

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, October 11, 2016, at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

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 Rolfing

Council Member Marshall Selberg

Mayor Mike T. Huether

INVOCATION

Pastor Brian Narcomey, Center of Hope

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PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

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

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

Motion Passed.

MINUTES

Informational Meeting Minutes of Tuesday, October 4, 2016, at 4 p.m.

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Regular City Council Meeting of Tuesday, October 4, 2016, at 7 p.m.

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COMMUNICATIONS

1. Approval of contracts/agreements on the October 7, 2016, memo.
2. Approval of the notice of change orders on the October 7, 2016, memo.

Report of Requests for Quotes for Fuel dated: September 28, 2016; #2 Dyed Diesel Fuel; 15,000 Gallons; Stern Oil (\$1.5634); Harms Oil (\$1.5700);

3. Cole's Petroleum (\$1.5985); CHS, Inc. (\$1.6000); Howes Oil, Midwest Oil, Midway Service (Vollan), and Olson Oil, all no bid. Bid awarded to: Stern Oil.

A communication was received from the Siouxland Heritage Museums requesting

4. permission to consume, but not sell, wine and beer at the Old Courthouse Museum, 200 W. Sixth St., on Thursday, November 17, 2016, for an exhibit opening reception.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

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

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

Motion Passed.

PUBLIC INPUT

Jay Masur, President and CEO of Med-Star Ambulance Service in Brandon, spoke about why he hasn't signed a mutual aid agreement.

Dan Daily spoke about how there is no dress code for City Council meetings and on the behavior of the City Council.

Scott Ehrisman questioned how a religious statement was allowed to be painted on a City snow plow. He also spoke on a proposed smoking ban and the proposed gifting of property to the Glory House.

David Zokaites spoke about trying to figure out how government works.

Tom Wilford, with Marv's Sanitary Service in Brandon, spoke on behalf of the garbage haulers association against the proposed ordinance change regarding insurance and financial assurance for garbage haulers.

Kurt Froening, representing Novak Sanitary, also spoke out against the proposed bonding requirement for garbage haulers. He mentioned he was in support of a proposed vehicle inspection ordinance.

INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Monday, October 17, 2016, at 7 p.m.

for Item 5:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING CHAPTER 5. 57 OF THE CODE OF ORDINANCES OF THE CITY PERTAINING TO GARBAGE AND CONSTRUCTION AND DEMOLITION HAULERS.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Pat Starr to set a date of hearing and 2nd Reading for Monday, October 17, 2016.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Monday, October 17, 2016, at 7 p.m. for Item 6:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING CHAPTER 6. 57: GARBAGE AND RECYCLING, SUBCHAPTER SANITARY LANDFILL, OF THE CODE OF ORDINANCES OF THE CITY PERTAINING TO VEHICLE INSPECTIONS.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Marshall Selberg to set a date of hearing and 2nd Reading for Monday, October 17, 2019.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Monday, October 17, 2016, at 7 p.m. for Item 7:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING CHAPTER 7. 57: GARBAGE AND RECYCLING, SUBCHAPTER COMMERCIAL HAULERS, OF THE CODE OF ORDINANCES OF THE CITY PERTAINING TO INSURANCE AND FINANCIAL ASSURANCE REQUIREMENTS.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Christine M. Erickson to set a date of hearing and 2nd Reading for Tuesday, November 1, 2016.

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

Motion Failed.

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 Monday, October 17, 2016.

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

Motion Failed.

Set a date of hearing and 2nd Reading for Monday, October 17, 2016, at 7 p.m.
for Item 8:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE
8. OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 111, ALCOHOLIC BEVERAGES, BY
CREATING AN OFFICIAL CITY WAITING LIST OF OFF-SALE LIQUOR LICENSE
APPLICANTS.

A motion was made by Council Member Christine M. Erickson and seconded by
Council Member Pat Starr to set a date of hearing and 2nd Reading for Monday,
October 17, 2016.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Monday, October 17, 2016, at 7 p.m.
for Item 9:

9. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING
SUPPLEMENTAL APPROPRIATIONS. (Parks and Recreation, \$684,000)

A motion was made by Council Member Rick Kiley and seconded by Council Member
Michelle Erpenbach to set a date of hearing and 2nd Reading for Monday, October
17, 2016.

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

Motion Passed.

HEARINGS AND RESOLUTIONS

10. A RESOLUTION AUTHORIZING THE SIOUX FALLS CENTRAL SERVICES DEPARTMENT TO
GIFT A SCANNER/COPIER TO MINNEHAHA COUNTY, SD.

A motion was made by Council Member Greg Neitzert and seconded by Council
Member Michelle Erpenbach to adopt said Resolution No. 99-16.

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

Motion Passed.

RESOLUTION NO. 99-16

A RESOLUTION AUTHORIZING THE SIOUX FALLS CENTRAL SERVICES DEPARTMENT TO GIFT A
SCANNER/COPIER TO MINNEHAHA COUNTY, SD.

WHEREAS, the Central Services Department has declared as surplus a scanner/
copier (Asset No. 3013617); and

WHEREAS, Minnehaha County, 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 property described above is no longer necessary, useful, or suitable for the purpose for which it was acquired; and

That the gifting by Sioux Falls Central Services Department to Minnehaha County of the following surplus property:

* Scanner/Copier (Asset No. 3013617)

is hereby approved.

Date adopted: 10/11/16 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

11. A RESOLUTION ADOPTING THE SHAPE SIOUX FALLS 2040 COMPREHENSIVE PLAN.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to adopt said Resolution No. 100-16.

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

Motion Passed.

RESOLUTION NO. 100-16

A RESOLUTION ADOPTING THE SHAPE SIOUX FALLS 2040 COMPREHENSIVE PLAN.

WHEREAS, the Planning Commission has proposed a plan for the physical development of the municipality and including areas outside the boundary and within its planning jurisdiction;

WHEREAS, the Planning Commission held a public hearing on October 5, 2016, to gain input from the public;

WHEREAS, the City Council held a public hearing on October 11, 2016, to gain input from the public;

WHEREAS, the comprehensive plan, shows the Planning Commission's recommendations of guiding and accomplishing a coordinated, adjusted, and harmonious development of the municipality, which will, in accordance with existing and future needs, best promote health, safety, morals, order, convenience, prosperity or the general welfare, as well as efficiency and economy in the process of development:

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

That the amended Shape Sioux Falls 2035 Plan known as the Shape Sioux Falls 2040 Comprehensive Plan attached hereto is hereby adopted along with the

accompanying maps and descriptive matter, for the City of Sioux Falls, with said plan to supersede the Shape Sioux Falls 2035 Comprehensive Plan adopted December 7, 2009.

Said plan shall be on file and is available for public inspection by any interested person in the office of the City Clerk, the City Planning Office, and the city website.

The City shall publish the resolution, without attachment, after its passage.

Date adopted: 10/11/16 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

NEW BUSINESS

Mayor Mike Huether reminded everyone that next week's meeting is on Monday, October 17th, versus Tuesday, October 18th.

ADJOURNMENT

A motion was made by Council Member Rex Rolwing and seconded by Council Member Rick Kiley to adjourn at 8:31 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. 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.