

City of Sioux Falls Council Meeting  
Minutes  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Tuesday, August 15, 2017, at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

Council Member Marshall Selberg  
Council Member Pat Starr  
Council Member Theresa Stehly  
Council Member Christine M. Erickson  
Council Member Michelle Erpenbach  
Council Member Rick Kiley  
Council Member Greg Neitzert  
Council Member Rex Rolwing  
Mayor Mike T. Huether

ABSENT

INVOCATION

- Pastor Randy Gehring, Our Savior's Lutheran Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Rick Kiley and seconded by Council Member Michelle Erpenbach to approve the Consent Agenda.

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

MINUTES

- City Council Meeting of Tuesday, August 8, 2017, at 7 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the August 11, 2017, memo.

2. Approval of the notice change orders on the August 11, 2017, memo.
3. Report of Requests for Quotes for Fuel dated: August 2, 2017: Dyed Diesel #2; 7,500 gallons; Midway Service (\$1.7519); Cole's Petroleum (\$1.7517); Stern Oil (\$1.7561); Harms Oil (\$1.7583); Howes Oil (\$1.7495); CHS, Inc. (\$1.7999); and Olson Oil, no bid. Bid awarded to: Howes Oil.
4. Report of Requests for Quotes for Fuel dated: August 7, 2017; Dyed Diesel #2 and Unleaded; 7,500 gallons Dyed Diesel #2/8,500 gallons Unleaded; Midway Service (\$1.7520 DD #2/\$1.8478 UL); Cole's Petroleum (\$1.7570 DD #2/\$1.8659 UL); Stern Oil (\$1.7637 DD #2/\$1.8534 UL); Harms Oil (\$1.7739 DDiesel #2/\$1.8709 UL); CHS, Inc. (\$1.8040 DD #2/\$1.9249 UL); Howes Oil and Olson Oil, both no bid. Bid awarded to: Midway Service.

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, September 5, 2017, at 7 p.m. for Items 5 through 9:

5. New 2017 Retail Liquor License, including Sunday sales certificate, for Ted J. Thoms, business name to be determined, 400 North Main Avenue, Suite 206 (CUP not required).
6. Request to include video lottery terminals with the new 2017 Retail Liquor License, including Sunday sales certificate, for Ted J. Thoms, business name to be determined, 400 North Main Avenue, Suite 206 (CUP not required).
7. Transfer of 2017 Retail Liquor License, including Sunday sales certificate and video lottery terminals, from Sue Erickson, Happy Jacks Sioux Falls IV, 1211 East Benson Road, to MG Oil Company, Happy Jacks Sioux Falls IV, 1211 East Benson Road.
8. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s to be operated at Vance Thompson Vision, 3101 West 57th Street, for an open house on September 11, 2017.
9. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s to be operated at 2011 Austin Drive, for a United Way fundraiser on September 19, 2017.

Set a date of hearing for Tuesday, September 12, 2017, at 7 p.m. for Items 10:

10. A PROPOSED RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2018, AND THE 2018-2022 CAPITAL PROGRAM.

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Greg Neitzert and seconded by Council Member Marshall Selberg to approve the Regular Agenda.

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

#### PUBLIC INPUT

Thor Bardon gave praise and encouragement to the City Council.

David Zokaites spoke about drug prohibition.

Scott Ehrisman spoke about a recent newspaper article regarding campaign donations; and Tax Increment Financing (TIFs).

Sierra Broussard spoke about the police department and body cameras, the Oak View neighborhood and drugs, the Oak View Library and afterschool care, and problems at the Downtown Library.

#### UNFINISHED BUSINESS

11. New 2017 Retail Wine License for The Stag s Head LLC, The Stag s Head, 6205 Old Village Place (CUP not required). Pending final inspections per Fire, Health & Building Services.
12. New 2017-18 Retail Malt Beverage License for The Stag s Head LLC, The Stag s Head, 6205 Old Village Place (CUP not required). Pending final inspections per Fire, Health & Building Services.
13. Request to include video lottery terminals with the new 2017-18 Retail Malt Beverage License for The Stag s Head LLC, The Stag s Head, 6205 Old Village Place. Pending final inspections per Fire, Health & Building Services.
14. New 2017 Retail Wine License for Envy Nail & Spa LLC, Envy Nail & Spa, 4212 West Empire Place (CUP not required). Pending final inspections per Fire, Health & Building Services.
15. New 2017-18 Retail Malt Beverage License for Envy Nail & Spa LLC, Envy Nail & Spa, 4212 West Empire Place (CUP not required). Pending final inspections per Fire, Health & Building Services.
16. New 2017 Off-Sale Delivery License for TSlat Inc., JJ s Wine, Spirits & Cigars, 4810 South Western Avenue.

17. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America, Chef Dominique s Catering to be operated at Poet, 4615 North Lewis Avenue, for a social on August 22, 2017.
18. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Stockyards Plaza Inc., to be operated at Stockyards Ag Experience Barn, 301 East Falls Park Drive, for donor appreciation events on August 23 & 24, 2017.
19. Special One-Day Malt Beverage License for The Banquet to be operated at Cliff Avenue Greenhouse & Garden Center, 2101 East 26th Street, for a fundraiser on October 5, 2017.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rick Kiley to approve Items 11-19.

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

#### INTRODUCTION AND ADOPTION OF ORDINANCES

20. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 111: ALCOHOLIC BEVERAGES TO PROVIDE FOR AN OFF-SALE DELIVERY CLASSIFICATION AND FEE.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rick Kiley to adopt said Ordinance No. 76-17.

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

21. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SIOUX FALLS, SD, BY REVISING BOUNDARIES FOR VOTING PRECINCTS AS SET FORTH IN SECTION 38.003 OF CHAPTER 38: ELECTIONS.

A motion was made by Council Member Rex Roling and seconded by Council Member Pat Starr to adopt said Ordinance No. 77-17.

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

22. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES FOR CHAPTER 156: FLOODPLAIN MANAGEMENT.

A motion was made by Council Member Greg Neitzert and seconded by Council Member Christine M. Erickson to adopt said Ordinance No. 78-17.

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

Set a date of hearing and 2nd Reading for Tuesday, September 5, 2017, at 7 p.m. for Item 23:

23. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 1600 W. 51ST ST. FROM THE UNZONED AND I-1 LIGHT INDUSTRIAL DISTRICTS TO THE S-1 GENERAL INSTITUTIONAL AND I-1 LIGHT INDUSTRIAL DISTRICTS PETITION NO. 6596-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-0).

A motion was made by Council Member Pat Starr and seconded by Council Member Rex Roling to set a date of hearing and 2nd Reading for Tuesday, September 5, 2017, at 7 p.m.

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

Set a date of hearing and 2nd Reading for Tuesday, September 5, 2017, at 7 p.m. for Item 24:

24. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 426 W. 7TH ST. FROM THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT PETITION NO. 6980-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-0).

A motion was made by Council Member Greg Neitzert and seconded by Council Member Christine M. Erickson to set a date of hearing and 2nd Reading for Tuesday, September 5, 2017, at 7 p.m.

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

Set a date of hearing and 2nd Reading for Tuesday, September 5, 2017, at 7 p.m. for Item 25:

25. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 430 W. 7TH ST. FROM THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT PETITION NO. 6982-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-0).

A motion was made by Council Member Rex Rolwing and seconded by Council Member Michelle Erpenbach to set a date of hearing and 2nd Reading for Tuesday, September 5, 2017, at 7 p.m.

Vote to set a date: Roll Call: Yeses, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Rolwing, 8. Noes, 0.  
Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, September 5, 2017, at 7 p.m. for Item 26:

26. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE NW CORNER OF E. 85TH ST. AND S. CLIFF AVE. FROM THE AG AGRICULTURE DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT PETITION NO. 6998-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-0).

A motion was made by Council Member Rex Rolwing and seconded by Council Member Michelle Erpenbach to set a date of hearing and 2nd Reading for Tuesday, September 5, 2017, at 7 p.m.

Vote to set a date: Roll Call: Yeses, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Rolwing, 8. Noes, 0.  
Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, September 5, 2017, at 7 p.m. for Item 27:

27. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED EAST OF S. SYCAMORE AVE. AND NORTH OF E. 41ST ST. FROM THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT TO THE RD-1 TWIN HOME/ DUPLEX RESIDENTIAL SUBURBAN, O OFFICE, AND C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICTS PETITION NO. 7071-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-0).

A motion was made by Council Member Rick Kiley and seconded by Council Member Marshall Selberg to set a date of hearing and 2nd Reading for Tuesday, September 5, 2017, at 7 p.m.

Vote to set a date: Roll Call: Yeses, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Rolwing, 8. Noes, 0.  
Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, September 5, 2017, at 7 p.m. for Item 28:

28. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED NORTH OF W. 41ST ST. AND WEST OF S. ELLIS RD. FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT PETITION NO. 7078-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF

SIOUX FALLS. Planning Commission recommends approval (7-0).

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rick Kiley to set a date of hearing and 2nd Reading for Tuesday, September 5, 2017, at 7 p.m.

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

Set a date of hearing and 2nd Reading for Tuesday, September 5, 2017, at 7 p.m. for Item 29:

29. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT NE CORNER OF W. BENSON RD. AND N. OKLAHOMA AVE. FROM THE O OFFICE DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT PETITION NO. 7080-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-0).

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rex Roling to set a date of hearing and 2nd Reading for Tuesday, September 5, 2017, at 7 p.m.

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

#### HEARINGS AND RESOLUTIONS

30. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF A SCULPTURE ON PUBLIC PROPERTY. (Hey Mary Lou, Blindside)

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Christine M. Erickson to adopt said Resolution No. 77-17.

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

#### RESOLUTION NO. 77-17

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF A SCULPTURE ON PUBLIC PROPERTY.  
WHEREAS, the Sioux Falls Visual Arts Commission encourages and recommends the outdoor exhibition of public art in Sioux Falls, SD; and  
WHEREAS, the bronze sculpture is known as Hey Mary Lou, Blindside, designed and constructed by South Dakota sculpture artists Sherri Treeby and Lee Leuning; and

WHEREAS, the sculpture depicts two young football players and measures approximately 7' 6" in height, 5' in width, and 5' 5" in length; and  
WHEREAS, the proposed site placement for the Hey Mary Lou, Blindside sculpture be displayed for a one- (1-) year temporary placement at the Sanford Sports Complex, Youth Football Fields Area, located at 4020 N. Bobhalla Dr., within an existing landscape area, surrounded by sidewalks, near the existing buildings (restroom, concessions) at the west end of the football field complex; and  
WHEREAS, the associated installation and maintenance costs are the responsibility of the South Dakota Junior Football; and  
WHEREAS, the Sioux Falls Visual Arts Commission and the Sioux Falls Parks and Recreation Board both reviewed and recommended approval for the placement of the sculpture, as presented, on June 20, 2017, and July 18, 2017, respectively;  
NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:  
The Hey Mary Lou, Blindside sculpture and its placement at the Sanford Sports Complex, Youth Football Fields Area, located at 4020 N. Bobhalla Dr., be approved as recommended.

Date adopted: 08/15/17 .

Mike T. Huether

Mayor

ATTEST:

Denise D. Tucker, MMC  
Assistant City Clerk

31. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF A SCULPTURE ON PUBLIC PROPERTY. (Trudy Peckham Memorial)

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to adopt said Resolution No. 78-17.

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

RESOLUTION NO. 78-17

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

WHEREAS, the Sioux Falls Visual Arts Commission encourages and recommends the outdoor exhibition of public art in Sioux Falls, SD; and  
WHEREAS, the bronze sculpture is known as Trudy Peckham Memorial designed and constructed by Darwin Wolf, local sculptor; and  
WHEREAS, the sculpture depicts an open book and measures approximately 16" W X 12" L X 3" H in size, and would be attached to a quartzite pedestal; and  
WHEREAS, the proposed permanent site placement for the Trudy Peckham Memorial sculpture be at the Mary Jo Wegner Arboretum, located at 1900 S. Perry Pl., near the northeast edge of the arboretum s pond garden, as proposed by the applicant; and  
WHEREAS, the Sioux Falls Visual Arts Commission and the Sioux Falls Parks and Recreation Board both reviewed and recommended approval for the memorial sculpture and placement, as presented on July 18, 2017;  
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 Trudy Peckham Memorial sculpture and its placement at the Mary Jo Wegner Arboretum, located at 1900 S. Perry Pl., be approved as recommended.

Date adopted: 08/15/17 .

Mike T. Huether

Mayor

ATTEST:

Denise D. Tucker, MMC

Assistant City Clerk

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

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Pat Starr to adopt said Resolution No. 79-17.

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

Motion Passed.

RESOLUTION NO. 79-17

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
Sunny Holtz	Human Relations Commission	Appointed for a term from August 2017 to May 2021 (to fill the unexpired term of Stephen Brennan).
Brian Majerus	Human Relations Commission	Appointed for a term from August 2017 to May 2019 (to fill the unexpired term of Joanne Haase).
Melinda Obach	Human Relations Commission	Appointed for a term from August 2017 to May 2022 (to replace Deborah Deng).
James Zajicek	Visual Arts Commission	Appointed for a term from August 2017 to August 2020 (to replace Aleta Branson).
Craig Markhardt	Zoning Board of Adjustment	Appointed for a term from August 2017 to August 2020 (to replace Kathryn Henning).
Billy Pollema	Zoning Board of Adjustment	Appointed for a term from August 2017 to August 2020 (to replace Lori Eckrich).
Ryan Rients	Zoning Board of Adjustment	Reappointed for a term from August 2017 to August 2020.

Date adopted: 08/15/17 .

Mike T. Huether

Mayor

ATTEST:

Denise D. Tucker, MMC  
Assistant City Clerk

33. A RESOLUTION APPROVING A JOINT POWERS AGREEMENT BETWEEN THE SOUTH DAKOTA OFFICE OF ATTORNEY GENERAL AND THE SIOUX FALLS POLICE DEPARTMENT.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rick Kiley to adopt said Resolution No. 80-17.

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

RESOLUTION NO. 80-17

A RESOLUTION APPROVING A JOINT POWERS AGREEMENT BETWEEN THE SOUTH DAKOTA OFFICE OF ATTORNEY GENERAL AND THE SIOUX FALLS POLICE DEPARTMENT.

WHEREAS, it appears appropriate that the South Dakota Office of Attorney General and the Sioux Falls Police Department enter into a joint powers agreement setting forth the responsibilities of each agency as they relate to the enforcement of drug laws of the state of South Dakota and the United States of America;

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 it hereby approves the document titled A Joint Powers Agreement between the South Dakota Office for Attorney General and the Sioux Falls Police Department.

That the Mayor of Sioux Falls be authorized to execute the joint powers agreement described above, a copy of which is attached hereto and incorporated herein by this reference.

Date adopted: 08/15/17 .

Mike T. Huether

Mayor

ATTEST:

Denise D. Tucker, MMC  
Assistant City Clerk

NOTICE OF HEARINGS FOR STREET VACATIONS

Set a hearing date for Tuesday, September 12, 2017, at 7 p.m. for Items 34 and 35:

34. A PROPOSED RESOLUTION VACATING THE N. COCKATIEL AVE. RIGHT-OF-WAY FROM THE SOUTH RIGHT-OF-WAY LINE OF W. AMBER ST. TO 102.50' SOUTH.

A motion was made by Council Member Rick Kiley and seconded by Council Member Marshall Selberg to set a date of hearing for Tuesday, September 12, 2017, at 7 p.m.

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

Motion Passed.

35. A PROPOSED RESOLUTION VACATING A PORTION OF THE MALL AVENUE RIGHT-OF-WAY AS SHOWN ON EXHIBIT A.

A motion was made by Council Member Rick Kiley and seconded by Council Member Rex Roling to set a date of hearing for Tuesday, September 19, 2017, at 7 p.m.

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

Motion Passed.

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)

36. REPORT OF THE AUGUST 4, 2017, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

#### ADJOURNMENT

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Michelle Erpenbach to adjourn at 8:03 p.m.

Mayor Mike Huether 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: PERSONS ADDRESSING THE COUNCIL SHALL USE THE MICROPHONE AT THE PODIUM. PLEASE STATE YOUR NAME. PRESENTATIONS ARE LIMITED TO FIVE MINUTES.

LIVE BROADCASTS OF COUNCIL MEETINGS ON CITYLINK: INFORMATIONAL MEETINGS AIR LIVE ON TUESDAYS EACH MONTH AT 4 P.M. COUNCIL COMMITTEE MEETINGS AIR LIVE THE FIRST, SECOND, AND THIRD TUESDAYS OF EACH MONTH IMMEDIATELY FOLLOWING THE INFORMATIONAL MEETING. CITY COUNCIL MEETINGS AIR LIVE THE FIRST, SECOND, AND THIRD TUESDAYS OF EACH MONTH AT 7 P.M. THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AIR LIVE THE FOURTH TUESDAY OF EACH MONTH AT 5 P.M. REGULAR MEETINGS OF THE CITY COUNCIL ARE ALSO ARCHIVED AND AVAILABLE FOR VIEWING ON DEMAND AT [WWW.SIOUXFALLS.ORG](http://WWW.SIOUXFALLS.ORG). LINKS TO EACH MEETING S VIDEO ARE POSTED ON THE MEETING MINUTES AND AGENDAS PAGE.

CLOSED CAPTIONING: CITY COUNCIL MEETINGS ARE CLOSE CAPTIONED ON CITYLINK. CITYLINK REBROADCAST: INFORMATIONAL MEETINGS, COMMITTEE MEETINGS, AND CITY COUNCIL MEETINGS ON FRIDAYS AND SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS ON FIRST FRIDAY AND SUNDAY AFTER LIVE MEETING. GO TO CITYLINK AT [WWW.SIOUXFALLS.ORG](http://WWW.SIOUXFALLS.ORG) FOR SPECIFIC PROGRAMMING TIMES.