

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

REGULAR MEETING OF Tuesday, October 6, 2015, at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rex Roling

Council Member Rick Kiley

Council Member Kermit L. Staggers

Council Member Kenny Anderson Jr.

Council Member Christine M. Erickson

Mayor Mike T. Huether

INVOCATION

Council Member Michelle Erpenbach

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PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Domestic Violence Awareness Month - October 2015

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Council Member Michelle Erpenbach took a moment of personal privilege to remind the City Council that on Thursday, October 8, 2015, from 6 p.m. - 8 p.m. is "Take Back The Night" at the Old Courthouse Museum, 200 W. 6th Street.

Assistant City Clerk Tamara Jorgensen took a moment of personal privilege to wish her twin brother, Timothy John Miller, (from Watertown, SD), a happy birthday.

City Council Member Christine M. Erickson took a moment of personal privilege to acknowledge the presence of two students from Rachael Kringen's Advanced Communications class from the Sioux Falls New Technology High School.

CONSENT AGENDA ITEMS

## APPROVAL OF CONSENT AGENDA

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

Vote to approve: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, 7. Noes, 0.

Motion Passed.

## MINUTES

Informational Meeting of Tuesday, September 15, 2015, at 4 p.m.

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City Council Meeting of Tuesday, September 15, 2015, at 7 p.m.

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Informational Meeting of Tuesday, September 22, 2015, at 4 p.m.

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## COMMUNICATIONS

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

2. Approval of the notice of change orders on the October 1, 2015, memo.

Report of Requests for Quotes for Fuel dated: August 21, 2015; #2

3. Clear Diesel; 7,500 gallons; CHS, Inc. (\$1.9899); Howe's Oil (\$1.951); Harms Oil, Midwest Oil and Petroleum Traders Co., all no bid. Bid awarded to: Howe's Oil.

Report of Request for Quotes for Fuel dated: September 2, 2015; #2 Clear

4. Diesel; 7,500 gallons; CHS, Inc. (\$2.04); Howe's Oil (\$2.045); Harms Oil (\$2.0278); Midwest Oil and Petroleum Traders Co., both no bid. Bid awarded to: Harms Oil.

Report of Request for Quotes for Fuel dated September 16, 2015; #2 Clear

5. Diesel; 7,500 gallons; CHS, Inc. (\$1.929); Harms Oil (\$1.9375); Howe's Oil, Midwest Oil and Petroleum Traders Co., all no bid. Bid awarded to: CHS, Inc.

Report of Requests for Quotes for Fuel dated: September 22, 2015; Unleaded

6. Ethanol; 708 gallons; Midway Service (\$2.1520); Howe's Oil (\$2.1370); Stern Oil, no bid. Bid awarded to: Midway Service.

Report of requests for Quotes for Fuel dated: September 22, 2015; Clear

7. Diesel #1; 538 gallons; Midway Service (\$2.1810); Howe's Oil (\$2.3440); Stern Oil, no bid. Bid awarded to: Midway Service.

Report of Requests for Quotes for Fuel dated: September 22, 2015; Clear

8. Diesel #2; 538 gallons; Midway Service (\$1.9130); Howe's Oil (\$1.9940); Stern Oil, no bid. Bid awarded to: Midway Service.

Report of Requests for Fuel dated: September 25, 2015; #2 Dyed Diesel Fuel;

9. 7,500 gallons; Howe's Oil (\$1.6545); Harms Oil (\$1.6690); Cole's Petroleum (\$1.7320); CHS, Inc., Midwest Oil, and Olson Oil, all no bid. Bid awarded

to: Howe's Oil.

#### APPLICATIONS

Special One-Day Liquor License for Prairie Pasta Inc., Johnny Carino's to be  
10. operated at the Army National Guard Armory, 801 West National Guard Drive, f  
or  
a wedding on October 10, 2015.

Special One-Day Liquor License for Washington Pavilion Management Inc., to  
11. be operated at Washington Pavilion of Arts & Science, 301 South Main  
Avenue, for special events on October 10 and 16, 2015.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering  
12. America Inc., Chef Dominique's Catering, to be operated at the Old Courthous  
e  
Museum, 200 West 6th Street, for a holiday party on December 4, 2015.

The following abatement was recommended for denial by the Director of  
Equalization and the State's Attorney's Office for Minnehaha County; and the  
City Attorney for Sioux Falls:

13. Joseph II and Ann Henkin, 5212 Summerfield Place. Since this item is  
denied, no dollar amount available at this time.

#### NOTICE OF HEARINGS

Set a date of hearing for Monday, October 19, 2015, at 7 p.m. for Items 14  
through 20:

14. New 2015-16 Retail Malt Beverage License for Jacky's Restaurant LLC, to be  
operated at Jacky's Restaurant, 1301 East Benson Road (CUP not required).

15. New 2015 Retail Wine License for Jacky's Restaurant LLC, to be operated at  
Jacky's Restaurant, 1301 East Benson Road (CUP not required).

Transfer of 2015 Retail Liquor License, with Sunday sales certificate, from  
16. Dave Kulish, Martini's Casino & Lounge, 4823 South Louise Avenue, to US Hote  
l  
and Resort Management Inc., 2320 South Louise Avenue (CUP not required).

New 2015-16 Retail Malt Beverage License, with video lottery terminals, for  
MG  
17. Oil Company, to be operated at Happy Jack's Sioux Falls II, 4823 South Louis  
e  
Avenue (CUP not required).

Special One-Day Malt Beverage, Special One-Day Wine and Special One-Day  
18. Off-Sale Package Wine Dealer Licenses for the Multi-Cultural Center of  
Sioux Falls to be operated at 515 North Main Avenue, for a fundraiser on  
December 5, 2015.

Special One-Day Wine License for the Democratic Forum to be operated at the  
19. History Club, 758 South Phillips Avenue, for a fundraiser on November 12,  
2015.

Transfer of 2015 Retail Liquor License, including Sunday sales certificate,  
from W&P of Sioux Falls LLC, W&P of Sioux Falls LLC, located on Lot 9A,

20. Block 17, Dawley Farm Village Addition, to W&P of Sioux Falls LLC, Buffalo Wild Wings, 2601 South Louise Avenue, #100 (full service restaurant, CUP not required).

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

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

Vote to approve: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, 7. Noes, 0.

Motion Passed.

#### PUBLIC INPUT

Doreen Weinstein spoke about her position on boulevard planting.

Scott Ehrisman spoke about: the audit of the Great Plains Zoo and Delbridge Museum; the Mayor running for another office; and the new downtown parking ramp.

Cathy Brechtelsbauer spoke regarding the value of public facilities and services.

Bruce Danielson spoke regarding: street markings on West 9th Street; the selling of the land on North Philips Avenue and typographical errors on documents; the Railroad Relocation project; and the Events Center building processes.

William Mourer spoke regarding an incident he had with the Sioux Falls Police Department.

#### UNFINISHED BUSINESS

Transfer of 2015-16 Retail Malt Beverage License, including video lottery terminals, from Homefield Gaming Inc., Royal Casino, 4601 East Arrowhead Parkway, Suite 109, to MG Oil Company, Happy Jack's 5, 4601 East Arrowhead Parkway, Suite 109 (CUP not required).

Transfer of 2015-16 Package Malt Beverage License from Melinda Koppien, 22. Park Ridge Gas N Pak, 1801 South Western Avenue, to Scott Bowar, Park Ridge Gas N Grub, 1801 South Western Avenue (CUP not required).

Council Member Kermit L. Staggers left the meeting at 7:30 p.m.

23. New 2015-16 Retail Malt Beverage License for Bold Behavior, LLC, Bold Behavior, 4805 South Louise Avenue (CUP not required).

24. New 2015 Retail Wine License for Bold Behavior, LLC, Bold Behavior, 4805 South Louise Avenue (CUP not required).

WITHDRAWN PER APPLICANT REQUEST: Special One-Day Malt Beverage and 25. Special One-Day Wine Licenses for Catering America Inc., Chef Dominique's Catering, to be operated at Vance Thompson Vision, 3101 West 57th Street, for customer appreciation on October 8, 2015.

A motion was made by Council Member Rex Roling and seconded by Council Member Christine M. Erickson to withdraw Item 25.

Vote to withdraw: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, 6. Noes, 0.

Motion Passed.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering  
26. America Inc., Chef Dominique's Catering, to be operated at 2601 Latigo Circle,  
for a private social on October 30, 2015.

A motion was made by Council Member Dean Karsky and seconded by Council Member Michelle Erpenbach to approve Items 21 through 24, and Item 26.

Vote to approve: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, 6. Noes, 0.

Motion Passed.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

Deferred from the City Council Meetings on 4/21/15, 6/2/15 and 8/4/15:  
2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD,  
REZONING PROPERTY AT E. AND W. OF N. MARLOW AVE. AND N. OF E. PADDINGTON  
27. ST. FROM THE AG, AGRICULTURE DISTRICT TO THE RS, SINGLE-FAMILY  
RESIDENTIAL-SUBURBAN DISTRICT, PETITION NO. 2249-2015 AND AMENDING THE  
OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission  
recommends approval.

A motion was made by Council Member Rex Roling and seconded by Council Member Michelle Erpenbach to defer this item to the City Council Meeting on Monday, October 19, 2015, at 7 p.m.

Vote to defer: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, 6. Noes, 0.

Motion Passed.

Deferred from the City Council Meeting on 8/4/15: 2nd Reading: AN  
ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY SOUTH OF E.  
28. BENSON RD. AND EAST OF I-229 FROM THE AG AGRICULTURE AND CN CONSERVATION  
DISTRICTS TO THE I-2 HEAVY INDUSTRIAL AND CN CONSERVATION DISTRICTS,  
PETITION NO. 2895-2015, 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 withdraw Item 28.

Vote to withdraw: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, 6. Noes, 0.

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE

OF ORDINANCES OF THE CITY AMENDING THE FEES SUBCHAPTER OF CHAPTER 95 PARKS AND RECREATION. This is a second reading of an ordinance that is expected to be postponed indefinitely; an alternative proposal shall be up for first reading on Tuesday, October 13, 2015, and a second reading and public input expected to be held on Monday, October 19, 2015.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Roling to postpone this item indefinitely.

Vote to postpone indefinitely: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, 6. Noes, 0.

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY BETWEEN S. NORTON AVE. AND VACATED S. DULUTH AVE. AND W. 39TH ST. AND W. 41S

T  
ST. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL-SUBURBAN DISTRICT AND C-2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR DISTRICT TO THE C-4 COMMERCIAL-REGIONAL DISTRICT, INCLUDING CONDITIONS AS ALLOWED IN SECTION 160.650 (e) PLACING LIMITATIONS ON REGULATIONS AND ADDING ADDITIONAL TRANSITIONAL REQUIREMENTS WITHIN THE RE5 FORM, PETITION NO. 2541-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning

30. Commission recommends approval with the following stipulations which have been

r  
added to the ordinance: 1) An alternative site plan including detailed buffer yard plans be approved by the Planning Commission; 2) The proposed 113 employee parking spaces (61 within the new parking lot and 52 behind the existing Billion Auto-Kia building) will be permanently marked and reserved for Billion employees only; and 3) Uses will be limited to outdoor motor vehicle sales and display and associated employee parking areas. An amendment has been proposed for Item 3) adding the sentence, "Construction of buildings is prohibited."

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Dean Karsky to adopt said Ordinance No. 93-15.

A motion was made by Council Member Greg Jamison and seconded by Council Member Dean Karsky to amend this item by adding to 3) "Construction of buildings is prohibited".

Vote to amend: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, 6. Noes, 0.

Motion Passed.

Vote to adopt, as amended: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, 6. Noes, 0.

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT

31. 4605 S. LOUISE AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN DISTRICT TO THE O OFFICE DISTRICT, PETITION NO. 3236-2015, AND AMENDING THE OFFICIAL ZON

ING

MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Kenny Anderson Jr. to adopt said Ordinance No. 94-15.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, 6. Noes, 0.

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY SOUTHWEST OF GREAT BEAR RECREATION AREA FROM THE AG AGRICULTURE DISTRICT TO 32. THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN DISTRICT, PETITION NO. 3271-2015, 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 defer this item to the City Council Meeting on Monday, October 19, 2015, at 7 p.m.

Vote to defer: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, 6. Noes, 0.

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 4800 S. LOUISE AVE. FROM THE RA-1 APARTMENT RESIDENTIAL-LOW DENSITY DISTRICT TO 33. THE C-2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 3285-2015, 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 No. 95-15.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, 6. Noes, 0.

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHWEST CORNER OF W. 12TH ST. AND S. DISCOVERY AVE. FROM THE CN CONSERVATION DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL-LOW DENSITY DISTRICT , 34. INCLUDING CONDITIONS AS ALLOWED IN SECTION 160.650 (e) PLACING LIMITATIONS ON REGULATIONS WITHIN THE MD1 FORM, PETITION NO. 3238-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (4-2) with the following stipulation which has been added to the ordinance: 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 Roling to defer this item to the City Council Meeting on Monday, October 19, 2015, at 7 p.m.

Vote to defer: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, 6. Noes, 0.

Motion None.

Set a date of hearing and 2nd Reading for Tuesday, October 13, 2015, at 7 p.m. for Item 35:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF 35. ORDINANCES OF THE CITY BY REPEALING SUBCHAPTER "ULTIMATE FIGHTING" OF CHAPTER 113 "AMUSEMENTS" AND SECTION 131.006 "ULTIMATE FIGHTING, CONTEST OR EXHIBITIONS. "

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, October 13, 2015, at 7 p.m. for Item 35.

Vote to set a date: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, 6. Noes, 0.

Motion None.

Set a date of hearing and 2nd Reading for Tuesday, October 13, 2015, at 7 p.m. for Item 36:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING 36. SUPPLEMENTAL APPROPRIATIONS. Highways and Streets (\$3,110,000.); Parks and Recreation (\$1,597,000.), and Police (\$690,000.).

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Roling to set a date of hearing and 2nd Reading for Tuesday, October 13, 2015, at 7 p.m. for Item 36.

Vote to set a date: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, 6. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Monday, November 2, 2015, at 7 p.m. for Item 37:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING 37. THE CODE OF ORDINANCES OF THE CITY BY REVISING CHAPTER 124: VEHICLES FOR HIRE PERTAINING TO TRANSPORTATION NETWORK COMPANIES AND AMENDING THE TITLE OF CHAPTER 124 TO READ TRANSPORTATION SERVICES.

A motion was made by Council Member Dean Karsky and seconded by Council Member Greg Jamison to set a date of hearing and 2nd Reading for Monday, November 2, 2015, at 7 p.m. for Item 37.

Vote to set a date: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Christine M. Erickson, 5. Noes, Kenny Anderson Jr., 1.



Motion Passed.

HEARINGS AND RESOLUTIONS

38. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF TWO SCULPTURES ON PUBLIC PROPERTY.

A motion was made by Council Member Greg Jamison and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution No. 98-15.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, 6. Noes, 0.

Motion Passed.

RESOLUTION NO. 98-15

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

WHEREAS, the Sioux Falls Visual Arts Commission encourages and recommends the exhibition of public art in Sioux Falls, SD; and

WHEREAS, the SculptureWalk 2010 People's Choice Award is a City-owned bronze sculpture known as "Flower Dancing in the Wind," designed and constructed by artist Jerry McKellar from Washington; and

WHEREAS, the sculpture depicts a Native American woman dancing in the wind and measures approximately 5 1/2' in height, 7' in width, and 5' in length; and

WHEREAS, the proposed outdoor placement is at the Washington Pavilion of Arts and Sciences within a portion of the Paladino-Hohm Sculpture Garden in the southeast corner near a waterfall feature along Main Ave.; and

WHEREAS, the SculptureWalk 2014 People's Choice Award is a City-owned bronze sculpture known as "World's Her Canvas," designed and constructed by artists Sherri Treeby and Lee Leuning from South Dakota; and

WHEREAS, the sculpture depicts a young painter visualizing her artwork and measures approximately 45" in height, 36" in width, and 42" in length; and

WHEREAS, the proposed indoor placement at the Washington Pavilion of Arts and Sciences is within the main lobby at the north grand staircase alcove; and

WHEREAS, the Sioux Falls Visual Arts Commission reviewed both sculptures and their respective placements on August 18, 2015, and unanimously recommended approval for both sculpture placements at the Washington Pavilion of Arts and Sciences as presented;

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

That the sculptures, "Flower Dancing in the Wind" and "World's Her Canvas," and their respective outdoor and indoor placements at the Washington Pavilion of Arts and Sciences be approved as recommended.

Date adopted: 10/06/15 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

39. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF COPPER CREEK ESTATES ADDITION.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to adopt said Resolution No. 99-15.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, 6. Noes, 0.

Motion Passed.

RESOLUTION NO. 99-15

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF [COPPER CREEK ESTATES ADDITION].

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

That the preliminary plan of [Copper Creek Estates Addition] to the City of Sioux Falls, [Minnehaha ] County, SD, is hereby approved, and the City Clerk of the City of Sioux Falls is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Date adopted: 10/06/15 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIM ITS OF

40. THE CITY OF SIOUX FALLS, SD. ANNEXATION 3150-2015-BARBER'S AND KNOBLOCH'S ADDITIONS.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Greg Jamison to adopt said Resolution No. 100-15.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, 6. Noes, 0.

Motion Passed.

RESOLUTION NO. 100-15

ANNEXATION 3150-2015-BARBER'S AND KNOBLOCH'S ADDITIONS

A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS

OF THE CITY OF SIOUX FALLS, SD.

WHEREAS, there has been presented to the City Council of the City of Sioux Falls and filed with the City Clerk, a Petition in writing signed by the owners and otherwise in compliance with the provisions of SDCL Chapter 9-4, requesting that the territory hereinafter described be included within the municipality;

WHEREAS, there has been an analysis completed in regard to the territory hereinafter described and it has been found that:

1. The property has been properly described and is contiguous to the current city limits.
2. The proposed land uses and densities are consistent with the Shape Sioux Falls 2035 Comprehensive Plan.
3. There is access to the major street network once streets are extended from the development to the east and adequate provisions for municipal utilities once water and sanitary sewer are extended from S. Sycamore Ave.

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

That the following described properties are and the same hereby are included within the corporate limits of the city of Sioux Falls, Lincoln County, SD, and the boundary of the city is hereby extended to include such territory:

Tract 1 Barber's Addition and Tract 1 Knobloch's Addition in Section 7-T100N-R49W, all in Lincoln County, SD

And that the City Clerk shall cause to be filed with the Register of Deeds, Lincoln County, SD, a duly certified transcript of this resolution.

Date adopted: 10/06/15 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE  
41. LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. ANNEXATION 3232-2015  
- MADISON & VETERANS PARKWAY.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Roling to adopt said Resolution No. 101-15.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, 6.  
Noes, 0.

Motion Passed.

RESOLUTION NO. 101-15

ANNEXATION 3232-2015-MADISON AND VETERANS PARKWAY

A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SD.

WHEREAS, there has been presented to the City Council of the City of Sioux Falls and filed with the City Clerk, a Petition in writing signed by the owners and otherwise in compliance with the provisions of SDCL Chapter 9-4, requesting that the territory hereinafter described be included within the municipality;

WHEREAS, there has been an analysis completed in regard to the territory hereinafter described and it has been found that:

1. The property has been properly described and is contiguous to the current city limits.
2. The proposed land uses and densities are generally consistent with the Shape Sioux Falls 2035 Comprehensive Plan.
3. There is access to the major street network once E. 6th St. and E. Madison St. are extended to the development and adequate provisions for municipal utilities once water is extended from the west. Sanitary sewer currently runs through the subject property.

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

That the following described properties are and the same hereby are included within the corporate limits of the city of Sioux Falls, Minnehaha County, SD, and the boundary of the city is hereby extended to include such territory.

The W1/2 NW1/4 (EX H1, H6, H6, H7, H7, & H8) and the N16.5' W1/2 SW1/4 (EX H3 & H4) and the NW1/4 SW1/4 (EX N16.5' & EX H1, H2, H3, & H4) and including adjacent unannexed right-of-way, Section 18-T101N-R49W, Minnehaha County, SD

And that the City Clerk shall cause to be filed with the Register of Deeds, Minnehaha County, SD, a duly certified transcript of this resolution.

Date adopted: 10/06/15 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

A RESOLUTION AUTHORIZING USE OF CONTRUCTION MANAGER AT RISK SERVICES FOR 42. THE CONSTRUCTION OF A MIXED USE DEVELOPMENT INCLUDING PRIVATE DEVELOPMENT AND A PARKING RAMP AT THE CORNER OF TENTH STREET AND MALL AVENUE.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to adopt said Resolution No. 104-15.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, 6.  
Noes, 0.

Motion Passed.

RESOLUTION NO. 104-15

A RESOLUTION AUTHORIZING USE OF CONSTRUCTION MANAGER AT RISK SERVICES FOR THE CONSTRUCTION OF A MIXED USE DEVELOPMENT INCLUDING PRIVATE DEVELOPMENT AND A PARKING RAMP AT THE CORNER OF TENTH STREET AND MALL AVENUE.

WHEREAS, in order to have an integrated team approach to the planning, design, and construction of the mixed use development at the corner of Tenth Street and Mall Avenue including private development and a major new public parking ramp, to help control schedule and budget, and to help ensure quality for the City, the City's Director of Public Works recommends the project be accomplished using the Construction Manager at Risk delivery method.

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

That it is in the best interest of the public to utilize the Construction Manager at Risk project delivery method for the mixed use development at the corner of Tenth Street and Mall Avenue including private development and a new public parking ramp and that the Construction Manager at Risk be allowed to submit bids on portions of the work.

BE IT FURTHER RESOLVED that the Construction Manager at Risk services would not unreasonably duplicate and would be in addition to the normal scope of separate architect or engineer contracts.

Date adopted: 10/06/15 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

43. A RESOLUTION OF THE CITY OF SIOUX FALLS TO GIFT A 3" WATER METER TO THE CITY OF DELMONT, SOUTH DAKOTA.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to adopt said Resolution No. 102-15.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, 6.  
Noes, 0.

Motion Passed.

RESOLUTION NO. 102-15

A RESOLUTION AUTHORIZING THE CITY OF SIOUX FALLS TO GIFT A THREE-INCH WATER METER TO THE CITY OF DELMONT, SD.

WHEREAS, Sioux Falls Public Works has declared as surplus a three-inch water meter; and

WHEREAS, the City of Delmont, SD, finds it desirable to acquire the above-described surplus property;

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

That the gifting by the City of Sioux Falls to the City of Delmont, SD, of the following surplus property:

\*  
Three-inch Water Meter

is hereby approved.

Date adopted: 10/06/15 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

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

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Christine M. Erickson to adopt said Resolution No. 103-15.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolwing, Kenny Anderson Jr., Christine M. Erickson, 6. Noes, 0.

Motion Passed.

RESOLUTION NO. 103-15

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

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

That it gives its advice and consent to the following Mayoral appointments:

Name	Board	Term
Scott Bartlett	Board of Health	Reappointed for a term from October 2015 to October 2018.
James Kellar	Falls Community Health Center Governing Board	Reappointed for a term from October 2015 to October 2018.

Joyeuse Falls Community Health Center Governing Board Appointed for  
Urwibutso a term from  
October 2015  
to May 2017  
(to fill the  
unexpired term  
of Steve  
Miller).

Dr. Bruce Vogt Falls Community Health Center Governing Board Reappointed  
for a term  
from October  
2015 to  
October 2018.

Lyle Pudwill Main Street-Business Improvement District Board Reappointed  
for a term  
from October  
2015 to  
October 2018.

David Syverson Main Street-Business Improvement District Board Reappointed  
for a term  
from October  
2015 to  
October 2018.

George Property Maintenance Board of Appeals Appointed for  
Hamilton a term from  
October 2015  
to October  
2018 (to  
replace Dawn  
Clausen).

Richard Scott Property Maintenance Board of Appeals Appointed for  
a term from  
October 2015  
to October  
2018 (to  
replace Ron  
Rensberger).

Date adopted: 10/06/15 .

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)

45. REPORT OF THE OCTOBER 1, 2015, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

ADJOURNMENT

A motion was made by Council Member Dean Karsky and seconded by Council Member Christine M. Erickson to adjourn the meeting at 8:50 p.m. Mayor Huether called for a voice vote. All members voted yes.

Motion Passed.

Tamara Jorgensen, 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. 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.