITY OF SIOUX FALLS RECEIVING THE 2017 ANNEXATION TASK FORCE REPORT.

A motion was made by Council Member Rick Kiley and seconded by Council Member Greg Neitzert to adopt said Resolution No. 118-17.

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. 118-17

A RESOLUTION OF THE CITY OF SIOUX FALLS RECEIVING THE 2017 ANNEXATION TASK FORCE REPORT.

WHEREAS, the Annexation Task Force was formed to offer its recommendations to the City Administration and City Council on how to improve the annexation process in Sioux Falls; and

WHEREAS, the seven-member task force included four individuals who have been part of the annexation process and three City Council members; and

WHEREAS, the 2017 Annexation Task Force Report was developed through a comprehensive six-month deliberative process; and

WHEREAS, the 2017 Annexation Task Force Report recommends greater communication, specific criterias for city-initiated annexation, flexible design standards for existing rural neighborhoods, and consideration of the financial impact of annexation on property owners;

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

That the 2017 Annexation Task Force Report as attached hereto and made part of this Resolution is hereby received by the City Council.

BE IT FURTHER RESOLVED THAT:

Section 1. The 2017 Annexation Task Force Report's goals and work actions for planning future annexations be used to guide the future annexation process for the City.

Section 2. That these annexation goals and work actions do not supersede, breach, or conflict with any existing agreement previously entered into by the City, City Ordinance, the City Charter, or other state statutory mandates.

Section 3. The City shall publish this Resolution, without attachment, after its passage. The attachment is on file and available for inspection in the office of the City Clerk.

Date adopted: 12/12/17 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

13. A RESOLUTION ESTABLISHING THE CITY OF SIOUX FALLS' LEGISLATIVE PRIORITIES FOR  
THE 2018 STATE LEGISLATIVE SESSION.

A motion was made by Council Member Christine M. Erickson and seconded by  
Council Member Rick Kiley to adopt said Resolution No. 119-17.

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

Motion Passed.

RESOLUTION NO. 119-17

A RESOLUTION ESTABLISHING THE CITY OF SIOUX FALLS' LEGISLATIVE PRIORITIES FOR  
THE 2018 STATE LEGISLATIVE SESSION.

WHEREAS, the City Charter states that the Sioux Falls City Council is the  
policy making and legislative body of the City of Sioux Falls;

WHEREAS, elected county and municipal representatives within Lincoln and  
Minnehaha counties have identified these priorities for the 2018 Legislative  
Session and will seek approval from their respective governing bodies and  
statewide associations;

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

1. The Sioux Falls City Council supports a reliable statewide emergency radio system that allows users across the state to communicate within and outside of their agencies. In order to sustain this capability and enhance operations locally, statewide, amongst other states, and with federal agencies, the City Council supports state funding initiatives to upgrade the statewide system to the national standard for public safety communications utilized by both federal and state governments known as Project 25 (P25).
1. The Sioux Falls City Council supports repealing the sunset on the 911 surcharge and supports efforts to hold telecom wireless companies accountable for all surcharge remittance on wireless services provided.
1. The Sioux Falls City Council supports legislation allowing alternative publication options for local government.
1. The Sioux Falls City Council supports legislation that expands workforce housing opportunities in South Dakota.
1. The Sioux Falls City Council supports legislation to allow a local option, a gross receipts tax on alcoholic beverages, to fund county services.

1. The Sioux Falls City Council urges the state to leave in place maximum local control of tax increment financing (TIF) districts, an economic development tool that has led to millions of dollars in increased property value, benefitting both the state as a whole and the local entities sponsoring the districts, while at the same time maintaining the integrity of the process.
  
1. The Sioux Falls City Council supports legislation providing local governments flexibility when it comes to compensating those who serve on appointed citizen boards, committees, and commissions.
2. The Sioux Falls City Council supports legislation that provides funding for drug and alcohol education, intervention, and treatment programs.
  
1. The Sioux Falls City Council supports cooperative activities between county and municipal governments, the protection of existing joint activities, and elimination of barriers that hinder the creation of such arrangements.

Date adopted: 12/12/17 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

ADJOURNMENT

A motion was made by Council Member Pat Starr and seconded by Council Member Christine M. Erickson to adjourn at 8:41 p.m.

Mayor Mike Huether 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: 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.