

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, September 11, 2018, at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

PRESENT

ABSENT

Council Member Marshall Selberg

Council Member Curt Soehl

Council Member Pat Starr

Council Member Theresa Stehly

Council Member Greg Neitzert

Council Member Janet Brekke

Council Member Christine M. Erickson

Council Member Rick Kiley (arr. at 7:17 p.m.)

Mayor Paul TenHaken

INVOCATION

Mayor Paul TenHaken asked for a 30 second moment of silence in recognition of 9/11.

Dr. Ron Tottingham, Empire Baptist Temple

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PLEDGE OF ALLEGIANCE

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, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, 6. Noes, 0.

Motion Passed.

A request was made by Council Member Theresa Stehly to move the following from Item 1 to the Regular Agenda for discussion: 1; Public Parking, Highways/ Streets; New Parking Facility and Downtown Area Street and Utility Improvements

- First Avenue Storm Drain Relocation; Sayre Associates, Inc.; \$56,618.

## MINUTES

Informational Meeting of Tuesday, September 4, 2018, at 4 p.m.

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Regular City Council Meeting of Tuesday, September 4, 2018, at 7 p.m.

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Joint City Council/Minnehaha County Commission Meeting of Wednesday,

\* September 5, 2018, at 3 p.m.

## COMMUNICATIONS

1. Approval of contracts/agreements on the September 7, 2018, memo.

A communication was received from Jeff Meuzelaar requesting permission to

2. consume, but not sell, malt beverages and liquor at The History Club of Sioux Falls, 758 S. Phillips Ave., on Sunday, September 23, 2018, for a baby shower celebration.

## REGULAR AGENDA ITEMS

### APPROVAL OF REGULAR AGENDA

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

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Marshall Selberg to amend by moving Agenda Item 10 to immediately follow Agenda Item 4.

Vote to amend: Roll Call: Yeses, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, 6. Noes, 0.

Motion Passed.

Vote to approve, as amended: Roll Call: Yeses, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, 6. Noes, 0.

Motion Passed.

## PUBLIC INPUT

Bruce Danielson spoke about Paramedics Plus.

James Read spoke about mistreatment of his fiance, finding a place to live and helping family.

Heather Pastor spoke about discrimination against her and mistreatment of her mother.

David Zokaites spoke about river safety.

Catherine Riffle spoke about holding people accountable for the mistreatment of the homeless.

Steven Siano expressed his disappointment with the City for not correcting

the issues that he has presented to them; the VA and his past; wanting correspondence to the Council to be public; and for public input to be transcribed in the minutes.

Kathy Smith asked the Council to consider making a change to the residential parking ordinance to allow semi cabs to be parked temporarily in a driveway.

Bob Kolbe spoke about saving money by pairing the administration of the City's ambulance service with the fire department; requested information from some projects; and Rapid City's destruction by design ordinance.

#### UNFINISHED BUSINESS

Deferred from the City Council Meeting of Tuesday, August 7, 2018:

3. Parks/Recreation; 14009; SF Parks and Recreation Master Plan - Professional Services Agreement; Pros Consulting, Inc.; \$202,390.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rick Kiley to withdraw Item 3.

Vote to withdraw: Roll Call: Yeses, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, 7. Noes, 0.

Motion Passed.

Item 1, sub-item 1, was heard at this time.

A motion was made by Council Member Rick Kiley and seconded by Council Member Christine M. Erickson to approve the following item from Agenda Item 1: 1; Public Parking, Highways/Streets; New Parking Facility and Downtown Area Street and Utility Improvements - First Avenue Storm Drain Relocation; Sayre Associates, Inc.; \$56,618.

Vote to approve: Roll Call: Yeses, Marshall Selberg, Curt Soehl, Janet Brekke, Christine M. Erickson, Rick Kiley, 5. Noes, Pat Starr, Theresa Stehly, 2.

Motion Passed.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Tuesday, September 18, 2018, at 7 p.m. for Item 4:

- 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING
4. APPROPRIATIONS AUTHORIZING AN INCREASE IN PROPERTY TAX REVENUE PURSUANT TO SDCL 10-13-15 AND THE MEANS OF FINANCING FOR THE FISCAL YEAR ENDING DECEMBER 31, 2019.

A motion was made by Council Member Rick Kiley and seconded by Council Member Christine M. Erickson to set a date for Tuesday, September 18, 2018, at 7 p.m.

Vote to set a date: Roll Call: Yeses, Marshall Selberg, Curt Soehl, Pat Starr, Janet Brekke, Christine M. Erickson, Rick Kiley, 6. Noes, Theresa Stehly, 1.

Motion Passed.

Item 10 was heard at this time. See item for action taken.

Set a date of hearing and 2nd Reading for Tuesday, September 18, 2018, at 7 p.m. for Item 5:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE 5. OF ORDINANCES OF THE CITY BY AMENDING SECTION 94.038, PLANTING IN PUBLIC RIGHTS-OF-WAY.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Marshall Selberg to set a date for Tuesday, September 18, 2018, at 7 p.m.

Vote to set a date: Roll Call: Yeses, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, September 18, 2018, at 7 p.m. for Item 6:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE 6. OF ORDINANCES OF THE CITY BY ADDING SECTION 94.019, PLANTING OF ASH TREES PROHIBITED.

A motion was made by Council Member Janet Brekke and seconded by Council Member Rick Kiley to set a date for Tuesday, September 18, 2018, at 7 p.m.

Vote to set a date: Roll Call: Yeses, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, September 18, 2018, at 7 p.m. for Item 7:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE 7. OF ORDINANCES OF THE CITY BY AMENDING SECTION 110.027, LICENSES ISSUED BY PARKS, RECREATION AND FORESTRY DEPARTMENT.

A motion was made by Council Member Rick Kiley and seconded by Council Member Curt Soehl to set a date for Tuesday, September 18, 2018, at 7 p.m.

Vote to set a date: Roll Call: Yeses, Marshall Selberg, Curt Soehl, Pat Starr, Janet Brekke, Christine M. Erickson, Rick Kiley, 6. Noes, Theresa Stehly, 1.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, September 18, 2018, at 7 p.m. for Item 8:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE 8. OF ORDINANCES OF THE CITY BY ADDING SECTION 94.002, TRANSPORTATION OF ASH WOOD PROHIBITED.

A motion was made by Council Member Janet Brekke and seconded by Council Member Rick Kiley to set a date for Tuesday, September 18, 2018, at 7 p.m.

Vote to set a date: Roll Call: Yeses, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, 7. Noes, 0.

Motion Passed.

#### HEARINGS AND RESOLUTIONS

Deferred from the City Council Meeting of Tuesday, September 4, 2018: A RESOLUTION ADOPTING WRITTEN FINDINGS BY THE CITY COUNCIL DENYING A PROPOSAL TO DEMOLISH HOMES AT 414 W. 19TH ST., 1005, 1023, AND 1027 S. DAKOTA AVE. IN THE SHERMAN HISTORIC DISTRICT AND THE ISSUANCE OF ANY RELATED PERMIT BASED UPON THE CONSIDERATION OF ALL RELEVANT FACTORS, AND THAT THERE IS NO FEASIBLE AND PRUDENT ALTERNATIVE TO THE PROPOSAL AND THE PROGRAM INCLUDES ALL POSSIBLE PLANNING TO MINIMIZE HARM TO THE HISTORIC PROPERTY RESULTING FROM SUCH USE. Pending motion from the meeting of Tuesday, September 4, 2018: A motion was made by Council Member Marshall Selberg and seconded by Council Member Curt Soehl to adopt said Item.

Council Member Christine M. Erickson excused herself from the discussion and the vote on this item.

A motion was made by Council Member Marshall Selberg and seconded by Council Member Curt Soehl at the meeting of Tuesday, September 4, 2018, to adopt said Resolution No. 90-18.

Vote to adopt: Roll Call: Yeses, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Rick Kiley, 6. Noes, 0.

Motion Passed.

#### RESOLUTION NO. 90-18

A RESOLUTION ADOPTING WRITTEN FINDINGS BY THE CITY COUNCIL DENYING A PROPOSAL TO DEMOLISH HOMES AT 414 W. 19TH ST., 1005, 1023, AND 1027 S. DAKOTA AVE. IN THE SHERMAN HISTORIC DISTRICT AND THE ISSUANCE OF ANY RELATED PERMIT BASED UPON THE CONSIDERATION OF ALL RELEVANT FACTORS, AND THAT THERE IS NO FEASIBLE AND PRUDENT ALTERNATIVE TO THE PROPOSAL AND THE PROGRAM INCLUDES ALL POSSIBLE PLANNING TO MINIMIZE HARM TO THE HISTORIC PROPERTY RESULTING FROM SUCH USE.

WHEREAS, a hearing to determine that there is no feasible and prudent alternative to the proposal to demolish 1005, 1023, and 1027 S. Dakota Ave. and 414 W. 19th St. in the Sherman Historic District based upon the consideration of all relevant factors, and that the program includes all possible planning to minimize harm to the historic property resulting from such use came before the City Council at its normal meeting time on Tuesday, August 21, 2018; and

WHEREAS, the City conducted a public meeting, gave notice of the hearing as required by law, and gave consideration to all relevant factors; and

WHEREAS, at the conclusion of the hearing, a motion authorizing the proposal to demolish homes at 1005, 1023, and 1027 S. Dakota Ave. and 414 W. 19th St. in the Sherman Historic District and the issuance of any related permit based upon the consideration of all relevant factors, and that the program includes all possible planning to minimize harm to the historic property resulting from such use at, failed unanimously by the City Council; and

WHEREAS, thereafter the above-referenced motion, the City Council authorized

the Sioux Falls City Attorney's Office to prepare written findings consistent with said motion for discussion, review, and approval by the City Council;

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

That the recitals above are adopted as findings, and in addition, the following findings are adopted:

FINDINGS:

1. The proposal to demolish homes at 1005, 1023, and 1027 S. Dakota Ave. and 414 W. 19th St. in the Sherman Historic District shall hereinafter be referred to as the "Proposal."
1. The Proposal impacts the Sherman Historic District which is listed on the National Registers of Historic Places.
1. The Proposal was reviewed by the Board of Historic Preservation (BoHP) on May 23, 2018, at which time the Board determined that the proposal, if approved, would have an adverse effect on the Sherman Historic District.
1. The Proposal as reviewed by the BoHP did not include a structural analysis on the homes to determine their integrity for saving them.
1. On July 13, 2018, a case report regarding the proposal was received by the South Dakota State Historic Preservation Office (SHPO).
1. On July 16, 2018, SHPO sent a letter to Diane deKoeper of the City of Sioux Falls Planning and Development Services Department that contained a determination that the Proposal would destroy historic property that is included in the National and State Registers of Historic Places; that the project will encroach upon historic property; and that alternatives to the project have not been adequately considered and should be further explored.
1. The applicant requested the City Council to make a final determination on the Proposal.
1. Pursuant to SDCL 1-19A-11.1, the Sioux Falls City Council held a public hearing on August 21, 2018, to determine that there is no feasible and prudent alternative to the Proposal based upon the consideration of all relevant factors, and that the program includes all possible planning to minimize harm to the historic property resulting from such use.
1. The applicant had the burden to show the absence of feasible and prudent alternatives.
1. The City Council heard testimony and presentation from City staff, the applicant, proponents, and opponents of the Proposal.
1. The City Council's review and consideration included, but was not limited to, the above-referenced testimony and presentation; South Dakota Codified Law 1-19A-11.1; Summary of SDCL 1-19A-11.1 Review Process; Board of Historic Preservation Meeting Minutes for May 23, 2018, and Project Review for May 23, 2018; Board of Historic Preservation Meeting Minutes for July 11, 2018; SHPO letter of May 25, 2018, and letter of July 16, 2018; SHPO SDCL 1-19A-11.1 Case Report; Email from All Saints Neighborhood dated August 4, 2018, letter dated July 26, 2018, from Rachael Meyerink, Estimate

Summaries for 414 W. 19th St., 1023 S. Dakota Ave., and 1027 S. Dakota Ave. all dated July 5, 2018, and APEX Report dated August 10, 2018.

1. Reasonable and prudent alternatives to the Proposal have not been explored.
1. The applicant has not shown an absence of a feasible and prudent alternative to the Proposal.
1. The properties subject to the Proposal could be sold.
1. There was one oral offer to purchase the properties subject to the proposal at the owner's cost.
1. The properties subject to the Proposal could be rehabilitated.
1. Rehabilitation of the properties is capable of being done in light of technical, structural, and engineering considerations.
1. Restoration of the properties subject to the Proposal is not economically imprudent.
1. The Proposal, if approved, would have an adverse effect on the Sherman Historic District.
1. Based upon consideration of all relevant factors, there are feasible and prudent alternatives to the Proposal, and the program has not included all possible planning to minimize harm to the historic property resulting from such use.
1. The recorded minutes, video, supporting materials, and testimony on Agenda Items 49, 50, and 51 of the August 21, 2018, Sioux Falls City Council Meeting are incorporated herein in support of any and all findings made herein.

Date adopted: 09/11/18 .

Paul TenHaken

Mayor

ATTEST:

Thomas M. Greco

City Clerk

10. PUBLIC HEARING FOR A PROPOSED RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2019, AND THE 2019-2023 CAPITAL PROGRAM.

There was none.

11. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE MAIN STREET BUSINESS IMPROVEMENT DISTRICT IN THE CITY OF SIOUX FALLS, SD.

A motion was made by Council Member Rick Kiley and seconded by Council Member Curt Soehl to adopt said Resolution No. 85-18.

Vote to adopt: Roll Call: Yeses, Marshall Selberg, Curt Soehl, Pat Starr,

Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, 7.  
Noes, 0.

Motion Passed.

RESOLUTION NO. 85-18

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE MAIN STREET BUSINESS IMPROVEMENT DISTRICT IN THE CITY OF SIOUX FALLS, SD.

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

Section 1. That the 2018 special assessment roll for the Main Street Business Improvement District in the City of Sioux Falls, SD, is hereby approved, and the assessment as set out in said special assessment roll approved this date is hereby levied against the property described therein and becomes a lien against such property upon filing of said special assessment roll in the City Finance Office.

Section 2. Said assessment may be paid in one annual installment based on the assessed valuations of the property adjusted each year and shall be collected under Plan One-Collection by County Treasurer as provided in SDCL 9-43.

Date adopted: 09/11/18 .

Paul TenHaken

Mayor

ATTEST:

Thomas M. Greco

City Clerk

NOTICE TO PROPERTY OWNERS

Notice is hereby given that assessments levied under the above resolution will become due and payable at the office of the County Treasurer in one installment, together with 4.75% interest for the quarterly rate each year in accordance with SDCL9-43. The first installment, with interest, will become due with general taxes and will be payable at the County Treasurer's Office on January1,2019.

Notice is further given that the special assessment roll approved in the above resolution was filed with the City Finance Office on the 11th day of September,2018, and that the whole of said assessment may be paid without interest to the City Finance Office on or before 30 days after said filing.

Thomas M. Greco

City Clerk

A RESOLUTION BY THE SIOUX FALLS CITY COUNCIL, DECLARING CITY SUPPORT FOR 12. THE ADOPTION OF THE LINCOLN COUNTY AND MINNEHAHA COUNTY MULTI HAZARD PRE-DISASTER MITIGATION PLAN 2017 UPDATE.

A motion was made by Council Member Marshall Selberg and seconded by Council Member Curt Soehl to adopt said Resolution No. 86-18.



Vote to adopt: Roll Call: Yeses, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 86-18

A RESOLUTION BY THE SIOUX FALLS CITY COUNCIL, DECLARING CITY SUPPORT FOR THE ADOPTION OF THE LINCOLN COUNTY AND MINNEHAHA COUNTY MULTI-HAZARD PRE-DISASTER MITIGATION PLAN 2017 UPDATE.

WHEREAS, the Sioux Falls City Council supports the contents of the Lincoln County and Minnehaha County Multi-Hazard Pre-Disaster Mitigation Plan 2017 Update; and

WHEREAS, the Lincoln County and Minnehaha County Multi-Hazard Pre-Disaster Mitigation Plan 2017 Update will be utilized as a guide for planning as related to FEMA Pre-Disaster Mitigation and other purposes as deemed appropriate by the Sioux Falls City Council;

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

That the Sioux Falls City Council does hereby adopt, support, and will facilitate the Lincoln County and Minnehaha County Multi-Hazard Pre-Disaster Mitigation Plan 2017 Update's implementation.

Date adopted: 09/11/18 .

Paul TenHaken

Mayor

ATTEST:

Thomas M. Greco

City Clerk

13. A RESOLUTION APPROVING THE 2018-2019 BUDGET FOR THE SIOUX FALLS CONVENTION & VISITORS BUREAU BUSINESS IMPROVEMENT DISTRICT.

A motion was made by Council Member Rick Kiley and seconded by Council Member Christine M. Erickson to adopt said Resolution No. 87-18.

A motion was made by Council Member Pat Starr and seconded by Council Member Rick Kiley to amend by substituting page 2 with the provided "proposed amendment to CVB-BID Budget".

Vote to amend: Roll Call: Yeses, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, 7. Noes, 0.

Motion Passed.

Vote to adopt, as amended: Roll Call: Yeses, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 87-18

A RESOLUTION APPROVING THE 2018-2019 BUDGET FOR THE SIOUX FALLS CONVENTION & VISITORS BUREAU BUSINESS IMPROVEMENT DISTRICT.

WHEREAS, pursuant to Resolution No. 86-10, the City of Sioux Falls adopted a resolution of intent to establish the Sioux Falls Convention & Visitors Bureau Business Improvement District; and

WHEREAS, in accordance with SDCL Chapter Ch. 9-55 of the South Dakota Codified Laws, the CVB Business Improvement District has imposed an occupational tax of two dollars (\$2.00) per night per rented room for all lodging rooms within the CVB Business Improvement District to market and promote the visitor industry in the city of Sioux Falls and increase the room night sales of lodging facilities within the CVB Business Improvement District; and

WHEREAS, the CVB Business Improvement District Board of Directors has developed an annual budget which is subject to City Council approval;

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

That the budget dated October 1, 2018, through September 30, 2019, is hereby approved.

Date adopted: 09/11/18 .

Paul TenHaken

Mayor

ATTEST:

Thomas M. Greco

City Clerk

A RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE,  
14. AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATION, AND DESIGNATING AN AUTHORIZED REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT REQUESTS.

A motion was made by Council Member Rick Kiley and seconded by Council Member Janet Brekke to adopt said Resolution No. 88-18.

Vote to adopt: Roll Call: Yeses, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 88-18

A RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE, AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATION, AND DESIGNATING AN AUTHORIZED REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT REQUESTS.

WHEREAS, the City of Sioux Falls, SD (the "City"), has determined it is necessary to proceed with the purchase of necessary equipment and an upgrade of the infrastructure to process wood waste generated from the removal of Ash

trees within Sioux Falls associated with the Emerald Ash Borer Disposal Plan ("Projects"); and

WHEREAS, the City has determined that financial assistance will be necessary to undertake the Projects and an application for financial assistance to the South Dakota Department of Environment and Natural Resources Water and Waste Funding Program (the "Board") will be prepared; and

WHEREAS, it is necessary to designate an authorized representative to execute and submit the application on behalf of the City and to certify and sign payment requests in the event financial assistance is awarded for the Projects;

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

1. That the City hereby approves the submission of an application for financial assistance in an amount not to exceed \$950,000 for the processing equipment (wood shredder and transport trailer) and at least \$250,000 for the construction of an asphalt pad for processing the Projects.
1. That the City is hereby authorized to execute the application and submit it to the Board and to execute and deliver such other documents and perform all acts necessary to effectuate the application for financial assistance.
1. That the Mayor and/or Director of Public Works or the Public Works Business Operations Manager is hereby designated as the authorized representative of the City to do all things on its behalf to certify and sign payment requests in the event financial assistance is awarded for the Projects.
1. Pursuant to SDCL 9-19-13, this resolution is declared necessary for the preservation of the public peace, health, safety, and support of a municipal government and its existing public institutions and shall become effective upon its passage and publication.

Date adopted: 09/11/18 .

Paul TenHaken

Mayor

ATTEST:

Thomas M. Greco

City Clerk

15. A RESOLUTION APPROVING THE 2018 WAIVER OF LEAF DROP-OFF FEES AT CITY-DESIGNATED LEAF DROP-OFF SITES FOR NON-COMMERCIAL VEHICLES.

A motion was made by Council Member Janet Brekke and seconded by Council Member Rick Kiley to adopt said Resolution No. 89-18.

Vote to adopt: Roll Call: Yeses, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 89-18

A RESOLUTION APPROVING THE 2018 WAIVER OF LEAF DROP-OFF FEES AT CITY-DESIGNATED LEAF DROP-OFF SITES FOR NONCOMMERCIAL VEHICLES.

WHEREAS, Section 57.047 (c) of the Code of Ordinances of Sioux Falls, SD, establishes a \$3 charge per passenger car, pickup truck, or two-wheel trailer for leaves generated in the city and unloaded at City-designated leaf drop-off sites by individuals (noncommercial vehicles); and

WHEREAS, Sioux Falls Public Works has requested a waiver of such leaf-drop off fees for 2018 for a pilot program and to assist with the cost burden of the noncommercial removal of Ash trees within Sioux Falls associated with the Emerald Ash Borer;

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:

1. That the City hereby approves the waiving of the \$3 charge per passenger car, pickup truck, or two-wheel trailer for leaves generated in the city and unloaded at City-designated leaf drop-off sites by individuals (noncommercial vehicles) for 2018 for a pilot program and to assist with the cost burden of the noncommercial removal of Ash trees within Sioux Falls associated with the Emerald Ash Borer; and
1. Pursuant to SDCL 9-19-13, this resolution is declared necessary for the preservation of the public peace, health, safety, and support of a municipal government and its existing public institutions and shall become effective upon its passage and publication.

Date adopted: 09/11/18 .

Paul TenHaken

Mayor

ATTEST:

Thomas M. Greco

City Clerk

NOTICE OF HEARINGS FOR STREET VACATIONS

Set a hearing date for Tuesday, October 9, 2018, at 7 p.m. for Item 16:

A PROPOSED RESOLUTION VACATING THE 14-FOOT ALLEY RIGHT-OF-WAY LYING WEST OF 16. 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.

A motion was made by Council Member Theresa Stehly and seconded by Council Member Marshall Selberg to set a date for Tuesday, October 9, 2018, at 7 p.m.

Vote to set a date: Roll Call: Yeses, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, 7. Noes, 0.

Motion Passed.

Set a hearing date for Tuesday, October 9, 2018, at 7 p.m. for Item 17:

A PROPOSED RESOLUTION VACATING THE S. EUCLID AVE. RIGHT-OF-WAY FROM THE 17. SOUTH 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 Theresa Stehly and seconded by Council Member Christine M. Erickson to set a date for Tuesday, October 9, 2018, at 7 p.m.

Vote to set a date: Roll Call: Yeses, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, Christine M. Erickson, Rick Kiley, 7. Noes, 0.

Motion Passed.

NEW BUSINESS

There was none.

ADJOURNMENT

A motion was made by Council Member Pat Starr and seconded by Council Member Rick Kiley to adjourn at 8:16 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.