

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

REGULAR MEETING OF Tuesday, December 2, 2014, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rick Kiley

Council Member Rex Rolfing

Council Member Kermit L. Staggers

Council Member Kenny Anderson Jr.

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Mayor Mike T. Huether

INVOCATION

Care Pastor Carman VanSchaick, Celebrate Church

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PLEDGE OF ALLEGIANCE

RECOGNITION/AWARDS

Selection of Sioux Falls for the 2016 ASA/USA Girls 14U Fast Pitch

- * National Championship Tournament and the combined National Slow Pitch Softball Tournaments of the C/D Women and E/Rec Men.

Selection of Sioux Falls for the 2017 US Youth Soccer Region II (Midwest) Championships as part of the US Youth Soccer National

- * Championship Series to be held June 23-28, 2017, at Yankton Trail Park.

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Dean Karsky and seconded by Council Member

Rex Rolwing to approve the Consent Agenda.

A request was made by Council Member Kermit L. Staggers to remove the following agreement and amendment from Item 1 for discussion purposes: Events Center/Legal Services - Amendment to agreement for services by Thompson Hines for \$35,000.00; and Fleet Management Consulting - Agreement for Services for Mercury Associates for \$68,400.00.

Vote to amend: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex Rolwing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, 8. Noes, 0.

Motion Passed.

Vote to approve, as amended: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex Rolwing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, 8. Noes, 0.

Motion Passed.

MINUTES

City Council Meeting of Tuesday, November 18, 2014

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COMMUNICATIONS

1. Approval of contracts/agreements on the November 26, 2014 memo.

A motion was made by Council Member Kermit L. Staggers and seconded by Council Member Kenny Anderson Jr. to approve the amendment to agreement for services for Events Center/Legal Services, Thompson Hines, \$35,000.00.

Vote to approve: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex Rolwing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, 8. Noes, 0.

Motion Passed.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rick Kiley to approve the agreement for services for Fleet Management Consulting by Mercury Associates for \$68,400.00.

Vote to approve: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex Rolwing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, 8. Noes, 0.

Motion Passed.

2. Approval of notice of change orders on the November 26, 2014 memo.

A communication was received from The History Club requesting permission to consume, but not sell, wine at 758 S. Phillips Avenue on the following dates

3. for the purpose of the regular meeting dates. January 3 and 6;

February 3; March 3; April 7; May 5; June 2, 5 and 6; July 7; August 4; September 1 and 8; October 6; November 3; and December 1.

4. A memorandum dated November 19, 2014, declaring surplus three capital items that will be traded in for another asset.

Report of Requests for Quotes for Fuel dated: November 14, 2014; #2 Clear Diesel; 8,500 gallons; Harms Oil (\$2.8958); CHS, Inc., Howes Oil, Midwest Oil and Petroleum Traders Co., all no bid. Bid awarded to: Harms Oil Company.

6. Report of Requests for Quotes for Fuel dated: November 19, 2014; #2 Clear Diesel; 7,500 gallons; CHS, Inc. (\$2.94); Howes Oil, Harms Oil, Midwest Oil, and Petroleum Traders Co., all no bid. Bid awarded to: CHS.

7. Report of Requests for Quotes for Fuel dated: November 20, 2014; Diesel (#1 and #2 blend); 1,160 gallons; Howes Oil (\$2,334.09); Palisades Oil and Midway Service, both no bid. Bid awarded to: Howe's Oil.

8. Report of Requests for Quotes for Fuel dated: November 20, 2014; #2 Clear Diesel; 7,500 gallons; CHS, Inc. (\$3.23); Howes Oil, Harms Oil, Midwest Oil, and Petroleum Traders Co., all no bid. Bid awarded to: CHS.

9. Report of Requests for Quotes for Fuel dated: November 20, 2014; Unleaded; 670 Gallons; Howes Oil (\$1,651.55); Palisades Oil and Midway Service, both no bid. Bid awarded to: Howes.

10. Report of Requests for Quotes for Fuel dated: November 21, 2014; Unleaded; 200 gallons; Midway Oil (\$2.5525); Sterns Oil (\$2.5778); Palisade Oil (\$2.9290). Bid awarded to: Midway Oil.

APPLICATIONS

11. Special One-Day Liquor Licenses for Washington Pavilion Management Inc., Washington Pavilion of Arts & Science to be operated at 301 South Main Avenue, for special events on December 8 and 20, 2014, and January 13, 2015.

12. Various Retail Liquor, Package Liquor, and Retail Wine License renewals for 2015 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit D.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, December 16, 2014, at 7:00 p.m. for Items 13 through 15:

13. New 2015 Retail Wine License for TNT Pizza Inc., Pizza Rev, to be operated at 3905 West 49th Street, Suite 103 (CUP not required).
14. New 2014-15 Retail Malt Beverage License for TNT Pizza Inc., Pizza Rev, to be operated at 3905 West 49th Street, Suite 103 (CUP not required).

15. Special One-Day Wine Licenses for The History Club of Sioux Falls to be operated at 758 South Phillips Avenue, for special events on January 3 and December 5, 2015.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

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

A motion was made by Council Member Dean Karsky and seconded by Council Member Rex Rolwing to amend the Regular Agenda by moving Item 29 before Item 20.

Vote to amend: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex Rolwing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, 8. Noes, 0.

Motion Passed.

Vote to approve, as amended: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex Rolwing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, 8. Noes, 0.

Motion Passed.

PUBLIC INPUT

Scott Ehrisman spoke regarding the following topics: Winter Wonderland in Falls Park; garbage and dumpsters/recycling in the City of Sioux Falls.

I.L. Wiedermann spoke regarding the following: an outside law firm representing the City regarding the Events Center; change orders made on the Events Center; and the need for security cameras for police officers.

Item 1 was discussed at this time. See item for action taken.

UNFINISHED BUSINESS

New 2014-15 Retail Malt Beverage License, including video lottery
16. terminals, for Quan Holdings, Inc., Crown Casino II on Cliff, to be operated at 902 South Cliff Avenue, with Conditional Use Permit (1798-2014) being approved on November 5, 2014.

New 2014-15 Retail Malt Beverage License, including video lottery
17. terminals, for Crown Gaming, Inc., Crown 41st Street Casino II, to be operated at 2516 West 41st Street, Suite 103, with Conditional Use Permit (1797-2014) being approved on November 5, 2014.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Holy
18. Spirit Knights of Columbus to be operated at Holy Spirit Catholic Church, 3601 East Dudley Lane, for a fundraiser dance on January 24, 2015.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Michelle Erpenbach to approve Items 16-18.

Vote to approve: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex Rolwing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, 8. Noes, 0.

Motion Passed.

Various Retail Liquor, Package Liquor, and Retail Wine License renewals for
19. 2015 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit E.

A motion was made by Council Member Michelle Erpenbach and seconded by Council

Member Dean Karsky to approve Item 19.

Vote to approve: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, 8. Noes, 0.

Motion Passed.

INTRODUCTION AND ADOPTION OF ORDINANCES

Item 29 was heard at this time. See item for action taken.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, CONVEYING
20. LOT 2 OF BAKKER TRACT NO. 1 IN GOVERNMENT LOTS 2 AND 3 OF SECTION 12-T100N-R50W OF THE 5TH P.M., LINCOLN COUNTY, SOUTH DAKOTA.

A motion was made by Council Member Dean Karsky and seconded by Council Member Kenny Anderson Jr. to adopt said Ordinance No. 89-14.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, 8. Noes, 0.

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
21. PROPERTY AT 1908 S. MELANIE AVE. AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS, PETITION NO. 1875-2014. Planning Commission recommends approval.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to adopt said Ordinance No. 90-14.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, 8. Noes, 0.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
22. PROPERTY AT 1400 N. MINNESOTA AVE. AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS, PETITION NO. 1876-2014. Planning Commission recommends approval.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Roling to adopt said Ordinance No. 91-14.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, 8. Noes, 0.

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
23. PROPERTY AT 4545 W. HOMEFIELD DR. AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS, PETITION NO. 1877-2014. Planning Commission recommends approval.

A motion was made by Council Member Rex Roling and seconded by Council Member Rick Kiley to adopt said Ordinance No. 92-14.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex

Rolfing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, 8. Noes, 0.

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
24. PROPERTY AT 6501 W. 41ST ST. AND AMENDING THE OFFICIAL ZONING MAP OF THE
CITY OF SIOUX FALLS, PETITION NO. 1878-2014. Planning Commission recommends
approval.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council
Member Dean Karsky to adopt said Ordinance No. 93-14.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex
Rolfing, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach,
7. Noes, Kermit L. Staggers, 1.

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
PROPERTY SOUTH OF W. 85TH ST. AND EAST OF S. MINNESOTA AVE. FROM THE AG
25. AGRICULTURE DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL-LOW DENSITY, O OFFICE
,
AND C-4 COMMERCIAL-REGIONAL DISTRICTS, PETITION NO. 1755-2014, AND AMENDING
THE
OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission
recommends approval.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council
Member Rex Rolfing to adopt said Ordinance No. 94-14.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex
Rolfing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson,
Michelle Erpenbach, 8. Noes, 0.

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
PROPERTY EAST OF S. FAITH AVE. AND SOUTH OF E. 41ST ST. FROM THE RS SINGLE-
26. FAMILY RESIDENTIAL-SUBURBAN DISTRICT TO THE RD-1 TWIN HOME/DUPLEX
RESIDENTIAL-SUBURBAN AND RA-3 APARTMENT RESIDENTIAL-HIGH DENSITY DISTRICTS,
PETITION NO. 1817-2014, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF
SIOUX FALLS. Planning Commission recommends approval.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council
Member Greg Jamison to adopt said Ordinance No. 95-14.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex
Rolfing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson,
7. Noes, 0. Council Member Michelle Erpenbach was excused from the
meeting and the vote on this item.

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
PROPERTY NORTH OF E. 69TH ST. AND WEST OF S. SOUTHEASTERN AVE. FROM THE C-
27. 2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR AND S-1 GENERAL INSTITUTIONAL
DISTRICTS TO THE CN CONSERVATION DISTRICT, PETITION NO. 1821-2014, AND
AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning
Commission recommends approval.

A motion was made by Council Member Greg Jamison and seconded by Council Member Rex Roling to adopt said Ordinance No. 96-14.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, 8. Noes, 0.

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY NORTH AND SOUTH OF E. TENTH ST. AND WEST OF SIX MILE RD. FROM THE AGRICULTURE, RR SINGLE-FAMILY RESIDENTIAL-RURAL, AND POPUD PEDESTRIAN-ORIENTED PLANNED UNIT DEVELOPMENT DISTRICTS TO THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN, RD-2 TOWNHOME RESIDENTIAL-SUBURBAN, CN CONSERVATION, O OFFICE, C-4 COMMERCIAL-REGIONAL, AND RA-2 APARTMENT RESIDENTIAL-MODERATE DENSITY DISTRICTS, PETITION NO. 1820-2014, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to adopt said Ordinance No. 97-14.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, 8. Noes, 0.

Motion Passed.

HEARINGS AND RESOLUTIONS

29. A RESOLUTION LIMITING PARATRANSIT SERVICES OUTSIDE THE ADA SERVICE AREA TO EXISTING PARATRANSIT CUSTOMERS.

A motion was made by Council Member Rex Roling and seconded by Council Member Dean Karsky to adopt said Resolution 127-14.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, Christine M. Erickson, Michelle Erpenbach, 6. Noes, Kermit L. Staggers, Kenny Anderson Jr., 2.

Motion Passed.

RESOLUTION NO. 127-14

A RESOLUTION LIMITING PARATRANSIT SERVICES OUTSIDE THE ADA SERVICE AREA TO EXISTING PARATRANSIT CUSTOMERS.

WHEREAS, Sioux Area Metro (SAM) is required by federal law to provide comparable Paratransit service levels within three-fourths mile of a transit fixed route otherwise known as the SAM ADA service area;

WHEREAS, SAM does provide Paratransit services to areas outside the ADA service area otherwise known as the SAM non-ADA service area;

WHEREAS, there has been difficulty in maintaining acceptable SAM Paratransit service levels within the required ADA service area due to capacity issues on

the Paratransit system as a whole;

WHEREAS, changes were recommended by the Transit Task Force to align the SAM Paratransit and fixed-route service areas to develop a more consistent and more efficient service area for all transit customers;

WHEREAS, the changes recommended by the Transit Task Force were to include a grandfather clause for Paratransit riders that have been utilizing Paratransit services outside the ADA service area;

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

That the following changes to SAM Paratransit services shall include:

- * Allow only SAM Paratransit riders eligible as of the effective date of this resolution to book a ride on SAM Paratransit that is within the non-ADA service area. No new eligible SAM Paratransit riders after the effective date of this resolution may book a ride on SAM Paratransit that is within the non-ADA service area.
- * After the effective date of this resolution, SAM Paratransit riders who move their place of residence to a location outside of the ADA service area will only be eligible for trips when both the origin and the destination are located within the ADA service area.

Date adopted: 12/02/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

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

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Roling to adopt said Resolution No. 128-14.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 128-14

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 LEGISLATIVE/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 Legislative/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 Legislative/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 Legislative/Operations Manager;

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

1. The 2015 biweekly salary ranges for the Budget Analyst shall be as follows: biweekly minimum range-\$2,094.40; maximum-\$2,950.40.
2. The 2015 biweekly salary ranges for the City Clerk shall be as follows: biweekly minimum range-\$2,094.40; maximum-\$2,950.40.
3. The 2015 hourly salary ranges for the Internal Auditor shall be as follows: hourly minimum range-\$21.19; maximum-\$29.45.
4. The 2015 biweekly salary ranges for the Internal Audit Manager shall be as follows: biweekly minimum range-\$2,158.40; maximum-\$3,060.80.
5. The 2015 biweekly salary ranges for the Legislative/Operations Manager shall be as follows: biweekly minimum range-\$2,480.80; maximum-\$3,571.20.
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: 12/02/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

31. A RESOLUTION ESTABLISHING THE CITY OF SIOUX FALLS' LEGISLATIVE PRIORITIES FOR THE 2015 STATE LEGISLATIVE SESSION.

A motion was made by Council Member Dean Karsky and seconded by Council Member Christine M. Erickson to adopt said Resolution No. 129-14.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, 7. Noes, Kermit L. Staggers, 1.

Motion Passed.

RESOLUTION NO. 129-14

A RESOLUTION ESTABLISHING THE CITY OF SIOUX FALLS' LEGISLATIVE PRIORITIES FOR THE 2015 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.

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

1. That the Sioux Falls City Council, in conjunction with the South Dakota Municipal League, opposes any legislation that would inhibit municipalities from providing services requested by citizens in whatever form the citizens approve and opposes any legislation that restricts local control over taxation and spending.
2. The Sioux Falls City Council supports legislation allowing municipalities alternative publication options.
3. The Sioux Falls City Council opposes any legislation that would reduce, remove, repeal, or reallocate the municipal sales tax, liquor tax reversion, or any other municipal revenues to any other unit of government or that would expand the power to impose a sales and use tax to any other unit of government.
4. The Sioux Falls City Council supports legislation that expands affordable housing opportunities in South Dakota.
5. The Sioux Falls City Council supports legislation to raise the threshold for requiring a performance bond to \$50,000.
6. The Sioux Falls City Council strongly encourages the legislature to direct that any available water development funds be used to support completion of the Lewis & Clark Regional Water System in South Dakota.
7. The Sioux Falls City Council supports legislation appropriating funds from the state Omnibus Water Fund for the purpose of providing advance of federal funds on a zero interest reimbursable basis for construction for Lewis & Clark Rural Water System facilities in South Dakota.

Date adopted: 12/02/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

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

A motion was made by Council Member Dean Karsky and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution No. 130-14.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, 7. Noes, Kermit L. Staggers, 1.

Motion Passed.

RESOLUTION NO. 130-14

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

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

Section 1. That the 2014 special assessment roll for the Main Street Business Improvement District in the City of Sioux Falls, South Dakota, 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: 12/02/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

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 4.00 percent 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 January1,2015.

Notice is further given that the special assessment roll approved in the above resolution was filed with the City Finance Office on the 6th day of

November, 2014, 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.

Lorie Hogstad

City Clerk

A RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE,
33. AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATIONS, AND
DESIGNATING AN AUTHORIZED REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT
REQUESTS. (Loan 35).

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Michelle Erpenbach to adopt said Resolution No. 131-14.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 131-14

A RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE, AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATIONS, 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 improvements to its clean water system, including, but not limited to, Brandon Road Lift Station Parallel Force Main Installation and the Implementation of Non-Point Source Measures (the "Projects"); and

WHEREAS, the City has determined that financial assistance will be necessary to undertake the Project and an application for financial assistance to the South Dakota Board of Water and Natural Resources (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 Project.

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 \$11,400,000 for the Brandon Road Lift Station Parallel Force Main and \$579,457 for Non-Point Source Measures to the South Dakota Board of Water and Natural Resources for the Project.

2. That the City is hereby authorized to execute the application and submit it to the South Dakota Board of Water and Natural Resources and to execute and deliver such other documents and perform all acts necessary to effectuate the application for financial assistance.

3. That the Mayor and/or Public Works Director or 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 Project.

Date adopted: 12/02/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

A RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE,
34. AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATIONS, AND
DESIGNATING AN AUTHORIZED REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT
REQUESTS. (Loan 36).

A motion was made by Council Member Dean Karsky and seconded by Council Member
Christine M. Erickson to adopt said Resolution No. 132-14.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex
Rolting, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson,
Michelle Erpenbach, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 132-14

A RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE, AUTHORIZING
THE EXECUTION AND SUBMITTAL OF THE APPLICATIONS, 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 improvements to its clean water system, including,
but not limited to, Outfall Trunk Sewer Replacement and the Implementation of
Non-Point Source Measures (the "Projects"); and

WHEREAS, the City has determined that financial assistance will be necessary to
undertake the Project and an application for financial assistance to the South
Dakota Board of Water and Natural Resources (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 Project.

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 \$18,533,000 for the Outfall
Trunk Sewer Replacement and \$940,025 for Non-Point Source Measures to the South
Dakota Board of Water and Natural Resources for the Project.

2. That the City is hereby authorized to execute the application and
submit it to the South Dakota Board of Water and Natural Resources and to
execute and deliver such other documents and perform all acts necessary to
effectuate the application for financial assistance.

3. That the Mayor and/or Public Works Director or 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 Project.

Date adopted: 12/02/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

35. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Michelle Erpenbach to adopt said Resolution No. 133-14.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 133-14

A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.

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

That it gives its advice and consent to the following Mayoral appointments:

Name	Board	Term
Gwendolyn Martin-Fletcher	Falls Community Health Center Governing Board	Appointed for a term from December 2014 through September 2017 (to replace Tim Roti).
Steve Miller	Falls Community Health Center Governing Board	Appointed for a term from December 2014 through May 2017 (to replace Nathan Kasselder).
Dr. Bruce Vogt	Falls Community Health Center Governing Board	Appointed for a term from December 2014 through September 2015 (to replace Mary Greenlee).
Nicole Barnes	School Traffic Safety Advisory Committee (PATH)	Appointed for a term from December 2014 through December 2018 (to replace Sharon Chontos).

Date adopted: 12/02/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A FIRST AMENDED AND
36. RESTATED AGREEMENT FOR GOLF COURSE MANAGEMENT SERVICES BETWEEN THE CITY OF
SIOUX FALLS AND DAKOTA GOLF MANAGEMENT, INC.

A motion was made by Council Member Rex Rolwing and seconded by Council Member
Dean Karsky to adopt said Resolution No. 134-14.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rick Kiley, Rex
Rolwing, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson,
Michelle Erpenbach, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 134-14

A RESOLUTION [AUTHORIZING THE MAYOR TO ENTER INTO A FIRST AMENDED AND RESTATED
AGREEMENT FOR GOLF COURSE MANAGEMENT SERVICES BETWEEN THE CITY OF SIOUX FALLS
AND DAKOTA GOLF MANAGEMENT, INC].

WHEREAS, the City of Sioux Falls (the "City") owns three municipal golf
courses: Elmwood, Prairie Green, and Kuehn Park;

WHEREAS, Dakota Golf Management, Inc. (the "Manager") became the manager of the
municipal golf courses;

WHEREAS, the Manager entered into a four-year Golf Course Management Services
Agreement with the City on January 1, 2008, and an option to extend the
Agreement for four additional years on October 5, 2011;

WHEREAS, [the City and the Manager find that management of the municipal golf
courses be continued between the City and the Manager, whereby the Manager
shall continue to operate, manage, maintain, and develop the municipal golf
courses];

WHEREAS, the parties have come to agreement on estimated revenues lost as a
result of the Sioux Falls Regional Airport Authority's project;

WHEREAS, the Manager and the City wish to extend the management contract for
two additional years until December 31, 2017;

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

That the document entitled "First Amended and Restated Agreement for Golf
Course Management Services" between the Manager and the City, substantially in
the form attached hereto and made a part of this resolution, is hereby
approved.

That the Mayor is authorized to sign such agreement after it is ratified and
executed by the Manager.

The City shall publish the Resolution, without attachment, after its passage.

The attachment is on file and available for inspection in the office of the City Clerk.

Date adopted: 12/02/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

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)

37. REPORT OF THE NOVEMBER 25, 2014, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

Mayor Mike Huether recognized citizens in the audience who came to support Item 36.

Mayor Mike Huether recognized the University of Sioux Falls students in the audience.

ADJOURNMENT

A motion was made by Council Member Dean Karsky and seconded by Council Member Kenny Anderson Jr. to adjourn the meeting at 8:57 p.m. Mayor Huether called for a voice vote. All members voted yes.

Motion Passed.

Tamara Jorgensen, 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.

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. 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.