

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, December 13, 2016, at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Rex Roling

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

Mayor Mike T. Huether

INVOCATION

Pastor Erich P. McCandless, Ph.D, Empire Baptist Temple

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PLEDGE OF ALLEGIANCE

RECOGNITION/AWARDS

V.L.Crusinberry Award was awarded to Terry Adams, Engineering Technician, Public Works, Light and Power; and Reinaldo Perez, Lead

\* Parking Equipment Service Technician, Community Development/Public Parking

Jeanne Fullenkamp Management Excellence Award was awarded to Diane

\* Best, Assistant City Attorney; and Jeremy Williams, Building Maintenance Supervisor, Central Services/Facility Management

Excellence in Safety Award was awarded to Brian Christiaansen, Fire

\* Captain, Sioux Falls Fire Rescue

CONSENT AGENDA ITEMS

## APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Michelle Erpenbach to approve the Consent Agenda.

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

Motion Passed.

## MINUTES

Informational Meeting of Tuesday, December 6, 2016, at 4 p.m.

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Regular City Council Meeting of Tuesday, December 6, 2016, at 7 p.m.

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## COMMUNICATIONS

1. Approval of contracts/agreements on the December 9, 2016, memo.
2. Approval of the notice of change orders on the December 9, 2016, memo.

Report of Requests for Quotes for Fuel dated: December 6, 2016; #1 & #2 Dyed Diesel Fuel; 3,750 Gallons each (7,500 total); Stern Oil (\$1.7379 #1/\$1.6644 #2); Harms Oil (\$1.7942 #1/\$1.6382 #2); CHS, Inc. (\$1.8300 #1/\$1.6700 #2); Cole's Petroleum, Howes Oil, Midwest Oil, Midway Service (Vollan), and Olson Oil, all no bid. Bid awarded to: Stern Oil.

## REGULAR AGENDA ITEMS

### APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Pat Starr to approve the Regular Agenda.

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

Motion Passed.

## PUBLIC INPUT

Lynette Buckmiller spoke about a proposed rezone that would allow for additional storage units in her neighborhood.

Jesse Buckmiller added comments about the proposed rezone.

Mark Blackburn, founder and president of Establishing Sustainable Connections, invited the City Council and public to a free viewing and discussion of the Netflix documentary "13th", which focuses on slavery and the prison system.

Scott Ehrisman spoke about the powers of the Council and Mayor based on the City Charter.

Bruce Danielson discussed a recent presentation about Tax Increment Financing.

Matt Metzger discussed a proposed city-initiated annexation of his property.

David Zokaites spoke about a local criminal case.

Sierra Broussard spoke about crime.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Tuesday, December 20, 2016, at 7 p.m. for Item 4:

4. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING A MIDAMERICAN ENERGY COMPANY GAS EASEMENT.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Marshall Selberg to set a date of hearing and 2nd Reading for Tuesday, December 20, 2016.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 20, 2016, at 7 p.m. for Item 5:

1st Reading: AN 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.

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 20, 2016.

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

Motion Passed.

#### HEARINGS AND RESOLUTIONS

6. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE MANAGEMENT AND OPERATION OF SIOUX FALLS TRANSIT.

A motion was made by Council Member Rex Roling and seconded by Council Member Michelle Erpenbach to adopt said Resolution No. 123-16.

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

Motion Passed.

#### RESOLUTION NO. 123-16

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT FOR THE MANAGEMENT AND OPERATION OF SIOUX FALLS TRANSIT.

WHEREAS, the City desires to engage and First Transit, Inc. ("Management Company") desires to accept the engagement to manage the operations of the public transit system in the Sioux Falls area, including properties and equipment, assets, and facilities now and hereafter owned by the City for use in providing public transit services;

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

Section 1. The document attached hereto and made a part of this resolution entitled "Contract for the Management and Operation of Sioux Falls Transit" is hereby approved.

Section 2. The Mayor is authorized to sign the Contract for the Management and Operation of Sioux Falls Transit after it is ratified and executed by Management Company.

Section 3. The City shall publish the resolution, without attachment, after its passage. The attachment is on file and available for inspection in the office of the City Clerk.

Date adopted: 12/13/16 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

7. A RESOLUTION ESTABLISHING THE CITY OF SIOUX FALLS' LEGISLATIVE PRIORITIES FOR THE 2017 STATE LEGISLATIVE SESSION.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Christine M. Erickson to adopt said Resolution No. 124-16.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Greg Neitzert to amend by adding the following statement to be number 9, "The Sioux Falls City Council strongly supports a reliable statewide emergency radio system that allows users across the state to communicate within and outside of their agencies. In order to sustain this capability and enhance operations locally, statewide, amongst other states, and with federal agencies, the City Council supports state funding initiatives to upgrade the statewide system to the national standard for public safety communications utilized by both federal and state governments known as Project 25 (P25)."

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

Motion Passed.

Vote to adopt, as amended: Roll Call: Yeses, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, 7. Noes, Greg Neitzert, 1.

Motion Passed.

RESOLUTION NO. 124-16

A RESOLUTION ESTABLISHING THE CITY OF SIOUX FALLS' LEGISLATIVE PRIORITIES FOR THE 2017 STATE LEGISLATIVE SESSION.

WHEREAS, the City Charter states that the Sioux Falls City Council is the policy making and legislative body of the City of Sioux Falls; and

WHEREAS, the Sioux Falls City Council serves on the South Dakota Municipal League's policy committees and supports the League's 2017 Statements of Policy;

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

1. That the Sioux Falls City Council, in conjunction with the South Dakota Municipal League, opposes any legislation that would inhibit municipalities from providing services requested by citizens in whatever form the citizens approve and opposes any legislation that restricts local control over taxation and spending.
2. The Sioux Falls City Council supports legislation allowing municipalities alternative publication options.
3. The Sioux Falls City Council opposes any legislation that would reduce, remove, repeal, or reallocate the municipal sales tax, liquor tax reversion, or any other municipal revenues to any other unit of government or that would expand the power to impose a sales or use tax to any other unit of government.
4. The Sioux Falls City Council supports legislation that expands workforce housing opportunities in South Dakota.
5. The Sioux Falls City Council supports legislation to allow a local option, gross receipts tax on alcoholic beverages for the counties to fund public safety-related items.
6. The Sioux Falls City Council supports cooperative activities between county and municipal governments, the protection of existing joint activities, and elimination of barriers that hinder the creation of such arrangements.
7. The Sioux Falls City Council supports legislation allowing counties greater local control to move revenue among funds to adequately fund county services.
8. The Sioux Falls City Council supports extending or repealing the sunset on the increased 911 surcharge.
9. The Sioux Falls City Council strongly supports a reliable statewide emergency radio system that allows users across the state to communicate within and outside of their agencies. In order to sustain this capability and enhance operations locally, statewide, amongst other states, and with federal agencies, the City Council supports state funding initiatives to upgrade the statewide system to the national standard for public safety communications utilized by both federal and state governments known as Project 25 (P25).

Date adopted: 12/13/16 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

NEW BUSINESS

There was none.

ADJOURNMENT

A motion was made by Council Member Marshall Selberg and seconded by Council Member Michelle Erpenbach to adjourn at 8:13 p.m.

Mayor Mike Huether called for a voice vote. All members 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, 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.