

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

REGULAR MEETING OF Tuesday, December 1, 2015, at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Kenny Anderson Jr.

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rick Kiley

Council Member Rex Roling

Council Member Kermit L. Staggers

Mayor Mike T. Huether

INVOCATION

Susie Wingler, Prayer Minister - Direct Line Prayer Center

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PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

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

A request was made by Council Member Christine M. Erickson to move the following three Finance items from Item 1 to the Regular Agenda for discussion purposes: 1) Bond Counsel Services; 2) and 3) both are Financial Advisory Services.

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

Motion Passed.

## MINUTES

Informational Meeting of Tuesday, November 17, 2015, at 4 p.m.

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City Council Meeting of Tuesday, November 17, 2015, at 7 p.m.

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## COMMUNICATIONS

1. Approval of contracts/agreements on the November 27, 2015, memo.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to approve the following Finance item: Bond Counsel Services, Agreement for Services (debt issuance), PerkinsCole LLP, \$52,500.

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

Motion Passed.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to approve the following two Finance items: Financial Advisory Services, Agreement for Services (debt issuance), Public Financial Management, \$25,000; and Financial Advisory Services, \$.45 per \$1,000 bonds, Public Financial Management.

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

Motion Passed.

2. Approval of the notice of change orders on the November 27, 2015, memo.

Report of Requests for Quotes for Fuel dated November 10, 2015; Unleaded

3. Ethanol, 429 Gallons; Midway Service (\$1.9550); Howes Oil (\$2.0450); Stern Oil, no bid. Bid awarded to: Midway Service.

Report of Requests for Quotes for Fuel dated November 10, 2015; Clear Diesel

4. #1; 331 Gallons; Midway Service (\$2.2705); Howes Oil (\$2.2985); Stern Oil, no bid. Bid awarded to: Midway Service.

Report of Requests for Quotes for Fuel dated: November 10, 2015; Clear

5. Diesel #2; 331 Gallons; Midway Service (\$1.9555); Howes Oil (\$1.9755); Stern Oil, no bid. Bid awarded to: Midway Service.

Report of Requests for Quotes for Fuel dated November 11, 2015; #2 Clear

6. Diesel; 7,500 Gallons; CHS, Inc. (\$1.9459); Harms Oil (\$2.002); Howes Oil, Midwest Oil and Petroleum Traders Co., all no bid. Bid awarded to: CHS, Inc.

Report of Requests for Quotes of Fuel dated November 18, 2015; Unleaded

7. Ethanol & #1 Dyed Diesel; 5,000 Gallons Unleaded/3,000 Gallons #1; Harms Oil (\$1.7635 Unleaded/\$1.6967 #1 Diesel); CHS, Inc., Cole's Petroleum, Howes Oil

and Olson Oil, all no bid. Bid awarded to: Harms Oil.

- Request for Quotes for Fuel dated November 20, 2015; #1 and #2 Dyed Diesel
8. Fuel; 7,500 Gallons each (Total 15,000 Gallons); Harms Oil (\$1.9240 #1 Diesel Fuel and \$1.6223 #2 Diesel Fuel); Cole's Petroleum, CHS, Inc., Howes Oil, Midwest Oil, and Olson Oil, all no bid. Bid awarded to: Harms Oil.

- Report of Requests for Quotes for Fuel dated November 23, 2015; Unleaded Ethanol; #1 Dyed Diesel; and #2 Dyed Diesel; 2,000 Gallons Unleaded/3,000
9. Gallons #1 Diesel; and 3,000 Gallons #2 Diesel; Howes Oil (\$1.5360 Unleaded/\$1.8660 #1 Diesel/ and \$1.5315 #2 Diesel); Harms Oil (\$1.5622 Unleaded/\$1.8973 #1 Diesel/and \$1.5657 #2 Diesel); Cole's Petroleum, CHS, Inc. and Olson Oil, all no bid. Bid awarded to: Howes Oil.

- Report of Requests for Quotes for Fuel dated November 24, 2015; Unleaded Ethanol; #1 Dyed Diesel; and #2 Dyed Diesel; 2,000 Gallons Unleaded/3,000 Gallons #1 Diesel; and 3,000 Gallons #2 Diesel; Harms Oil (\$1.6094
10. Unleaded/ \$1.8081 #1 Diesel,/ and \$1.5081 #2 Diesel); Cole's Petroleum; (\$1.8150 Unleaded/\$1.8175 #1 Diesel/and \$1.4815 #2 Diesel); CHS, Inc., Howes Oil and Olson Oil, all no bid. Bid awarded to: Harms Oil.

- Report of Requests for Quotes of Fuel dated November 24, 2015; #2 Clear
11. Diesel; 7,500 Gallons; Howes Oil (\$1.7315); Harms Oil (\$1.7726); CHS, Inc., Midwest Oil, and Petroleum Traders Co., all no bid. Bid awarded to: Howes Oil.

#### APPLICATIONS

- Various Retail Liquor, Package Liquor, and Retail Wine License renewals
12. for 2016 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit C.

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, December 15, 2015, at 7 p.m. for Items 13 through 23:

Transfer of 2016 Retail Liquor License, with Sunday sales certificate and video

13. lottery terminals, from Red Buffalo Trading Company Inc., Skelly's Pub & Grill, 130 South Phillips Avenue, to Pave, LLC, Skelly's Pub & Grill, 130 South Phillips Avenue.

14. New 2016 Retail Wine License for Guillermo Pedro, Mi Tierra Authentic Mexican Restaurant & Bakery, 337 South Phillips Avenue.
15. New 2015-16 Retail Malt Beverage License for Guillermo Pedro, Mi Tierra Authentic Mexican Restaurant & Bakery, 337 South Phillips Avenue.
16. New 2016 Retail Wine License for Golden Coin Casino, Inc., Golden Coin Casino, 2505 West Russell Street, Suite 101.

- Transfer of 2015 Retail Liquor License, with video lottery terminals, from
17. SKK LLC, The Copper Lounge, 136 South Phillips Avenue, to IJK LLC, The Copper Lounge, 136 South Phillips Avenue.

18. Renewal of 2016 Retail Liquor License for IJK LLC, The Copper Lounge, 136 South Phillips Avenue.

Transfer of 2015 Retail Liquor License, with Sunday sales certificate, from  
19. TSK Inc., Stogeez Cigar Lounge, 215 South Phillips Avenue, to IJK Inc.,  
Stogeez Cigar Lounge, 215 South Phillips Avenue.

20. Renewal of 2016 Retail Liquor License for IJK Inc., Stogeez Cigar Lounge,  
215 South Phillips Avenue.

Transfer of 2015-16 Package Malt Beverage/South Dakota Farm Wine license  
21. from Freedom Valu Centers Inc., Erickson Valu Center, 1601 South Minnesota  
Avenue, to Jay AMBE-2, LLC, Freedom Valu Center, 1601 South Minnesota  
Avenue.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for  
22. Catering America Inc., to be operated at The Carpenter Ballroom, 221 South  
Phillips Avenue, for holiday parties on January 8 and 9, 2016

Various Retail Liquor, Package Liquor, and Retail Wine License renewals for  
23. 2016 to be operated at various locations in the City of Sioux Falls, SD,  
identified as Exhibit E.

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

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

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

Motion Passed.

#### PUBLIC INPUT

Sierra Broussard thanked Council Members Dean Karsky, Greg Jamison and Kenny  
Anderson Jr. for taking the time to speak withher. She also discussed  
employment discrimination towards Native Americans, the low grade Sioux Falls  
received regarding human trafficking, and problems with local hotels and  
motels.

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

#### UNFINISHED BUSINESS

Transfer of 2016 Retail Liquor License, including Sunday sales and video  
lottery terminals, from Pancakes and More, Inc., Original Pancake House,  
2715 West 41st Street, to MF Spot Inc., MF Spot Inc., on Lot 2, Block 2,  
24. Brooks Crossing Addition to the City of Sioux Falls (general location east  
54th Street and Hosta Avenue) (full service restaurant; CUP not  
required). Pending permit issuance and final inspections per Fire,  
Health and Building Services.

Transfer of 2015-16 Retail Malt Beverage License from Marquette Council,  
25. Knights of Columbus, 315 North Summit Avenue, to Cobra Ventures LLC,  
Knights of Columbus, 315 North Summit Avenue.

26. New 2015-16 Retail Malt Beverage License for The Bakery LLC, The Bakery,  
910 North Main Avenue (CUP not required).

27. New 2016 Retail Wine License for The Bakery LLC, The Bakery, 910 North Main Avenue (CUP not required).

New 2016 Retail Wine License for Olive Destination Inc., Olive Destination,  
28. 720 South Highline Place (CUP not required). Pending final inspections per Health and Building Services.

Rescind 2015-16 Retail Malt Beverage License, effective January 1, 2016,  
29. for Dakotas Best East LLC, Dakotas Best Wine & Gifts, 4001 West 41st Street, Suite 20.

New 2015-16 Retail Malt Beverage/South Dakota Farm Wine License, effective  
30. January 1, 2016, for Sioux Falls Wine & Gift, LLC, Sioux Falls Wine & Gift, 4001 West 41st Street, Suite 20 (CUP not required).

Rescind 2015-16 Retail Malt Beverage License, effective January 1, 2016, for  
31. Catering America Inc., Chef Dominique's Catering & Banquet Carpenter Building Ballroom, 221 South Phillips Avenue, Suite 100.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for  
32. Catering America Inc., to be operated at 3901 North Lewis Avenue, for an open house on December 10, 2015

33. Special One-Day Package Off-Sale Wine license for Rotary West, Rotary West, 4712 East Alpine Circle, for a fundraiser on December 18, 2015.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for  
34. Catering America Inc., to be operated at The Carpenter Ballroom, 221 South Phillips Avenue, for a wedding on January 2, 2016.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Michelle Erpenbach to approve Items 24 through 34.

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

Motion Passed.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

RECONSIDERATION (FROM THE NOVEMBER 2, 2015, CITY COUNCIL MEETING) 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHEAST CORNER OF E. 41ST ST. AND S. VETERANS PKWY. FROM THE RA-  
35. 2 APARTMENT RESIDENTIAL-MODERATE DENSITY AND C-3 COMMERCIAL-COMMUNITY DISTRICTS TO THE RA-3 APARTMENT RESIDENTIAL-HIGH DENSITY DISTRICT, PETITION NO. 3456-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

A motion was made by Council Member Dean Karsky and seconded by Council Member Rex Roling to adopt said Ordinance 102-15.

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

Motion Passed.

Deferred from the City Council Meeting on 11/17/15: 2nd Reading: AN  
36. ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES  
OF THE CITY BY AMENDING CHAPTER 39: PERSONNEL REGULATIONS AND BENEFITS;  
RETIREMENT AND PENSIONS; SECTION 39.036 APPLICATION TO APPOINTIVE OFFICERS.

A motion was made by Council Member Rex Roling and seconded by Council Member Michelle Erpenbach to adopt said Item 36.

A motion was made by Council Member Greg Jamison and seconded by Council Member Christine M. Erickson to amend the ordinance by adding, "appointed officer within Fire or Police, or any other appointive officer"; and adding "This provision does not apply to any appointive officer who has been removed from appointive office for any reason that would warrant a demotion, suspension, or discharge of any employee who is subject to this chapter".

A friendly amendment was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to split the amendment into two amendments; and to vote on "appointed officer within Fire or Police, or any other appointive officer".

Vote on friendly amendment: Roll Call: Yeses, Christine M. Erickson, Greg Jamison, Dean Karsky, Rick Kiley, Kermit L. Staggers, 5. Noes, Kenny Anderson Jr., Michelle Erpenbach, Rex Roling, 3.

Motion Passed.

Council Member Christine M. Erickson called point of order.

A friendly amendment was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to vote on "This provision does not apply to any appointive officer who has been removed from appointive office for any reason that would warrant a demotion, suspension, or discharge of any employee who is subject to this chapter."

A substitute motion was made by Council Member Rex Roling and seconded by Council Member Dean Karsky to change the amendment to "Any one holding an appointive office on or before December 31, 2015, who at the time of his or her appointment thereto, was in the civil service of the city shall, upon his or her removal from appointive office, be returned to his or her former position and pay as an employee of the city, and the period of his or her tenure as an appointive officer shall be included in his or her civil service rights. This provision does not apply to any appointive officer who has been removed from appointive office for any reason that would warrant a demotion, suspension, or discharge of any employee who is subject to this chapter."

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Kenny Anderson Jr. to defer to Tuesday, December 15, 2015, at 7 p.m.

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

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY  
LOCATED S. OF W. 85TH ST. AND W. OF S. WESTERN AVE. FROM THE RS SINGLE-FAMIL  
Y  
RESIDENTIAL-SUBURBAN DISTRICT INCLUDING CONDITIONS AS ALLOWED IN SECTION 160  
.650

37. (e) PLACING LIMITATIONS ON REGULATIONS WITHIN THE DD2 FORM TO THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN DISTRICT INCLUDING CONDITIONS AS ALLOWED IN SECTION 160.650 (e) PLACING LIMITATIONS ON REGULATIONS WITHIN THE DD2 FORM, PETITION NO. 3669-2015, 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 Christine M. Erickson to adopt said Ordinance 114-15.

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

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 700 N. FRENCH AVE. FROM THE RT-1 SINGLE-FAMILY RESIDENTIAL-TRADITIONAL DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL-LOW DENSITY DISTRICT, PETITION NO. 3675-2015, 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 Roling to adopt said Ordinance 115-15.

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

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 800 S. SYCAMORE AVE. FROM THE O OFFICE TO THE RA-1 APARTMENT RESIDENTIAL-LOW DENSITY, PETITION NO. 3676-2015, 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 Roling to adopt said Ordinance 116-15.

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

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SW CORNER OF W. 12TH ST. AND S. DISCOVERY AVE. FROM THE CN CONSERVATION DISTRICT TO THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL-SUBURBAN AND RA-1 APARTMENT RESIDENTIAL-LOW DENSITY, INCLUDING CONDITIONS AS ALLOWED IN SECTION 160.650 (e) PLACING LIMITATIONS ON REGULATIONS WITHIN THE AD1 AND MD1 FORM, PETITION NO.

3238-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval with the following condition: 1) Buildings shall be no more than one story in height.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Rolwing to adopt said Ordinance 117-15.

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

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SE CORNER OF W. 85TH ST. AND S. BRETT AVE. FROM THE AG, AGRICULTURE DISTRICT 41. TO THE RA-2 APARTMENT RESIDENTIAL-MODERATE DENSITY DISTRICT, PETITION NO. 36 65-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Council Member Greg Jamison left the meeting at 8:36 p.m.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Dean Karsky to adopt said Item 41.

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

Motion Failed.

42. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Kenny Anderson Jr. to adopt said Ordinance 119-15.

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

Motion Passed.

43. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY TO REGULATE MOBILE FOOD VENDORS.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rick Kiley to adopt said Ordinance 118-15.

Vote to adopt: Roll Call: Yeses, Kenny Anderson Jr., Christine M. Erickson, Dean Karsky, Rick Kiley, Rex Rolwing, 5. Noes, Kermit L. Staggers, 1. Council Member Michelle Erpenbach was excused from the meeting and the vote on this item.

Motion Passed.



Set a date of hearing and 2nd Reading for Tuesday, December 8, 2015, at 7 p.m. for Item 44:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, DECLARING  
44. CERTAIN PROPERTY OF THE CITY OF SIOUX FALLS SURPLUS AND APPROVING AN OFFER BY THE STATE OF SOUTH DAKOTA TO PURCHASE REAL PROPERTY FROM THE CITY OF SIOUX FALLS.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Dean Karsky to set a date of hearing and 2nd Reading for Tuesday, December 8, 2015, at 7 p.m. for Item 44.

Vote to set a date: Roll Call: Yeses, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Dean Karsky, Rick Kiley, Rex Roling, 6. Noes, Kermit L. Staggers, 1.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 8, 2015, at 7 p.m. for Item 45:

45. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 41: FEES.

A motion was made by Council Member Rex Roling and seconded by Council Member Michelle Erpenbach to set a date of hearing and 2nd Reading for Tuesday, December 8, 2015, at 7 p.m. for Item 45.

Vote to set a date: Roll Call: Yeses, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Dean Karsky, Rick Kiley, Rex Roling. Noes, Kermit L. Staggers, 1.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 8, 2015, at 7 p.m. for Item 46:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING  
46. THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 77: PARKING REGULATIONS.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to set a date of hearing and 2nd Reading for Tuesday, December 8, 2015, at 7 p.m. for Item 46.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 8, 2015, at 7 p.m. for Item 47:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD,  
ESTABLISHING THE TAX INCREMENT REVENUES TO BE COLLECTED AND AUTHORIZING THE  
47. PAYMENT OF TAX INCREMENT REVENUES TO WASHINGTON SQUARE PARTNERS, LLC, IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT FOR TAX INCREMENTAL DISTRICT NO. TWENTY, CITY OF SIOUX FALLS.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to set a date of hearing and 2nd Reading for Tuesday, December 8, 2015, at 7 p.m. for Item 47.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 15, 2015, at 7 p.m. for Item 48:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING  
48. THE CODE OF ORDINANCES OF THE CITY BY ADOPTING THE 2015 INTERNATIONAL BUILDING CODE AND AMENDMENTS THERETO.

A motion was made by Council Member Dean Karsky and seconded by Council Member Kenny Anderson Jr. to set a date of hearing and 2nd Reading for Tuesday, December 15, 2015, at 7 p.m. for Item 48.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 15, 2015, at 7 p.m. for Item 49:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING  
49. THE CODE OF ORDINANCES OF THE CITY BY ADOPTING THE 2015 INTERNATIONAL RESIDENTIAL BUILDING CODE AND AMENDMENTS THERETO.

A motion was made by Council Member Dean Karsky and seconded by Council Member Michelle Erpenbach to set a date of hearing and 2nd Reading for Tuesday, December 15, 2015, at 7 p.m. for Item 49.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 15, 2015, at 7 p.m. for Item 50:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE  
50. OF ORDINANCES OF THE CITY BY ADOPTING THE 2015 INTERNATIONAL EXISTING BUILDING CODE AND AMENDMENTS THERETO.

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, December 15, 2015, at 7 p.m. for Item 50.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 15, 2015, at 7 p.m. for Item 51:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE 51. OF ORDINANCES OF THE CITY BY ADOPTING THE 2015 INTERNATIONAL MECHANICAL CODE AND THE 2015 INTERNATIONAL FUEL GAS CODE AND AMENDMENTS THERETO.

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, December 15, 2015, at 7 p.m. for Item 51.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 15, 2015, at 7 p.m. for Item 52:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE 52. OF ORDINANCES OF THE CITY BY ADOPTING THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE AND AMENDMENTS THERETO.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to set a date of hearing and 2nd Reading for Tuesday, December 15, 2015, at 7 p.m. for Item 52.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 15, 2015, at 7 p.m. for Item 53:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY ELIMINATING THE MAXIMUM TWO-YEAR TIME PERIOD FOR A HOMEOWNER'S PLUMBING, MECHANICAL, AND ELECTRICAL PERMIT; TO 53. ELIMINATE HOMEOWNER PERMITS FOR NEW HOUSES TO BE CONSISTENT WITH STATE RULE; AND TO SET A 90-DAY TIME PERIOD FROM THE DATE OF APPLICATION TO ADMINISTER A MECHANICAL EXAM, RESIDENTIAL CONSTRUCTION SUPERVISOR EXAM, ELECTRICAL EXAM, AND A PLUMBING EXAM; AND TO EXPAND THE OBLIGATION OF THE RESIDENTIAL CONTRACTOR'S COMPLIANCE BOND TO INCLUDE FEES CHARGED BY PUBLIC WORKS.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Michelle Erpenbach to set a date of hearing and 2nd Reading for Tuesday, December 15, 2015, at 7 p.m. for Item 53.

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

Motion Passed.

HEARINGS AND RESOLUTIONS

54. A RESOLUTION REMOVING UNCOLLECTIBLE, DELINQUENT ACCOUNTS FROM THE RECORDS.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Michelle Erpenbach to adopt said Resolution 120-15.

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

Motion Passed.

RESOLUTION NO. 120-15

A RESOLUTION REMOVING UNCOLLECTIBLE, DELINQUENT ACCOUNTS FROM THE RECORDS.

WHEREAS, the City has attempted by reasonable means to collect the outstanding accounts receivable on the below-listed accounts; and

WHEREAS, the City considers the accounts outstanding for more than one year to be "uncollectible" for purposes of disclosing on the financial statements of the City; and

WHEREAS, the City will continue efforts to collect such "uncollectible" debt;

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

That pursuant to Section 30.028 of the Code of Ordinances of Sioux Falls, SD, it hereby authorizes the removal of the following accounts as uncollectible and authorizes the disclosure of the same on the annual financial reports:

Customer No.	Customer Name	Invoice Number	Amount
681	Warren Warehousing	77519	\$36,708.38
9176	Rosalee L. Rust	85458	6,245.47
12647	Diana Fuller	133549	5,062.69
8919	Discount Garbage	114414, 115010, 115653, 116400, 117088, 118002, 118760, 119530, 120572, 121315	5,142.92
-	Pershing Building	Utility Billing	5,344.50
CD131	Inter-Tribal Cultural Alliance	Housing Assistance Loan	12,000.00
CH88	Hill, Kristol D.	Sheriff Sale 9/11/07	7,500.00
CH93	West, Laura J.	Sheriff Sale 4/23/03	8,000.00
CH94	Coughlin, Timothy and Jessi	Sheriff Sale 5/28/08	8,000.00
CH105	Bell, Francine E.	Sheriff Sale 3/8/04	6,500.00
CH336/HH336	Persing, Cassandra	Sheriff Sale 9/6/13	5,962.50

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CH350	Jacobs, Holly R.	Sheriff Sale	5/16/07	5,101.50
CH372/HH372	Klueber, Kay L.	Sheriff Sale	4/20/11	5,985.00
HH10	Peterson, B. Marjo	Sheriff Sale	10/11/06	13,800.00
HH13	Moss, Monica L.	Sheriff Sale	6/29/11	14,411.00
HH20	Anderson, Kerri L.	Sheriff Sale	5/19/10	11,361.73
HH21	Brandt, Sharon L.	Sheriff Sale	9/19/08	8,697.24
HH30	Hourscht, Brian L.	Sheriff Sale	11/22/05	13,978.00
HH43	Andersen, Ronald R. and Shelly A.	Sheriff Sale	12/8/04	5,319.00
HH69	Sobran, Brian C.	Sheriff Sale	9/7/05	7,669.00
HH70	Weaver, Brian S. and AshleyR.	Sheriff Sale	6/24/04	8,000.00
HH76	Reiman, Adeline S.	Sheriff Sale	5/20/04	6,886.00
HH147	Fleshner, Jodi D.	Sheriff Sale	7/16/03	6,000.00
HH159	White, Nakeisha L.	Sheriff Sale	3/24/10	6,000.00
HH165	Auringer, Paige C.	Sheriff Sale	2/27/08	5,250.00
HH175	Garcia, Jeni L.	Sheriff Sale	3/8/06	6,000.00
HH184	Kellogg, Charles A.	Sheriff Sale	9/14/05	8,000.00
HH185	Guerra Sandoval, Edgar and Quinonez, Sandra	Sheriff Sale	4/9/04	6,000.00
HH229	Osterman, Jacob J.	Sheriff Sale	7/20/10	6,000.00
HH237	Boxwell, Lorna K.	Sheriff Sale	11/19/08	5,625.00
HH268	Simpson, Elizabeth M.	Sheriff Sale	6/1/05	5,962.50
HH288	Peralta, Gaston and Elisama	Sheriff Sale	8/10/05	5,962.50
HH487	Morrison, Julie R.	Sheriff Sale	1/14/12	7,837.50
HH500	Chapin, Michael W. and Jessica D. Lape	Sheriff Sale	1/20/10	8,962.50
HH716	Chrisopulos, Steven J.	Sheriff Sale	10/27/14	6,000.00

NC799/NC799A/ NC799B	Barger, Estella	Sheriff Sale 10/15/ 07	16,316.00
NC845/NC845A	Busse, Julie K.	Sheriff Sale 8/30/06	13,260.75
NC858/NC858B	Skalland, Kathryn	Sheriff Sale 8/12/12	8,739.28
NC866/NC866A	Bohlen, Lois L.	Sheriff Sale 7/12/06	11,503.31
NC933	Hofhenke, Brenda A.	Sheriff Sale 8/18/10	13,331.25
3/361	Roose, Cathrine	Sheriff Sale 6/8/11	8,427.01
3/370-1, 3/370-2	Leichtman, John T. and Marcia L.	Sheriff Sale 5/14/08	7,681.07
3/398	Nelson, Nikole D.	Sheriff Sale 7/29/11	5,271.61
Grand Total			\$375,805.21

Date adopted: 12/01/15 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

A RESOLUTION AMENDING THE 2015-2019 CAPITAL PROGRAM. Concrete  
55. Pavement Restoration (\$100,000); and Asphalt Street Rehabilitation Program  
(\$200,000).

A motion was made by Council Member Rex Rolwing and seconded by Council Member  
Kenny Anderson Jr. to adopt said Resolution 121-15.

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

Motion Passed.

RESOLUTION NO. 121-15

A RESOLUTION AMENDING THE 2015-2019 CAPITAL PROGRAM.

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

That the 2015-2019 Capital Program shall be amended as follows:

Public Works-Highways and Streets

Amend Capital Improvements Program Project No. 11001, Concrete Pavement  
Restoration, by increasing the amount of funding for construction by \$100,000  
in 2015. The additional funding will require an increase in appropriations that  
will be funded from the Sales/Use Tax Fund unobligated fund balance.

Amend Capital Improvements Program Project No. 11004, Asphalt Street Rehabilitation Program, by increasing the amount of funding for construction by \$200,000 in 2015. The additional funding will require an increase in appropriations that will be funded from the Sales/Use Tax Fund unobligated fund balance.

Date adopted: 12/01/15 .

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)

56. REPORT OF THE NOVEMBER 25, 2015, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

NEW BUSINESS

57. CONSIDERATION OF TRAVEL REQUEST FOR COUNCILOR KENNY ANDERSON JR. TO ATTEND THE 2016 GOVERNOR'S CONFERENCE ON TOURISM IN PIERRE, SOUTH DAKOTA.

A motion was made by Council Member Kermit L. Staggers and seconded by Council Member Michelle Erpenbach to approve the travel request.

Vote to approve: Roll Call: Yeses, Christine M. Erickson, Michelle Erpenbach, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, 6. Noes, 0. Council Member Kenny Anderson Jr. recused himself from the meeting and the vote of this item.

Motion Passed.

ADJOURNMENT

A motion was made by Council Member Dean Karsky and seconded by Council Member Kenny Anderson Jr. to adjourn at 9:28 p.m.

Mayor Mike Huether called for a voice vote. All members present voted 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 AT 1:30 A.M. AND 9 A.M. ON THURSDAYS, AND 6 P.M. ON SATURDAYS. COUNCIL COMMITTEE MEETINGS AT 12:30 A.M. AND 8 A.M. ON THURSDAYS, AND 5 P.M. ON SATURDAYS. CITY COUNCIL MEETINGS AT 2:30 AM AND 10 A.M. ON THURSDAYS, AND 7 P.M. ON SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 8 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.