

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

REGULAR MEETING OF Tuesday, April 7, 2015, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rex Rolwing

Council Member Rick Kiley

Council Member Kermit L. Staggers

Council Member Kenny Anderson Jr.

Mayor Mike T. Huether

INVOCATION

Pastor Fred Wilgenburg, Center of Hope

*

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

National Service Recognition Day - April 7, 2015

*

Fair Housing Month - April, 2015

*

The Big Squeeze Month - April, 2015

*

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.

A motion was made by Council Member Dean Karsky and seconded by Council Member Michelle Erpenbach to amend the Consent Agenda by removing the following line item from Item #1: Parks/Recreation, Project No. 14022, Development of Play Structures, to award a bid by vendor Dakota Fence for the amount of \$358,000.00.

A request was made by Council Member Kermit L. Staggers to move the following contract from Item 1 to the Regular Agenda for discussion purposes: Parks/Recreation, Project No. 14027, Dog Park Development, agreement for Engineering services by vendor StockwellEngineers for \$58,492.00.

Vote to amend: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

Vote to approve, as amended: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

MINUTES

Informational Meeting of Tuesday, March 17, 2015, at 4:00 p.m.

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City Council Meeting of Tuesday, March 17, 2015, at 7:00 p.m.

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Informational Meeting of Tuesday, March 24, 2015, at 4:00 p.m.

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Joint City Council/Minnehaha County Commission Meeting of Tuesday,
* March 24, 2015, at 5:00 p.m.

Special City Council Meeting of Thursday, March 26, 2015, at 1:30 p.m.

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COMMUNICATIONS

1. Approval of contracts/agreements on the April 2, 2015 memo.

A motion was made by Council Member Dean Karsky and seconded by Council Member Michelle Erpenbach to approve Parks/Recreation, Project No. 14027, Dog Park Development, agreement for Engineering Services by Vendor StockwellEngineers for \$58,492.00.

Vote to approve: Roll Call: Yeses, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kenny Anderson Jr., 6. Noes, Kermit L. Staggers, 1.

Motion Passed.

A communication was received from the Great Plains Zoo and Delbridge Museum of Natural History requesting permission to consume, but not sell, liquor,
2. wine and/or malt beverage at the Great Plains Zoo, 805 South Kiwanis Avenue on the dates listed pursuant to SDCL 35-1-5.5 for the purpose of supporter and donor appreciation events at the Zoo. April 16, 20, 21, 22, 23,

30, and May 7, 11, 14, 21, and 28, 2015.

A communication was received from Paul and Pamela Tvedt, requesting permission to consume, but not sell, wine and beer at The Old Courthouse

3. Museum, 200 West 6th Street, on Friday, November 13, 2015, from 6:00 p.m. to 10:00 p.m. pursuant to SDCL 35-1-5.5 for the purpose of a wedding rehearsal for their son, Eric Tvedt, and his fiancée Megan Hasche.

Report of Requests for Quotes for Fuel dated: March 13, 2015; E-10 Unleaded

4. Ethanol/87 Octane; 8,500 gallons, Cole's Petroleum (\$1.8724); Howes Oil (\$1.8935); Harms Oil (\$1.8978); CHS, Inc. (\$1.9500); Olson Oil, no bid. Bid awarded to: Cole's Petroleum.

Report of Request for Quotes for Fuel dated March 18, 2015; #2 Clear Diesel;

5. 7,500 gallons; CHS, Inc. (\$1.989); Howes Oil (\$1.934); Harms Oil (\$1.95); Petroleum Traders Co. (\$1.963); Midwest Oil, no bid. Bid awarded to: Howes Oil.

Report of Requests for Quotes for Fuel dated: March 20, 2015; Unleaded

Ethanol and #2 Dyed Diesel; 2,500 gallons Unleaded/5,500 Gallons #2; Cole's

6. Petroleum (\$1.8828 Unleaded/\$1.7571 #2 Diesel); Howes Oil (\$1.8735 Unleaded/\$1.7655 #2 Diesel); Harms Oil (\$1.8877 Unleaded/\$1.7609 #2 Diesel); CHS, Inc. (\$1.9390 Unleaded/\$1.8000 #2 Diesel); Olson Oil, no bid. Bid awarded to: Cole's Petroleum.

Report of Requests for Quotes for Fuel dated: March 25, 2015; E-10 Unleaded

7. Ethanol/87 Octane; 8,500 Gallons; Harms Oil (\$1.9037); Howes Oil (\$1.9195); CHS, Inc., Cole's Petroleum and Olson Oil, all no bid. Bid awarded to: Harms Oil.

Report of Requests for Quotes for Fuel dated: March 25, 2015; #2 Dyed Diesel

8. Fuel; 7,500 gallons; Howes Oil (\$1.7585); Harms Oil (\$1.7642); CHS, Inc. Cole's Petroleum, Midwest Oil, Olson Oil, all no bid. Bid awarded to: Howes Oil.

Report of Requests for Quotes for Fuel dated March 31, 2015; Unleaded

9. Ethanol; 720 gallons; Howes Oil (\$2.0955); Midway Service, Stern Oil and Vollan Oil, both no bid. Bid awarded to: Howes Oil.

Report of Requests for Quotes for Fuel dated: March 31, 2015; Clear Diesel

10. #1; 295 Gallons; Howes Oil (\$2.2085); Midway Service, Stern Oil, Vollan Oil, all no bid. Bid awarded to: Howes Oil.

Report of Requests for Quotes for Fuel dated: March 31, 2015; Clear Diesel

11. #2; 295 gallons; Howes Oil (\$2.2078); Midway Service, Stern Oil, Vollan Oil, all no bid. Bid awarded to: Howes Oil.

APPLICATIONS

Special One-Day Liquor Licenses for Washington Pavilion Management Inc., to

12. be operated at Washington Pavilion of Arts & Science, 301 South Main Avenue, for wedding receptions on April 25 and May 30, 2015.

Special One-Day Malt Beverage License for The Center for Equality to be

13. operated at Terrace Park, 1100 4th Street, for a Sioux Falls Pride event on June 20, 2015.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, April 21, 2015, at 7:00 p.m. on Items 14

through 21:

New 2015 Retail Wine License, including video lottery terminals, for Love's
14. Travel Stops & Country Stores Inc., Love's Travel Stop #445, to be operated
in the video lottery game room only, 5301 North Cliff Avenue.

New 2015 Package Liquor License for Love's Travel Stops & Country Stores Inc
15. Love's Travel Stop #445, to be operated in the convenience store only, 5301
North Cliff Avenue.

16. New 2015 Package Liquor License for El Riad Shriners, El Riad Mosque, to be
operated at 510 South Phillips Avenue.

Transfer of 2015 Retail Liquor License, including Sunday sales, from SRS Inc
17. The Other Place, 901 West 41st Street, to SHS, LLC, business name to be
determined, 221 South Phillips Avenue, Suite 100 (CUP not required - full
service restaurant).

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering
18. America Inc., Chef Dominique's Catering, to be operated at Poet, 4615 North
Lewis Avenue, for a Poet mixer on April 30, 2015.

Special One-Day Wine License requests for Downtown Sioux Falls Inc., to be
operated at the following locations: 8th & Railroad Center Lobby, 401 East
8th Street, A League of Your Own, 229 South Phillips Avenue, CH Patisserie,
309 South Phillips Avenue, Chelsea's Boutique, 321 South Phillips Avenue, Exposu
re Gallery & Studios, 401 North Phillips Avenue, Great Outdoor Store, 201 East
Tenth Street, Lillian's, 311 South Phillips Avenue, NV Studio Salon, 106 Wes
t 11th Street, Rehfeld's Art & Framing, 210 South Phillips Avenue, Say Anythin
g Jewelry, 225 South Phillips Avenue, Simply Perfect, 401 East 8th Street #108
, Sioux Falls Design Center, 108 West 11th Street, Sioux Falls Made Market (Ar
gus Leader), 200 South Minnesota Avenue, Sticks and Steel, 401 East 8th Street #
118, Sunflower Photography, 400 North Main Avenue Young & Richard's, 222 South
Phillips Avenue, and Zandbroz, 209 South Phillips Avenue, for the First Frid
ay Wine Walk on May 1, 2015.

Special One-Day Liquor License for Sioux Falls Area Humane Society, to be
20. operated at Landscape Garden Center, 7201 South Minnesota Avenue, for the
Paws to Celebrate fundraiser on June 13, 2015.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for ICON
21. Entertainment LLC, to be operated at Cherapa Place east parking lot, 300
North Cherapa Place, for the 605 Summer Classic on June 19-20, 2015.

Set a date of hearing for Tuesday, April 21, 2015, at 7:00 p.m. on Items 22
through 24:

22. N.4TH AVE., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

A PROPOSED RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SIDEWALK ON
23. W.9TH ST., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

A PROPOSED RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SIDEWALK ON
24. E.BENSON RD., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

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.

Vote to approve: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

PUBLIC INPUT

Paul Flogstad spoke regarding the Fair Housing Proclamation and Fair Housing awareness.

Joy Tuscherer spoke regarding the Denny Sanford PREMIER Center and complications involving elevator usage during the Bob Seger concert.

Arthur Kriens spoke regarding the downtown parking shortage.

Rick Albrecht spoke regarding airline flight complications at the Sioux Falls Regional Airport.

Shireen Ranschau spoke regarding a 1st Reading item on tonight's agenda (Item 40) regarding Boards and Commissions.

Scott Ehrisman spoke about the following topics: the recent meeting and activity around the Bishop Dudley House; the wages in the city of Sioux Falls; and the releasing of police videos.

Theresa Stehly spoke regarding snow gates.

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

UNFINISHED BUSINESS

New 2014-15 Retail Malt Beverage License for JLB-SF2 Inc., JL Beers, to be
25. operated at 3623 South Western Avenue (CUP not required). Pending final inspections per Fire, Health and Building Services.

New 2015 Retail Wine License for JLB-SF2, Inc., JL Beers, to be operated at
26. 3623 South Western Avenue (CUP not required). Pending final inspections per Fire, Health and Building Services.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering

27. America Inc., Chef Dominique's, to be operated at Avera Prairie Center, 1000 East 23rd Street, for a retirement social on April 9, 2015.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for
28. Catering America Inc., Chef Dominique's, to be operated at Avera eCare, 4500 North Lewis Avenue, for a social event on April 9, 2015.

Special One-Day Liquor License for Ovations Food Services, LP, Sioux
29. Falls Convention Center, to be operated at Sanford Research Center, 2301 East 60th Street North, for a dinner on April 15, 2015.

Special One-Day Liquor License requests for Hy-Vee Inc., All Occasions by
30. Hy-Vee, to be operated at The Point is to Serve Church, 506 North Kiwanis Avenue, for weddings on April 18 and 25, 2015.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for the
31. Sioux Falls Jazz & Blues Society, to be operated at Yankton Trail Park, 3901 South Minnesota Avenue, for the Jazz Fest on July 16-18, 2015.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for the
32. Sioux Falls Jazz & Blues Society, to be operated at Vern Eide Acura, 4030 South Grange Avenue, for a fundraiser on September 12, 2015.

A motion was made by Council Member Greg Jamison and seconded by Council Member Michelle Erpenbach to approve Items 25-32.

Vote to approve: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

INTRODUCTION AND ADOPTION OF ORDINANCES

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHWEST CORNER OF W. 26TH ST. AND S. KATIE AVE. FROM THE R S

33. SINGLE-FAMILY RESIDENTIAL-SUBURBAN DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL-LOW DENSITY DISTRICT, PETITION NO.2223-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Dean Karsky to adopt said Ordinance No. 29-15.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1116S. 4TH AVE. FROM THE RT-1 SINGLE-FAMILY
34. RESIDENTIAL-TRADITIONAL DISTRICT TO THE S-1 GENERAL INSTITUTIONAL DISTRICT, PETITION NO.2243-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The 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. 30-15.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 633W. 10TH ST. FROM THE RT-2 TOWNHOME RESIDENTIAL-TRADITIONAL DISTRICT 35. TO THE RA-1 APARTMENT RESIDENTIAL-LOW DENSITY DISTRICT, PETITION NO.2286-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.

A motion was made by Council Member Dean Karsky and seconded by Council Member Rick Kiley to adopt said Ordinance No. 31-15.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3204S. WEST AVE. FROM THE RD-1 TWIN HOME/DUPLEX 36. RESIDENTIAL-SUBURBAN DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL-TRADITIONAL DISTRICT, PETITION NO.2287-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The 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. 32-15.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY NORTH OF E. 41ST ST. AND WEST OF S. SIX MILE RD. FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN, RD-2 TOWNHOME RESIDENTIAL-SUBURBAN, 37. RA-2 APARTMENT RESIDENTIAL-MODERATE DENSITY, AND C-2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR DISTRICTS, PETITION NO.2292-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Michelle Erpenbach to adopt said Ordinance No. 33-15.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHWEST CORNER OF E. 41ST ST. AND S. SYCAMORE AVE. FROM TH

E

C-2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR DISTRICT TO THE C-
38. 3 COMMERCIAL-COMMUNITY DISTRICT, INCLUDING CONDITIONS AS ALLOWED IN SECTION
160.650 (e) PLACING LIMITATIONS ON REGULATIONS WITHIN THE RE4 FORM, PETITION

NO. 2298-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX
FALLS. The Planning Commission recommends approval subject to: 1) Building o
f
no more than 30,000 square feet of gross floor area.

A motion was made by Council Member Greg Jamison and seconded by Council Member
Kenny Anderson Jr. to adopt said Ordinance No. 34-15.

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

Motion Passed.

2nd Reading: AN ORDINANCE ESTABLISHING AN INTERIM MORATORIUM ON THE
39. INSTALLATION OF ANY BILLBOARD OR ISSUANCE OF ANY BILLBOARD PERMITS PENDING
FURTHER STUDY.

A motion was made by Council Member Greg Jamison and seconded by Council Member
Kenny Anderson Jr. to adopt said Ordinance No. 35-15.

A motion was made by Council Member Rick Kiley and seconded by Council Member
Christine M. Erickson to amend the ordinance by removing the words, "Installatio
n of
any billboards or" in the title; and removing the words, "installation of any
billboards or the" in the fourth paragraph. In the first paragraph of Section 1,
adding "or" between "applications" and 'issue" and deleting "or allow the instal
lation
of".

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

Motion Passed.

Vote to adopt, as amended: Roll Call: Yeses, Christine M. Erickson, Michelle
Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny
Anderson Jr., 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, April 14, 2015, at 7:00 p.m.
for Item 40:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE
40. CODE OF ORDINANCES OF THE CITY BY REVISING Section/Chapter 30.025 CREATION O
F AGENCIES,
AUTHORITIES, COMMITTEES, BOARDS, COMMISSIONS, AND DISTRICTS AND Section/Chap
ter 30.026 RULES
FOR BOARDS AND COMMISSIONS.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council
Member Michelle Erpenbach to set a date of hearing and 2nd Reading for Tuesday,

April 14, 2015, at 7:00 p.m. for Item 40.

Vote to set a date: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, April 21, 2015, at 7:00 p.m. for Item 41:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. AND W. OF N. MARLOW AVE. AND N. OF E. PADDINGTON ST. FROM THE

41. AG, AGRICULTURE DISTRICT TO THE RS, SINGLE-FAMILY RESIDENTIAL-SUBURBAN DISTRICT, PETITION NO.2249-2015 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Kenny Anderson Jr. to set a date of hearing and 2nd Reading for Tuesday, April 21, 2015, at 7:00 p.m. for Item 41.

Vote to set a date: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

HEARINGS AND RESOLUTIONS

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF 42. HIDDEN MEADOWS SECOND ADDITION. The Planning Commission recommends approval.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to adopt said Resolution No. 16-15.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 16-15

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF [HIDDEN MEADOWS SECOND ADDITION].

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

That the preliminary plan of [Hidden Meadows Second Addition] to the City of Sioux Falls, [Minnehaha] County, SD, is hereby approved, and the City Clerk of the City of Sioux Falls is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Date adopted: 04/07/2015 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF 43. STONE POINTE AT 57TH ADDITION. The Planning Commission recommends approval.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Greg Jamison to adopt said Resolution No. 17-15.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 17-15

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF [STONE POINTE AT 57TH ADDITION].

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

That the preliminary plan of [Stone Pointe at 57th Addition] to the City of Sioux Falls, [Lincoln] County, SD, is hereby approved, and the City Clerk of the City of Sioux Falls is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Date adopted: 04/07/2015 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF 44. COPPER CREEK HEIGHTS ADDITION. The Planning Commission recommends approval.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to adopt said Resolution No. 18-15.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 18-15

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF [COPPER CREEK HEIGHTS ADDITION].

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

That the preliminary plan of [Copper Creek Heights Addition] to the City of Sioux Falls, [Minnehaha] County, SD, is hereby approved, and the City Clerk of the City of Sioux Falls is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Date adopted: 04/07/2015 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF 45. COPPER CREEK ESTATES ADDITION. The Planning Commission recommends approval.

A motion was made by Council Member Dean Karsky and seconded by Council Member Rick Kiley to adopt said Resolution No. 19-15.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 19-15

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF [COPPER CREEK ESTATES ADDITION].

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

That the preliminary plan of [Copper Creek Estates Addition] to the City of Sioux Falls, [Minnehaha] County, SD, is hereby approved, and the City Clerk of the City of Sioux Falls is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Date adopted: 04/07/2015 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

46. A RESOLUTION TO APPROVE A HISTORICAL MARKER ON CITY PROPERTY. Midair

Collision at Veterans' Memorial Park.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Greg Jamison to adopt said Resolution No. 20-15.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 20-15

A RESOLUTION [TO APPROVE A HISTORICAL MARKER ON CITY PROPERTY].

If there aren't any "WHEREAS" phrases, skip "NOW, THEREFORE" and begin with just "BE IT RESOLVED..."BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That [it approves the placement of the following historic marker on City property by the Minnehaha County Historical Society]:

Historical MarkerLocation

Midair CollisionVeterans' Memorial Park

Date adopted: 04/07/2015 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

47. A RESOLUTION TO APPROVE A HISTORICAL MARKER ON CITY PROPERTY. Sioux Falls Army Technical School at Veterans' Memorial Park.

A motion was made by Council Member Greg Jamison and seconded by Council Member Michelle Erpenbach to adopt said Resolution No. 21-15.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 21-15

A RESOLUTION [TO APPROVE A HISTORICAL MARKER ON CITY PROPERTY].

If there aren't any "WHEREAS" phrases, skip "NOW, THEREFORE" and begin with just "BE IT RESOLVED..."BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That [it approves the placement of the following historic marker on City property by the Minnehaha County Historical Society]:

Historical MarkerLocation

Sioux Falls Army Technical School Veterans' Memorial Park

Date adopted: 04/07/2015 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

48. A RESOLUTION CANCELING MAIN STREET BUSINESS IMPROVEMENT DISTRICT (BID) ASSESSMENTS.

A motion was made by Council Member Greg Jamison and seconded by Council Member Dean Karsky to adopt said Resolution No. 23-15.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 23-15

A RESOLUTION CANCELING MAIN STREET BUSINESS IMPROVEMENT DISTRICT (BID) ASSESSMENTS.

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

1. That the following assessments for the principal plus interest be canceled:

2013 Record ID No. 54774 M55087 1.04

2013 Record ID No. 54773 M55086 2.49

2013 Record ID No. 46118 M55081 265.97

2. That the City Finance Director is hereby authorized to show said action on the respective records and to notify the Minnehaha County treasurer of said action.

Date adopted: 04/07/2015 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

49. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE REMOVAL OF VISUAL ART WALL ON PUBLIC PROPERTY.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rick Kiley to adopt said Resolution No. 24-15.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 24-15

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE REMOVAL OF VISUAL ART WALL ON PUBLIC PROPERTY.

WHEREAS, the City Council adopted Resolution No. 60-08 on April 21, 2008, authorizing placement and installation of the visual art wall titled "In Varietate Concordia"; and

WHEREAS, the visual art wall known as "In Varietate Concordia" (United in Diversity) is located on City property (Block 4, Phillips to the Falls Addition to the City of Sioux Falls, Minnehaha County, South Dakota) subject to sale to a private party as authorized per Ordinance 23-15 of the City of Sioux Falls. Pursuant to the terms of the sale, the City is required to remove "In Varietate Concordia" from the property; and

WHEREAS, the Sioux Falls Visual Arts Commission serves as the City's liaison with artists and advises on any proposed alteration, removal, or destruction of visual art projects, statues, monuments, or memorials in City parks or on City property; and

WHEREAS, the Sioux Falls Visual Arts Commission on March 17, 2015, recommended the removal of the art known as "In Varietate Concordia" from its current location to be stored until further recommendation;

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

That the removal of the visual art wall known as "In Varietate Concordia" from its current location is authorized. The art shall be stored until further recommendation from the Sioux Falls Visual Arts Commission is authorized.

Date adopted: 04/07/2015 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

50. A RESOLUTION SUPPORTING THE CANDIDACY OF MICHAEL HALL FOR A POSITION ON THE

BOARD OF DIRECTORS OF THE SOUTH DAKOTA PUBLIC ASSURANCE ALLIANCE (SDPAA).

A motion was made by Council Member Greg Jamison and seconded by Council Member Rick Kiley to adopt said Resolution No. 22-15.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 22-15

A RESOLUTION SUPPORTING THE CANDIDACY OF MICHAEL HALL FOR A POSITION ON THE BOARD OF DIRECTORS OF THE SOUTH DAKOTA PUBLIC ASSURANCE ALLIANCE (SDPAA).

WHEREAS, the City of Sioux Falls is a member of the SDPAA, which is a risk-sharing pool comprised primarily of South Dakota cities and counties; and

WHEREAS, the City of Sioux Falls Risk Manager, Michael Hall, currently holds a position on the Board of Directors of the SDPAA, which term is soon to expire; and

WHEREAS, it is in the best interest of the City of Sioux Falls to maintain this representation on the Board of Directors of the SDPAA; and

WHEREAS, the SDPAA board member eligibility rules require the candidacy of a nonelected official to be supported by a resolution of the governing board;

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

That the City Council hereby supports the candidacy of the Risk Manager, Michael Hall, for a position on the Board of Directors of the SDPAA.

Date adopted: 04/07/2015 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF A 51. SCULPTURE ON PUBLIC PROPERTY. "Effortlessly Buoyant" at the northwest corner of Lyon Park, located at the southeast corner of 14th St. and Phillips Avenue.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution No. 25-15.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, Kenny Anderson Jr., 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 25-15

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF A SCULPTURE ON PUBLIC PROPERTY.

WHEREAS, the All Saints Neighborhood Association intends to lease a steel sculpture known as "Effortlessly Buoyant" from SculptureWalk for one year; and

WHEREAS, the sculpture depicts a human figure and measures approximately 7' in height, 2' 6" in width, and 3' in length; and

WHEREAS, the proposed site placement for the "Effortlessly Buoyant" sculpture be prominently displayed on an existing 4' 6" tall quartzite pedestal, located in the northwest corner of Lyon Park, at the southeast corner of 14th St. and Phillips Ave.; and

WHEREAS, the All Saints Neighborhood Association and SculptureWalk will be responsible for all project costs associated with "Effortlessly Buoyant" sculpture placement and installation; and

WHEREAS, the Sioux Falls Visual Arts Commission encourages and recommends the outdoor exhibition of public art in Sioux Falls, SD; and

WHEREAS, both the Sioux Falls Visual Arts Commission and Sioux Falls Parks and Recreation Board have reviewed the proposed "Effortlessly Buoyant" sculpture and placement on March 17, 2015, and unanimously recommended approval for the sculpture and placement, as presented;

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

That the "Effortlessly Buoyant" sculpture and its placement in the northwest corner of Lyon Park, located at the southeast corner of 14th St. and Phillips Ave., be approved as recommended.

Date adopted: 04/07/15 .

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)

52. REPORT OF THE MARCH 31, 2015, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

ADJOURNMENT

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Greg Jamison to adjourn the meeting at 9:22 p.m. Mayor Huether called for a voice vote. All members present 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.

AS YOUR ELECTED REPRESENTATIVES, THE CITY COUNCIL VALUES YOUR INPUT AND FEEDBACK. HOWEVER, THE SOUTH DAKOTA SUPREME COURT HAS RULED THAT CITY COUNCILORS MAY NOT ENGAGE IN PRIVATE COMMUNICATIONS WITH PERSONS WHEN THE CITY COUNCIL WILL ACT AS A DECISION-MAKER ON AN UPCOMING MATTER INVOLVING A LICENSE OR A PERMIT. IN THOSE INSTANCES, PERSONS ARE ENCOURAGED TO PROVIDE WRITTEN COMMENTS TO THE ENTIRE CITY COUNCIL OR TO PROVIDE ORAL COMMENT AT THE PUBLIC MEETING ON THAT MATTER WHEN IT IS CONSIDERED BY THE ENTIRE CITY COUNCIL. THOSE WHO PROVIDE COMMENTS SHOULD UNDERSTAND THAT THEIR COMMENTS WILL 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 4:00 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.