

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, September 9, 2014, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rick Kiley

Council Member Rex Rolwing

Council Member Kermit L. Staggers

Council Member Kenny Anderson Jr.

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Mayor Mike T. Huether

INVOCATION

Dr. Ron Tottingham, Empire Baptist Temple

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PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Suicide Prevention Week - September 7-13, 2014

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Disabled American Veteran's Buddy Poppy Days - September 11-13

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CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Dean Karsky and seconded by Council Member Rex Rolwing to approve the Consent Agenda.

Motion Passed.

Council Member Kermit L. Staggers asked to move the following contract/ agreement from Item 1 to the Regular Agenda for discussion purposes:
1). Highways/Streets; Project No. 11061; Paver Alley Restoration/6th Street and 7th Street between Duluth Avenue and Summit Avenue; Agreement for Engineering Services by Vendor Sayre Associates for \$30,380.00.

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

Motion Passed.

MINUTES

Informational Meeting of Tuesday, September 2, 2014 at 4:00 p.m.

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City Council Meeting of Tuesday, September 2, 2014 at 7:00 p.m.

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COMMUNICATIONS

1. Approval of contracts/agreements on the September 4, 2014 memo.

A motion was made by Council Member Kermit Staggers and seconded by Council Member Dean Karsky to withdraw: 1). Highways/Streets; Project No. 11061; Paver Alley Restoration/6th Street and 7th Street between Duluth Avenue and Summit Avenue; Agreement for Engineering Services by Vendor Sayre Associates for \$30,380.00.

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

Motion Passed.

Report of Requests for Quotes for Fuel dated: August 27, 2014; #2 Clear
2. Diesel; 7,500 gallons; CHS, Inc. (\$3.2435); Harms Oil (\$3.2539); Petroleum Traders Cor. (\$3.2528); Howes Oil and Midwest Oil, both no bid. Bid awarded to: CHS, Inc.

Report of Requests for Quotes for Fuel dated: August 27, 2014; Unleaded
3. Ethanol & E85; 7,500 Unleaded/1,000 E85; Harms Oil (\$2.9360 Unleaded/\$2.4985 E85); CHS, Inc. (\$2.9571 Unleaded/\$2.3925 E85); Howes Oil and Olson Oil, both no bid. Bid awarded to: Harms Oil.

Report of Requests for Quotes for Fuel dated: September 2, 2014; #2 Dyed
4. Diesel; 1,000 gallons; Midway Service (\$3.090); Howes Oil (\$3.199); and Midwest Oil (\$3.239). Bid awarded to Midway Service.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, September 16, 2014, at 7:00 p.m. on Item 5:

5. A PROPOSED RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015, AND THE 2015-2019 CAPITAL PROGRAM.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

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

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

Motion Passed.

PUBLIC INPUT

Greg Neitzert spoke regarding the accreditation of levees in the City of Sioux Falls; state law constraints on billboards; and on the siding issues at the Events Center.

Roger Elgersma spoke regarding city bus rates compared to bus rates in neighboring cities.

Darrin McDonald spoke about dumpster enclosures for his small business, his experiences with code enforcement and his pictures of city owned property that are not in compliance with the same ordinance.

I.L. Wiedermann spoke regarding changing the date of a City Council Meeting; the approval of \$500,000.00 for a private tennis court; and the appointment process for citizen boards.

Item 1 was heard at this time. See Item for action taken.

INTRODUCTION AND ADOPTION OF ORDINANCES

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE 6. OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 95 "PARKS AND RECREATION," SUBSECTION (a) OF SECTION 95.029 "ALCOHOLIC BEVERAGES" TO INCLUDE TOWER PARK AND VAN EPS PARK AS ALCOHOL-FREE PARKS.

A motion was made by Council Member Dean Karsky and seconded by Council Member Rex Rolfling to adopt said Ordinance No. 67-14.

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

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, 7. PROVIDING SUPPLEMENTAL APPROPRIATIONS. (Entertainment Venues-Washington Pavilion, \$25,000.00)

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Michelle Erpenbach to adopt said Ordinance No. 68-14.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, September 16, 2014, at 7:00 p.m. on Item 8:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING
8. APPROPRIATIONS AND THE MEANS OF FINANCING FOR THE FISCAL YEAR ENDING
DECEMBER 31, 2015.

A motion was made by Council Member Greg Jamison and seconded by Council Member Kenny Anderson Jr. to set a date of hearing and 2nd Reading for Tuesday, September 16, 2014, at 7:00 p.m. on Item 8.

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

Motion Passed.

HEARINGS AND RESOLUTIONS

9. PUBLIC HEARING FOR PUBLIC INPUT FOR A RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015, AND THE 2015-2019 CAPITAL PROGRAM.

Public Input was taken at this time.

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR CONSTRUCTION OF GRADING, GRAVEL, ASPHALT SURFACING, CURB AND GUTTER WITH DRIVEWAY
10. APPROACHES, SIDEWALK, STREETLIGHTS, STORM SEWER, SANITARY SEWER MAIN AND SERVICE LINES, AND WATER MAIN AND SERVICE LINES ON W. BENSON RD. FROM N. WESTPORT AVE. TO N. BOBHALLA DR. AND 1,320' NORTH ON N. BOBHALLA DR.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to adopt said Resolution No. 109-14.

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

Motion Passed.

RESOLUTION NO. 109-14

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR CONSTRUCTION OF GRADING, GRAVEL, ASPHALT SURFACING, CURB AND GUTTER WITH DRIVEWAY APPROACHES, SIDEWALK, STREETLIGHTS, STORM SEWER, SANITARY SEWER MAIN AND SERVICE LINES, AND WATER MAIN
AND SERVICE LINES ON W. BENSON RD. FROM N. WESTPORT AVE. TO N. BOBHALLA DR. AND 1,320' NORTH ON N. BOBHALLA DR.

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

SECTION 1. That the special assessment roll for the assessment of the property assessable for construction of grading, gravel, asphalt surfacing, curb and gutter with driveway approaches, sidewalk, streetlights, storm sewer, sanitary sewer main and service lines, and water main and service lines on W. Benson Rd. from N. Westport Ave. to N. Bobhalla Dr. and 1,320' north on N. Bobhalla Dr. pursuant to a contract entered into with T & R Contracting on the 22nd day of February, 2012, be and the same is hereby approved and the assessment as set out in the special assessment roll approved this date is hereby levied against the property described therein and becomes a lien against such property upon filing of the special assessment roll in the City Accounting Office.

SECTION 2. The assessment may be paid in five annual installments and shall be collected under Plan One-Collection by County Treasurer as provided in SDCL 9-43.

Date adopted: 09/09/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

NOTICE TO PROPERTY OWNERS

Notice is hereby given that assessments levied under the above resolution will become due and payable at the office of the County Treasurer in five installments, together with interest at 0percent per annum in accordance with SDCL 9-43. The first installment will become due with general taxes and will be payable at the County Treasurer's Office on January1, 2015; the remaining installments will become due and payable annually at the County Treasurer's Office on January1 of each following year until total assessment is paid in full.

Notice is further given that the special assessment roll approved in the above resolution was filed with the City Clerk's Office on the 9th day of September, 2014, and that the whole of said assessment, or any installment thereof, may be paid without interest to the City Accounting Office on or before 30 days after said filing.

Lorie Hogstad

City Clerk

11. A RESOLUTION AMENDING THE 2014-2018 CAPITAL PROGRAM TO ADD A NEW PROJECT, SOUTH DAKOTA BLACK HISTORY MUSEUM EXHIBIT EXPANSION, IN 2014.

A motion was made by Council Member Rex Roling and seconded by Council Member Michelle Erpenbach to adopt said Resolution No. 110-14.

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

Motion Passed.

RESOLUTION NO. 110-14

A RESOLUTION AMENDING THE 2014-2018 CAPITAL PROGRAM TO ADD A NEW PROJECT, SOUTH DAKOTA BLACK HISTORY MUSEUM EXHIBIT EXPANSION, IN 2014.

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

That the 2014-2018 Capital Program shall be amended as follows:

Washington Pavilion

Amend the Capital Improvements Program by adding a new project, South Dakota Black History Museum Exhibit Expansion, in 2014. The estimated cost is \$25,000 for construction. This will require an increase in appropriations that will be funded by the Entertainment Tax Fund.

Date adopted: 09/09/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

A RESOLUTION OF THE CITY OF SIOUX FALLS, S.D., RESCHEDULING THE BUSINESS OF 12. THE CITY FROM THE SCHEDULED CITY COUNCIL MEETING FOR TUESDAY, OCTOBER 21, 2014, TO MONDAY, OCTOBER 20, 2014.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Rick Kiley to adopt said Resolution No. 111-14.

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

Motion Passed.

RESOLUTION NO. 111-14

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, RESCHEDULING THE BUSINESS OF THE CITY FROM THE SCHEDULED CITY COUNCIL MEETING FOR TUESDAY, OCTOBER 21, 2014, TO MONDAY, OCTOBER 20, 2014.

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

That the business to be conducted at the City Council meeting scheduled for 7 p.m. on Tuesday, October 21, 2014, will be rescheduled to 7 p.m., Monday, October 20, 2014.

This resolution is necessary as October 21, 2014, is the date of the Sioux Falls Chamber of Commerce annual meeting.

Date adopted: 09/09/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

ADJOURNMENT

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Dean Karsky to adjourn the meeting at 8:39 p.m. Mayor Huether called for a voice vote and all members present voted yes. Motion Passed.

Tamara Jorgensen, CMC

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.

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

LIVE BROADCASTS OF COUNCIL MEETINGS ON CITYLINK: INFORMATIONAL MEETINGS AIR LIVE ON TUESDAYS EACH MONTH AT 4:00 P.M. COUNCIL COMMITTEE MEETINGS AIR LIVE THE FIRST, SECOND, AND THIRD TUESDAYS OF EACH MONTH IMMEDIATELY FOLLOWING THE INFORMATIONAL MEETING. CITY COUNCIL MEETINGS AIR LIVE THE FIRST, SECOND, AND THIRD TUESDAYS OF EACH MONTH AT 7:00 P.M. THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AIR LIVE THE FOURTH TUESDAY OF EACH MONTH AT 5:00 P.M. REGULAR MEETINGS OF THE CITY COUNCIL ARE ALSO ARCHIVED AND AVAILABLE FOR VIEWING ON DEMAND AT WWW.SIOUXFALLS.ORG. LINKS TO EACH MEETING'S VIDEO ARE POSTED ON THE MEETING MINUTES AND AGENDAS PAGE.

CLOSED CAPTIONING: CITY COUNCIL MEETINGS ARE CLOSE CAPTIONED ON CITYLINK.

CITYLINK REBROADCAST: INFORMATIONAL MEETINGS AT 1:30 A.M. AND 9:00 A.M. ON THURSDAYS, AND 6:00 P.M. ON SATURDAYS. COUNCIL COMMITTEE MEETINGS AT 12:30 A.M. AND 8:00 A.M. ON THURSDAYS, AND 5:00 P.M. ON SATURDAYS. CITY COUNCIL MEETINGS AT 2:30 AM AND 10:00 A.M. ON THURSDAYS, AND 7:00 P.M. ON SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 8:00 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1:00 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.