

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, April 17, 2018, at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT ABSENT

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

INVOCATION

Major Thomas Riggs, Corps Officer, The Salvation Army

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PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Soroptimist Days - April 27-29, 2018

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National Volunteer Week - April 15-22, 2018

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Sonja Swenson Day - April 17, 2018

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CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Rick Kiley and seconded by Council Member

Rex Rolwing to approve the Consent Agenda.

Council Member Greg Neitzert requested the following item be pulled from Item 1 and placed for consideration on the Regular Agenda: Affordable Housing; Bishop Dudley Warming Site and Year Round Shelter Agreement; Bishop Dudley Hospitality House; \$120,000; as well as Items 2 and 15.

Council Member Pat Starr requested the following item be pulled from Item 1 and placed for consideration on the Regular Agenda: Entertainment Venues; Sioux Falls Stadium Improvements; Professional services agreement; Walker Consultants; \$67,500.

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

Informational Meeting of Wednesday, April 11, 2018, at 4 p.m.

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City Council Meeting of Wednesday, April 11, 2018, at 7 p.m.

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COMMUNICATIONS

1. Approval of contracts/agreements on the April 13, 2018, memo.

Deferred from the meeting of Wednesday, April 11, 2018: Approve the following items from Agenda Item 1: Water Reclamation, 23001, Sanitary Sewer

2. Other Mains - 2018 Sanitary Sewer Repairs for Overlay Area; to award a bid; First Rate Excavate, Inc., \$524,444; and Water, 22056, City Wide Water Main Replacement - Garfield Avenue from 15th Street to 18th Street; to award a bid, Asphalt Surfacing Company, \$530,665.

Report of Requests for Quotes for Fuel dated: April 6, 2018; 8,500 gal of

3. Unleaded; Cole's Petroleum (\$2.1222); Howes Oil (\$2.1205); Stern Oil (\$2.1751); Midway Service, CHS, Inc., Harms Oil, and Olson Oil, all no bid. Bid awarded to: Howes Oil.

Sioux Area Metro Report of Requests for Quotes for Fuel dated: April 4,

4. Diesel \$2.4601 and #2 Clear Diesel \$2.3766); Howes Oil (#1 Clear Diesel \$2.5095 and #2 Clear Diesel \$2.3895); CHS, Inc. (#1 Clear Diesel \$2.565 and #2 Clear Diesel \$2.415); Midwest Oil, no bid. Bid awarded to: Harms Oil.

A communication was received from Brienne Maner requesting permission to

5. consume, but not sell beer and wine at the Sioux Falls State Theatre, 316 S. Phillips Ave., on Thursday, May 10, 2018, for a DTSF mixer.

A communication was received from John F. Nordlie requesting permission to

6. consume, but not sell wine and malt beverage at the Messiah New Hope Lutheran Church, 5001 E. Madison St., on Sunday, June 3, 2018, for a fellowship event.

A communication was received from Dakota Jordan and Daniel Card requesting

7. permission to consume, but not sell liquor, wine, and malt beverage at the Old Courthouse Museum, 200 W. 6th St., on Saturday, September 22, 2018, for

a wedding reception.

- Approval of the SIOUXPERHERO Committee's recommendation that the City Council award the following individuals the SIOUXPERHERO citizen recognition award: Gary & Lynne Wurgler, Susan Randall, Mark Sanderson.

APPLICATIONS

- Various Retail Malt Beverage/South Dakota Farm Winery License renewals for 2018-19 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit A.

The following abatements were recommended for approval by the Director of Equalization and deemed legally sufficient by the State's Attorney's Office for Minnehaha County and the City Attorney for Sioux Falls:

- City of Sioux Falls, 224 W. 9th St., for 2017 property taxes in the amount of \$441.50. The City purchased the property March 2, 2017, and is tax exempt.

- City of Sioux Falls, 224 W. 9th St., for 2017 property taxes in the amount of \$1,405.85. The City purchased the property May 5, 2017, and is tax exempt.

- City of Sioux Falls, 224 W. 9th St., for 2017 property taxes in the amount of \$1,668.78. The City purchased the property May 1, 2017, and is tax exempt.

- City of Sioux Falls, 224 W. 9th St., for 2017 property taxes in the amount of \$2,872.04. The City purchased the property June 2, 2017, and is tax exempt.

- George Haag, 1111 S. Bridgeport Pl., for 2017 property taxes in the amount of \$102.36. The amount requested is the difference between the elderly freeze and the non-elderly freeze.

The following abatement was recommended for and denied at the City Council Meeting of Tuesday, March 6, 2018. Reason: The Equalization Department did not receive an owner-occupied application for this taxpayer.

This item was then approved by the Minnehaha County Commission and now comes before the City Council for reconsideration for approval.

- Charlene Roth, 709 N. Blue Bell Ln., for 2017 property taxes in the amount of \$2,335.49. The County Commission did not agree with the recommendation of denial and approved this abatement. Since it is in City limits it must be addressed again by the City Council. The Commission meeting date was April 3, 2018.

The following abatement was recommended for denial by the Director of Equalization and the State's Attorney's Office for Lincoln County:

- Laurie Reed, 7123 S. Bridger Pl., for 2017 property taxes in the amount of \$666.44.

NOTICE OF HEARINGS

Set a date of hearing for Wednesday, May 2, 2018, at 7 p.m. for Items 17 through 30:

New 2017-18 Retail Malt Beverage License for Aashna LLC, Xtra Time Sports Bar, 4719 East Arrowhead Parkway, with Conditional Use Permit (8209-2018) being approved on April 4, 2018.

New 2018 Retail Wine License for Aashna LLC, Xtra Time Sports Bar, 4719 East Arrowhead Parkway, with Conditional Use Permit (8209-2018) being approved on April 4, 2018.

19. New 2018-19 Retail Malt Beverage License for Urban Chislic LLC, Urban Chislic, 441 West 85th Street (full service restaurant; CUP not required).

20. New 2018 Retail Wine License for Urban Chislic LLC, Urban Chislic, 441 West 85th Street (full service restaurant; CUP not required).

New 2017-18 Retail Malt Beverage License for Lalibela Restaurant LLC, Lalibela Restaurant, 200 South Kiwanis Avenue (full service restaurant; CUP not required).

22. Renewal of 2018-19 Retail Malt Beverage License for Lalibela Restaurant LLC, Lalibela Restaurant, 200 South Kiwanis Avenue.

23. New 2018 Retail Wine License for Lalibela Restaurant LLC, Lalibela Restaurant, 200 South Kiwanis Avenue.

New 2018 Retail Wine License for Heineman Hospitality Corp, Looks Meat Market, 6213 Old Village Place (CUP not required; this is an addition to an existing license).

25. New 2018 Retail Wine License for Winetime on Main LLC, Winetime on Main, 330 South Main Avenue (CUP not required).

New 2018-19 Retail Malt Beverage License for Granite City Restaurant Operations Inc., Granite City Food & Brewery, 2620 South Louise Avenue (CUP not required; this is an addition to an existing license).

Transfer of 2018 Retail Liquor License from Speak E-Z, LLC, Speak E-Z LLC, 130 South Phillips Avenue, to T Slat Inc., JJ's Wine, Spirits & Cigars, 3000 West 27. 57th Street, with Conditional Use Permit (6910-2017) being approved on July 5, 2017, with the effective date of the transfer being June 1, 2018, or upon completion of building construction.

Transfer of 2018 Package Liquor License, from T Slat Inc., JJ's Wine, Spirits & Cigars, 4810 South Western Avenue, to T Slat Inc., JJ's Wine, Spirits & Cigars, 3000 West 28. 57th Street, with Conditional Use Permit (6910-2017) being approved on July 5, 2017, and with the effective date of the transfer being June 1, 2018, or upon completion of building construction.

Special One-Day Malt Beverage License for Zoological Society of Sioux Falls, Great Plains Zoo & Delbridge Museum of National History, 805 South Kiwanis Avenue, for a special event on May 21, 2018.

Special One-Day Liquor Licenses for Great Bear Recreation Park Inc., Great Bear Recreation Park, 5901 East Rice Street, for wedding receptions on May 30. 19, June 2, July 28 and October 12, 2018.

Set a date of hearing for Tuesday, May 8, 2018, at 7 p.m. for Items 31 and 32:

New 2017-18 Retail Malt Beverage License for Julie Foltz, Log Cabin, 1515 West Burnside Avenue, pending Conditional Use Permit (8315-2018) approval on May 3, 2018.

Request to include video lottery terminals with the new 2017-18 Retail Malt Beverage License for Julia Foltz, Log Cabin, 1515 West Burnside Avenue. pending Conditional Use Permit (8315-2018) approval on May 3, 2018.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

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

A motion was made by Council Member Rick Kiley and seconded by Council Member Christine M. Erickson to remove Item 40 because it is a duplicate of Item 39.

Vote to amend: 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.

Vote to approve, as amended: 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.

PUBLIC INPUT

Bruce Danielson spoke about campaign finance reporting.

Scott Ehrisman spoke about affordable housing, oral safety reviews, and the movie theater alcohol license vote.

Joshua Hall spoke about snowgates not being used during the recent snow alert.

David Zokaites spoke about transparency.

Sierra Broussard spoke about the Bishop Dudley House and cooperation with police.

Dan Asa thanked the Planning and Building Services Department and steps needed to protect our Republic.

Item 1, Affordable Housing, was heard at this time.

A motion was made by Council Member Greg Neitzert and seconded by Council Member Michelle Erpenbach to approve the following from Agenda Item 1, Affordable Housing; Bishop Dudley Warming Site and Year Round Shelter Agreement; Bishop Dudley Hospitality House; \$120,000.

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.

Item 2 was heard at this time.

A motion was made by Council Member Greg Neitzert and seconded by Council Member Michelle Erpenbach to approve Item 2.

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

Motion Passed.

Item 15 was heard at this time.

A motion was made by Council Member Greg Neitzert and seconded by Council Member Michelle Erpenbach to approve Item 15.

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

Motion Failed.

Item 1, Entertainment Venues, was heard at this time.

A motion was made by Council Member Pat Starr and seconded by Council Member Michelle Erpenbach to defer the following from Agenda Item 1: Entertainment Venues; Sioux Falls Stadium Improvements; Professional services agreement; Walker Consultants; \$67,500, to the City Council meeting of Tuesday, May 2, 2018, at 7 p.m.

Vote to defer: 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.

UNFINISHED BUSINESS

Transfer of 2018 Retail Liquor License, with Sunday sales, from BOB LLC, 33. Will's Training Table, 4021 North Bobhalla Drive, to Sanford Health, Sanford

Foundation House, 2335 East 60th Street North (CUP not required). Pending Plan Review, a change in use permit and final inspections per Building Services.

Transfer of 2018 Retail Liquor License, with Sunday sales and video lottery 34. terminals, from The Brady Brunch Inc., Beef O Brady's, 2210 West 69th Street, to BOB LLC, Will's Training Table, 4021 North Bobhalla Drive (Full services restaurant, CUP not required).

35. New 2018 Package Liquor License for Robert Wentz, Booze Boys, 502 South Cleveland Avenue (CUP not required).

Special One-Day Malt Beverage and Special One-Day Wine Licenses for 36. Stockyards Ag Experience, Stockyards Ag Experience Barn, 301 East Falls Park Drive, for a special event on May 1, 2018.

Special One-Day Liquor License for Ramkota Companies Inc., Best Western
37. Ramkota Hotel, to be operated at Avera Prairie Center, 1000 East 23rd
Street, for a Chamber Mixer on May 8, 2018.

Special One-Day Wine Licenses for Downtown Sioux Falls Inc. to be operated a
t
the following locations: 605 Made Market, 100 South Phillips Avenue, 8th &
Railroad Center Lobby, 401 East 8th Street #200A, Atoley Salon, 317 South
Phillips Avenue, Bead Co./Acorn 19, 319 South Phillips Avenue, CH Patisserie
,
309 South Phillips Avenue #1, Chelsea's Boutique, 220 South Phillips Avenue,
Conversation Piece, 301 South Minnesota Avenue, Creative Spirits, 224 South
Main
Avenue, Great Outdoor Store, 201 East Tenth Street, Half Baked, 120 South
Phillips Avenue, JLG Architects, 232 South Main Avenue, Luca's Boutique, 401

38. East 8th Street, #122, Nyberg Ace, 200 East 12th Street, Parlour Ice Cream
House, 340 South Main Avenue, Rehfeld's Art & Framing, 210 South Phillips
Avenue, Rug & Relic, 401 East 8th Street #114, Say Anything Jewelry, 225 Sou
th
Phillips Avenue, Scratchpad Tees, 218 South Phillips Avenue, Sioux Falls Des
ign
Center, 108 West 11th Street, Simply Perfect, 401 East 8th Street #108, Stat
e
Theatre, 316 South Phillips Avenue, Sticks and Steel, 401 East 8th Street #1
18,
Stockyards Ag Experience, 301 East Falls Park Drive, TH Grey & Shop Dog
Boutique, 330 South Phillips Avenue, and Young & Richard's, 222 South Philli
ps
Avenue, for a Wine Walk on May 4, 2018.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for
39. Downtown Sioux Falls Inc., to be operated at 8th & Railroad Center Parking
Lot, 401 East 8th Street, for Eastbank Block Parties on June 1, July 6,
August 3 and September 7, 2018.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for
40. Downtown Sioux Falls Inc., to be operated at 8th & Railroad Center Parking
Lot, 401 East 8th Street, for Eastbank Block Parties on June 1, July 6,
August 3 and September 7, 2018.

Item 40 was removed from the agenda as it is a duplicate of Item 39.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for
Downtown Sioux Falls Inc., to be operated on Phillips Avenue from 10th
41. Street to 14th Street; Main Avenue from 10th Street to 14th Street; 11th
Street from Dakota Avenue to Mall Avenue, 12th Street from Main Avenue to
Phillips Avenue, 13th Street from Main Avenue to 1st Avenue, for Hot Summer
Nites on July 18, 2018.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for
Downtown Sioux Falls Inc., to be operated on the River Greenway from 6th
Street to South of 8th Street including Raven Industries riverfront and
42. parking lot located at 205 East 6th Street, to include the prairie area
between Phase 1 River Greenway and the Cherapa Place parking lot, north to
6th Street and south to Cherapa Place, for Downtown Riverfest on August 18,
2018.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for The
43. Center of Equality to be operated at Terrace Park, 1100 West 4th Street,
for a special event on June 16, 2018.

Special One-Day Malt Beverage License for Jam Art & Supply to be operated
44. at Cherapa Place east parking lot, 300 North Cherapa Place, for 605 Summer
Classic on June 22-23, 2018.

A motion was made by Council Member Rex Rolwing and seconded by Council Member
Marshall Selberg to approve Items 33 through 44.

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.

INTRODUCTION AND ADOPTION OF ORDINANCES

45. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE
MAYOR TO EXECUTE AND RECORD QUITCLAIM DEEDS OF VACATED RIGHT-OF-WAY.

A motion was made by Council Member Michelle Erpenbach and seconded by Council
Member Rex Rolwing to adopt said Ordinance No. 30-18.

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.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING CHAPTER
46. 51 OF THE CODE OF ORDINANCES OF THE CITY PERTAINING TO NEW AND EXPANDING
INDUSTRIAL ELECTRIC CUSTOMERS.

A motion was made by Council Member Rex Rolwing and seconded by Council Member
Marshall Selberg to adopt said Ordinance No. 31-18.

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.

Set a date of hearing and 2nd Reading for Wednesday, May 2, 2018, at 7 p.m. for
Item 47:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY
LOCATED EAST OF N. CLIFF AVE., NORTH OF E. 29TH ST. N., AND SOUTH OF E. 34TH
ST.

47. N. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL-SUBURBAN AND RA-1 APARTMENT
RESIDENTIAL-LOW DENSITY DISTRICTS TO THE RS SINGLE-FAMILY RESIDENTIAL-SUBURB
AN

DISTRICT, NO. 8170-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF
SIOUX

FALLS. Planning Commission recommends approval (5-0).

A motion was made by Council Member Pat Starr and seconded by Council Member
Rex Rolwing to set a date a date of hearing and 2nd Reading for Wednesday, May
2, 2018, at 7 p.m. for Item 47.

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 Wednesday, May 2, 2018, at 7 p.m. for Item 48:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED NORTH OF W. 12TH ST. AND WEST OF S. ELLIS RD. FROM THE AG AGRICULTUR
E
48. DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN DISTRICT, NO. 8173-2018,
AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

A motion was made by Council Member Greg Neitzert and seconded by Council Member Rex Roling to set a date a date of hearing and 2nd Reading for Wednesday, May 2, 2018, at 7 p.m. for Item 48.

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 Wednesday, May 2, 2018, at 7 p.m. for Item 49:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED NORTH OF E. 77TH ST. AND EAST OF S. CLIFF AVE. FROM THE S-
49. 2 INSTITUTIONAL CAMPUS PLANNED UNIT DEVELOPMENT DISTRICT TO THE RA-
3 APARTMENT RESIDENTIAL-HIGH DENSITY DISTRICT, NO. 8186-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

Council Member Theresa Stehly excused herself from the discussion and vote on Item 49.

A motion was made by Council Member Rick Kiley and seconded by Council Member Rex Roling to set a date a date of hearing and 2nd Reading for Wednesday, May 2, 2018, at 7 p.m. for Item 49.

Vote to set a date: Roll Call: Yeses, Marshall Selberg, Pat Starr, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Roling, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Wednesday, May 2, 2018, at 7 p.m. for Item 50:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED SOUTH OF W. 69TH ST. AND WEST OF S. TALLGRASS AVE. FROM THE S-
2 INSTITUTIONAL CAMPUS PLANNED UNIT DEVELOPMENT AND C-4 COMMERCIAL-REGIONAL
50. DISTRICTS TO THE S-1 GENERAL INSTITUTIONAL, S-2 INSTITUTIONAL CAMPUS PLANNED
UNIT DEVELOPMENT, C-4 COMMERCIAL-REGIONAL, CN CONSERVATION, AND REC RECREATI

ON

DISTRICTS, NO. 8201-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF

SIOUX FALLS. Planning Commission recommends approval (5-0).

A motion was made by Council Member Rex Rolwing and seconded by Council Member Marshall Selberg to set a date a date of hearing and 2nd Reading for Wednesday, May 2, 2018, at 7 p.m. for Item 50.

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 Wednesday, May 2, 2018, at 7 p.m. for Item 51:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 309 S. JOLIET AVE. FROM THE C-2 COMMERCIAL-NEIGHBORHOOD AND 51. STREETCAR DISTRICT TO THE S-1 GENERAL INSTITUTIONAL DISTRICT, NO. 8206-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

A motion was made by Council Member Greg Neitzert and seconded by Council Member Rick Kiley to set a date a date of hearing and 2nd Reading for Wednesday, May 2, 2018, at 7 p.m. for Item 51.

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 Wednesday, May 2, 2018, at 7 p.m. for Item 52:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED SOUTH OF W. 69TH ST. AND WEST OF S. SUNDOWNER AVE. FROM THE AG 52. AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN, RD-1 TWIN HOME/DUPLEX RESIDENTIAL-SUBURBAN, AND CN CONSERVATION DISTRICTS, NO. 8212-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

A motion was made by Council Member Greg Neitzert and seconded by Council Member Christine M. Erickson to set a date a date of hearing and 2nd Reading for Wednesday, May 2, 2018, at 7 p.m. for Item 52.

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 Wednesday, May 2, 2018, at 7 p.m. for Item 53:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 196 1/2 E. 6TH ST. FROM THE I-2 HEAVY INDUSTRIAL DISTRICT TO THE

53. DTPUD DOWNTOWN PLANNED UNIT DEVELOPMENT AND REC RECREATION DISTRICTS, NO. 8213-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

A motion was made by Council Member Rick Kiley and seconded by Council Member Rex Rolwing to set a date a date of hearing and 2nd Reading for Wednesday, May 2, 2018, at 7 p.m. for Item 53.

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 Wednesday, May 2, 2018, at 7 p.m. for Item 54:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE 54. OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 160: ZONING, SUBCHAPTER: PARKING REGULATIONS. Planning Commission recommends approval (5-0).

A motion was made by Council Member Rex Rolwing and seconded by Council Member Rick Kiley to set a date a date of hearing and 2nd Reading for Wednesday, May 2, 2018, at 7 p.m. for Item 54.

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.

HEARINGS AND RESOLUTIONS

55. A RESOLUTION AMENDING THE 2018-2022 CAPITAL PROGRAM.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rick Kiley to adopt said Resolution No. 38-18.

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. 38-18

A RESOLUTION AMENDING THE 2018-2022 CAPITAL PROGRAM.

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

That the 2018-2022 Capital Program shall be amended as follows:

Fleet

Amend the Other Capital Expenditures Program by adding an articulated truck in 2018. The estimated cost is \$600,000.

Amend the Other Capital Expenditures Program by adding an excavator in 2018. The estimated cost is \$300,000.

This additional equipment will not require an increase in appropriations as it will be funded with Fleet user fees via the removal of the 2017 Landfill Scraper for \$900,000 from the Other Capital Expenditures Program.

Date adopted: 04/17/18 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

56. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, TO ESTABLISH A PREANNEXATION AGREEMENT WITH THE PLEASANT VIEW ACRES ADDITION.

A motion was made by Council Member Rick Kiley and seconded by Council Member Greg Neitzert to adopt said Resolution No. 39-18.

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

Motion Passed.

RESOLUTION NO. 39-18

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, TO ESTABLISH A PREANNEXATION AGREEMENT WITH THE PLEASANT VIEW ACRES ADDITION.

WHEREAS, the City of Sioux Falls, SD, is authorized, pursuant to SDCL 9-4-1.1, to establish an agreement with any landowner specifying the conditions under which the landowner's property may be annexed; and

WHEREAS, current landowners shown on Exhibit A for the Pleasant View Acres Addition properties are not contiguous with the current city limits of Sioux Falls, but are within the growth area for the city of Sioux Falls, and access is available through existing developed rural subdivisions within the growth area for the city of Sioux Falls; and

WHEREAS, current landowners are willing to enter into in the future an Annexation Agreement and/or Development Agreement, provided the City is willing to satisfy the general terms of the attached preannexation petition; and

WHEREAS, the City of Sioux Falls and the current landowners agree to the general terms of the Petition for Preannexation Agreement shown on Exhibit B, including future annexation stipulations, costs, and potential assessments as will more fully appear in any future Annexation Agreement and/or Development Agreement;

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

That it approves the Pleasant View Acres Addition Preannexation Agreement, which is attached hereto as Exhibits A-D and made part of this Resolution as if set out in full, and shall serve as the Preannexation Agreement between the City of Sioux Falls and Petitioners.

Date adopted: 04/17/18 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

A RESOLUTION DECLARING THE RESULTS OF THE CITY OF SIOUX FALLS MUNICIPAL/
57. SCHOOL DISTRICT ELECTION HELD IN THE CITY OF SIOUX FALLS, SD, ON TUESDAY,
THE 10TH DAY OF APRIL, 2018.

A motion was made by Council Member Christine M. Erickson and seconded by
Council Member Marshall Selberg to adopt said Resolution No. 37-18.

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

Motion Passed.

RESOLUTION NO. 37-18

A RESOLUTION DECLARING THE RESULTS OF THE CITY OF SIOUX FALLS MUNICIPAL/SCHOOL
DISTRICT ELECTION HELD IN THE CITY OF SIOUX FALLS, SD, ON TUESDAY, THE 10TH DAY
OF APRIL, 2018.

On Tuesday, the 10th day of April 2018, a City of Sioux Falls Municipal/School
District Election was held. The purpose of the Municipal Election was to elect
one Mayor and three Council Members for the City of Sioux Falls, SD;

The City Council of the City of Sioux Falls met as the Canvassing Board
pursuant to law on Tuesday, April 17, 2018, at the Carnegie Town Hall, 235 W.
10th St., Sioux Falls, SD, at 7p.m., to canvass the votes cast for City
offices at said Municipal Election;

Pursuant to the Canvassing Board's report, candidates for the positions of one
Mayor, one At-Large Council Member "A" position, one At-Large Council
Member "B" position, and one Central District position received the following
votes:

For the Mayor of Sioux Falls, four-year term: Mike Gunn-343; Kenny N. Anderson,
Jr.-2,136; Jim Entenman-6,111; Greg Jamison-4,543; Paul TenHaken-10,925; Jolene
Loetscher-7,973;

For At-Large Council Member "A," four-year term position: John Paulson-11,924;
Janet Brekke-15,308;

For At-Large Council Member "B," four-year term Council Member position:
Christine M. Erickson-18,908; Nick Weiland-9,394;

For the Central District Council Member, four-year term position: Zach
DeBoer-1,359; Tom Hurlbert-1,179; Thor Bardon-433; Scott Bartlett-648; Curt
Soehl-1,306.

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

SD:

That pursuant to the Canvassing Board's report, no candidate received a majority of the votes cast at said election for the Mayor and Central District Council Member positions.

That pursuant to the Canvassing Board's report, Janet Brekke received 56.21 percent of the votes cast at said election and is hereby declared elected to the position of At-Large Council Member for a four-year term.

That pursuant to the Canvassing Board's report, Christine M. Erickson received 66.81 percent of the votes cast at said election and is hereby declared elected to the position of At-Large Council Member for a four-year term.

And that Rick Kiley, incumbent candidate who ran unopposed, is hereby declared elected to the position of Southeast District Council Member for a four-year term.

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

That it is necessary to hold a Runoff Election as provided by law on Tuesday, May 1, 2018, and the election shall be held for the two candidates in each race who received the highest number of votes at the first election. They are:

For Mayor, four-year term:

Paul TenHaken 10,925

Jolene Loetscher 7,973

For Central District Council Member, four-year term:

Zach DeBoer 1,359

Curt Soehl 1,306

This resolution will become effective upon first publication.

Date adopted: 04/17/18 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

ADJOURNMENT

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rex Roling to adjourn at 8:40 p.m.

Mayor Mike T. Huether called for a voice vote. All members voted yes.

Motion Passed.

Thomas M. Greco

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. 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 FOR SPECIFIC PROGRAMMING TIMES.