

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, July 11, 2017, at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Michelle Erpenbach

Council Member Rick Kiley

Council Member Greg Neitzert

Council Member Rex Rolwing

Council Member Marshall Selberg

Council Member Pat Starr

Council Member Theresa Stehly

Council Member Christine M. Erickson

Mayor Mike T. Huether

INVOCATION

Alan Greene, Founder and CEO, LifeLight Global

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PLEDGE OF ALLEGIANCE

City Council Chair Rick Kiley asked for a point of personal privilege to wish Assistant City Clerk Denise D. Tucker a Happy Birthday.

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

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

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

Motion Passed.

MINUTES

Regular City Council Meeting of Wednesday, July 5, 2017, at 7 p.m.

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COMMUNICATIONS

1. Approval of contracts/agreements on the July 7, 2017, memo.
2. Approval of the notice of change orders on the July 7, 2017, memo.

Report of Requests for Quotes for Fuel dated: June 29, 2017; E-10 Unleaded Ethanol & #2 Clear Diesel; 600 Gallons UL & 600 Gallons #2 Clear DM; Midway

3. Service (\$1.7538 UL/\$1.8300 Clear #2 DM); Howes Oil (\$1.7660 UL/\$1.8670 Clear #2 DM); Stern Oil (\$1.7860 UL/\$1.8641 Clear #2 DM); CHS, Inc., Cole's Petroleum, Harms Oil, and Olson Oil, all no bid. Bid awarded to: Midway Service.

Report of Requests for Quotes for Fuel dated: June 30, 2017; E-10 Unleaded

4. Ethanol/87 Octane; 8,500 Gallons; Midway Service (\$1.6966); Cole's Petroleum (\$1.7046); Stern Oil (\$1.7125); Harms Oil (\$1.7274); Howes Oil (\$1.7660); CHS, Inc. and Olson Oil, both no bid. Bid awarded to: Midway Service.

APPLICATIONS

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

Item 5: Applicant qualifies for property exemption under SDCL 10-4-40.

5. Parcel #69169 for 2016 property taxes in the amount of \$128.85.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

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

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

Motion Passed.

PUBLIC INPUT

Marge and Bob Good spoke about arecent caraccident that Marge was involved in at the intersection of 69th Street and Cliff Avenue.

Scott Ehrismanspoke aboutElizabeth Whealy, President and CEOof the Great Plains Zoo,and the work that she has done improving the zoo;ambulance service; the proposed budget;and fire department statistics.

David Zokaites spoke about the flow of power and who has control of it.

Steven Siano spoke about being misrepresented in the meeting minutes; a summary of his military, mental and disability histories; attempts to receive medical

care; discrimination; and life threats.

INTRODUCTION AND ADOPTION OF ORDINANCES

6. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR AFFORDABLE HOUSING PROJECTS. (\$2,315,650).

A motion was made by Council Member Greg Neitzert and seconded by Council Member Christine M. Erickson to adopt said Ordinance 58-17.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, July 18, 2017, at 7 p.m. for Item 7:

7. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 32: AUDIT COMMITTEE.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rick Kiley to set a date of hearing and 2nd Reading for Tuesday, July 18, 2017.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, July 18, 2017, at 7 p.m. for Item 8:

- 1st Reading: AN ORDINANCE APPROVING THE ANNUAL RATE INCREASE PURSUANT TO THE 8. FRANCHISE AGREEMENT FOR GROUND AMBULANCE SERVICE FOR THE CITY OF SIOUX FALLS WITH PARAMEDICS PLUS, LLC.

A motion was made by Council Member Rex Roling and seconded by Council Member Michelle Erpenbach to set a date of hearing and 2nd Reading for Tuesday, July 18, 2017.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, July 18, 2017, at 7 p.m. for Item 9:

- 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE 9. OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 150: BUILDING BY ADOPTING THE 2017 NATIONAL ELECTRICAL CODE AND AMENDMENTS THERETO.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rick Kiley to set a date of hearing and 2nd Reading for Tuesday, July 18, 2017.

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

Motion Passed.

HEARINGS AND RESOLUTIONS

A RESOLUTION DECLARING IT NECESSARY TO LEVY AND LEVYING A FRONTAGE ASSESSMENT AGAINST THE LOTS, TRACTS, AND PARCELS OF LAND FRONTING AND
10. ABUTTING UPON 21ST ST. FROM PHILLIPS AVE. TO 7TH AVE. IN THE CITY OF SIOUX FALLS FOR THE PURPOSE OF MAINTAINING, PLANTING, AND OTHERWISE IMPROVING AND CARING FOR THE CENTER PARKWAYS AND BOULEVARD THEREON.

Mayor Mike Huether excused himself from the meeting and handed the gavel to Council Chair Rick Kiley.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Michelle Erpenbach to adopt said Resolution No. 59-17.

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

Motion Passed.

RESOLUTION NO. 59-17

A RESOLUTION DECLARING IT NECESSARY TO LEVY AND LEVYING A FRONTAGE ASSESSMENT AGAINST THE LOTS, TRACTS, AND PARCELS OF LAND FRONTING AND ABUTTING UPON 21ST ST .
FROM PHILLIPS AVE. TO 7TH AVE. IN THE CITY OF SIOUX FALLS FOR THE PURPOSE OF MAINTAINING, PLANTING, AND OTHERWISE IMPROVING AND CARING FOR THE CENTER PARKWAY S
AND BOULEVARD THEREON.

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

Section 1. It is necessary to levy and there shall be levied a frontage assessment upon each and every lot, tract, and parcel of land abutting and fronting upon 21st St. from Phillips Ave. to 7th Ave. in the city of Sioux Falls for the purpose of creating a fund to be used in maintaining, planting, and otherwise improving and caring for the center parkways and boulevard on 21st St. from Phillips Ave. to 7th Ave. in the city of Sioux Falls.

Section 2. There shall be an assessment against each lot, tract, and parcel of land abutting and fronting upon 21st St. from Phillips Ave. to 7th Ave. in the city of Sioux Falls, the sum of eighty-five cents (\$.85) per front foot for the year 2018.

Section 3. That the City Clerk's Office shall certify such frontage assessments to

the county auditor of Minnehaha County, SD, and the same shall be collected in a
nd
as municipal taxes for general purposes.

Date adopted: 07/11/17 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

Mayor Mike Huether returned to the meeting at this time.

A RESOLUTION APPROVING THE VACATION OF THE PUBLIC RIGHT-OF-WAY FOR GRANADA
11. WAY BEGINNING AT REYNOLDS PL. ROAD IN HIGHLAND MEADOWS AND ENDING AT REVILO
PL. ROAD IN REVILO COUNTRY ESTATES AS SHOWN ON EXHIBIT A.

A motion was made by Council Member Christine M. Erickson and seconded by
Council Member Rick Kiley to adopt said Resolution No. 60-17.

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

Motion Passed.

RESOLUTION NO. 60-17

A RESOLUTION APPROVING THE VACATION OF THE PUBLIC RIGHT-OF-WAY FOR GRANADA
WAY BEGINNING AT REYNOLDS PL. ROAD IN HIGHLAND MEADOWS AND ENDING AT
REVILO PL. ROAD IN REVILO COUNTRY ESTATES AS SHOWN ON EXHIBIT
A.

WHEREAS, a petition has been filed with Lincoln County asking that the
aforesaid be vacated. Notice of hearing has been given by the county, and
said notice was properly published in compliance with the requirements of
SDCL Section/Chapter 31-3-7; and

WHEREAS, a hearing was held on October 25, 2016, and the petition has been
duly examined and investigated by the Lincoln County board of
commissioners, and the county board of commissioners has approved said
petition;

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

That pursuant to SDCL Section/Chapter 31-3-44, the City approves the vacation of
or
Granada Way beginning at Reynolds Pl. road in Highland Meadows and ending
at Revilo Pl. road in Revilo Country Estates, recorded in Book J of Plats
on page 49 and Book J of Plats on page 72; and

That the City Clerk shall cause to be filed with the Register of Deeds,
Lincoln County, South Dakota, a transcript of such duly certified
resolution.

Date adopted: 07/11/17 .

Mike T.
Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, CORRECTING THE PAGE
12. NUMBER OF THE PLAT THAT REAFFIRMED THE EASEMENT RELEASED IN
RESOLUTION 44-17.

A motion was made by Council Member Greg Neitzert and seconded by Council
Member Marshall Selberg to adopt said Resolution No. 61-17.

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

Motion Passed.

RESOLUTION NO. 61-17

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, CORRECTING THE PAGE NUMBER OF THE
PLAT THAT REAFFIRMED THE EASEMENT RELEASED IN RESOLUTION 44-17.

WHEREAS, on May 16, 2017, the City Council of the City of Sioux Falls adopted
Resolution
No.44-17 approving the release of a 24' public access easement and
sanitary sewer easement;

WHEREAS, the release of a 24' public access easement and sanitary sewer
easement have been approved by the City Council;

WHEREAS, the page number as set forth in Resolution44-17 was not
accurate;

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

That the page number as set forth in Resolution 44-17 hereby is amended to read as follows:

Whereas, the 24' public access easement and sanitary sewer easement was established by plat and filed in Book 78 of Plats on page 38 in the office of the Register of Deeds for Minnehaha County, SD, on March 4, 2016, and was reaffirmed by plat and filed in Book 78 of plats on page 189 in the Register of Deeds for Minnehaha County, SD, on August 25, 2016.

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: 07/11/17 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

ADJOURNMENT

A motion was made by Council Member Rick Kiley and seconded by Council Member Rex Roling to adjourn at 8:06 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.