

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, October 8, 2013, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Dean Karsky

Council Member Kermit L. Staggers

Council Member Sue Aguilar                      Council Member Greg Jamison

Council Member Kenny Anderson Jr.      Council Member Rex Roling

Council Member James Entenman

Council Member Michelle Erpenbach

Mayor Mike T. Huether

INVOCATION

Carman Van Schaick, Care Pastor at Celebrate Church

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PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Disability Employment Awareness Month, October 2013

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White Cane Day, October 12, 2013

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CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Dean Karsky and seconded by Council Member Kenny Anderson Jr. to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, Dean Karsky, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, 5. Noes, 0. Council Member James Entenman was excused from the meeting and the vote on this item.

Motion Passed.

MINUTES

Informational Meeting of Tuesday, October 1, 2013, at 4:00 p.m.

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Regular City Council Meeting of Tuesday, October 1, 2013, at 7:00 p.m.

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COMMUNICATIONS

1. Approval of Contracts/Agreements on October 4, 2013 memo.

Sponsor: Mayor/Finance

2. Notice of change orders on October 4, 2013 memo.

Sponsor: Mayor/Finance

3. Report of Requests for Quotes for Fuel dated: September 19, 2013; #2 Clear Diesel; 4,599 gallons; Harms Oil (\$3.5245); CHS, Inc., Howes Oil and Midwest Oil, all no bid. Bid awarded to: Harms Oil.

Sponsor: Mayor/Sioux Area Metro

4. Report of Requests for Quotes for Fuel dated: September 24, 2013; #2 Clear Diesel; 7,500 gallons; CHS, Inc. (\$3.3350); Howes Oil (\$3.3410); Harms Oil and Midwest Oil, both no bid. Bid awarded to: CHS, Inc.

Sponsor: Mayor/Sioux Area Metro

5. Report of Requests for Quotes for Fuel dated: September 25, 2013; Unleaded; 720 gallons; Midway Service (\$2,146.68); Howes Oil (\$2,196.00); Palisades Oil, no bid. Bid awarded to: Midway Service.

Sponsor: Mayor/Sioux Falls Fire Rescue

6. Report of Requests for Quotes for Fuel dated: September 26, 2013; Unleaded Ethanol/89 Octane; 8,500 gallons; Harms Oil (\$2.9316); CHS, Inc., Howes Oil and Olson Oil, all no bid. Bid awarded to: Harms Oil.

Sponsor: Mayor/Fleet

7. Report of Requests for Quotes for Fuel dated: September 26, 2013; #2 Dyed Diesel Fuel; 7,500 gallons; Harms Oil (\$3.1155); Howes Oil (\$3.1600); CHS, Inc. and Olson Oil, both no bid. Bid awarded to: Harms Oil.

Sponsor: Mayor/Fleet

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, October 15, 2013, at 7:00 p.m. for Item 8:

Special One-Day Malt Beverage License for Tobin Hauck LLC, Monk's House of Ale

8. Repute to be operated at the 8th and Railroad Parking Lot, 401 East 8th S

treet

for a Harvest Festival on October 26, 2013, and to authorize publication of the notice on 10-04-13 to set the hearing date.

Sponsor: Mayor/Attorney

Set a date of hearing for Tuesday, November 12, 2013, at 7:00 p.m. for Item 9:

A PROPOSED RESOLUTION APPROVING THE RELEASE OF PERMANENT EASEMENTS  
9. LOCATED IN LOT 2A OF BLOCK 3 JUDEE ESTATES ADDITION TO THE CITY OF SIOUX FALLS, LINCOLN COUNTY, SOUTH DAKOTA.

Sponsor: Mayor/Public Works

Set a date of hearing for Tuesday, November 12, 2013, at 7:00 p.m. for Item 10:

A PROPOSED RESOLUTION APPROVING THE RELEASE OF PERMANENT EASEMENTS  
10. LOCATED IN VACATED W. 19TH ST. BETWEEN S. MENLO AVE. AND S. GRANGE AVE., LYING SOUTH OF BLOCK 8 OF PARK ADDITION TO SIOUX FALLS AND LYING NORTH OF BLOCK 9 OF PARK ADDITION TO SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.

Sponsor: Mayor/Public Works

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Michelle Erpenbach to approve the Regular Agenda.

Vote to approve: Roll Call: Yeses, Dean Karsky, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, 6. Noes, 0.

Motion Passed.

#### PUBLIC INPUT

Tim Stanga spoke about how people are treated in meetings, the CIP, and the poor conditions of the city's curbs and gutters.

Scott Ehrisman spoke about the reimbursement for the levees and what to do with the money.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Tuesday, October 15, 2013, at 7:00 p.m. for Item 11:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE  
11. CODE OF ORDINANCES OF THE CITY BY ADDING A SUBCHAPTER TO CHAPTER 37 TITLED TAX INCREMENTAL DISTRICTS.

Sponsor: Mayor/Community Development

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member James Entenman to set a date of hearing and 2nd Reading for Tuesday, October 15, 2013.

Vote to set a date: Roll Call: Yeses, Dean Karsky, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, 6. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, November 12, 2013, at 7:00 p.m. for Item 12:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, DECLARING  
12. CERTAIN REAL PROPERTY OF THE CITY SURPLUS AND AUTHORIZING THE  
DISPOSITION THEREOF.

Sponsor: Mayor/Public Works

A motion was made by Council Member Dean Karsky and seconded by Council Member James Entenman to set a date of hearing and 2nd Reading for Tuesday, November 12, 2013.

Vote to set a date: Roll Call: Yeses, Dean Karsky, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, 6. Noes, 0.

Motion Passed.

#### HEARINGS AND RESOLUTIONS

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT 1 TO THE  
13. HIGHWAY AND STREET JURISDICTIONAL EXCHANGE AGREEMENT BETWEEN THE STATE  
OF SOUTH DAKOTA AND THE CITY OF SIOUX FALLS.

Sponsor: Mayor/Public Works

A motion was made by Council Member James Entenman and seconded by Council Member Dean Karsky to adopt said Resolution 76-13.

Vote to adopt: Roll Call: Yeses, Dean Karsky, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, 6. Noes, 0.

Motion Passed.

#### RESOLUTION NO. 76-13

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT 1 TO THE HIGHWAY AND STREET JURISDICTIONAL EXCHANGE AGREEMENT BETWEEN THE STATE OF SOUTH DAKOTA AND THE CITY OF SIOUX FALLS.

WHEREAS, the City and the South Dakota Department of Transportation have negotiated an amendment to an agreement entitled "Highway Street Jurisdictional Exchange," which addresses the transfer of state highway segments; and

WHEREAS, the agreement establishes the responsibility of the South Dakota Department of Transportation to construct the Marion Road/I-90 interchange and the eastside corridor;

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:

That the document attached to and part of this resolution entitled "Amendment Number 1 to Agreement Number 910586" is hereby approved.

That the Mayor is authorized to sign such agreement after it is ratified and executed by the State of South Dakota Department of Transportation.

Date adopted: 10/08/13 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

14. A RESOLUTION AMENDING THE 2013-2017 CAPITAL PROGRAM TO ADD A WASHING MACHINE.

Sponsor: Mayor/Parks and Recreation

A motion was made by Council Member James Entenman and seconded by Council Member Michelle Erpenbach to adopt said Resolution 77-13.

Vote to adopt: Roll Call: Yeses, Dean Karsky, Sue Aguilar, James Entenman, Michelle Erpenbach, 6. Noes, Kermit L. Staggers, Kenny Anderson Jr., 2.

Motion Passed.

RESOLUTION NO. 77-13

A RESOLUTION AMENDING THE 2013-2017 CAPITAL PROGRAM TO ADD A WASHING MACHINE.

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

That the 2013-2017 Capital Program shall be amended as follows:

Parks and Recreation

Amend the Other Capital Expenditures Program by adding a washing machine in 2013. The estimated cost is \$9,000 and will not require an increase in appropriations as it will be funded by savings from other parks equipment purchased in 2013.

Date adopted: 10/08/13 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

ADJOURNMENT

A motion was made by Council Member Sue Aguilar and seconded by Council Member Kenny Anderson Jr. to adjourn at 8:08 p.m.

Mayor Huether called for a voice vote. All members voted yes. Motion Passed.

Denise D. Tucker, CMC

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.

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 4:00 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 7:00 P.M. THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AIR LIVE THE FOURTH TUESDAY OF EACH MONTH AT 5:00 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 AT 1:30 A.M. AND 9:00 A.M. ON THURSDAYS, AND 6:00 P.M. ON SATURDAYS. COUNCIL COMMITTEE MEETINGS AT 12:30 A.M. AND 8:00 A.M. ON THURSDAYS, AND 5:00 P.M. ON SATURDAYS. CITY COUNCIL MEETINGS AT 2:30 AM AND 10:00 A.M. ON THURSDAYS, AND 7:00 P.M. ON SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 8:00 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1:00 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.