

|| City of Sioux Falls Council Meeting Minutes
|| Carnegie Town Hall, 235 West 10th Street
|| MEETING OF Monday, February 8, 2010 at 7:00 p.m.

ROLL CALL #5

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Members Present:	Members Absent:
Council Member Jamison	None.
Council Member Knudson	
Council Member Litz	
Council Member Staggers	
Council Member Anderson Jr.	
Council Member Beninga	
Council Member Brown	
Council Member Costello	
Mayor Dave Munson	

INVOCATION

A. CITY COUNCIL MEMBER GREG JAMISON

PLEDGE OF ALLEGIANCE

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Knudson and seconded by Council Member Jamison to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, Council Member Jamison, Council Member Litz, Council Member Anderson Jr., Council Member Brown, Council Member Knudson, Council Member Staggers, Council Member Beninga, Council Member Costello, 8. Noes, 0.

Motion Passed

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, FEBRUARY 1, 2010, AT 4:00 P.M.

B. REGULAR CITY COUNCIL MEETING OF MONDAY, FEBRUARY 1, 2010, AT 7:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM SIOUX EMPIRE JAYCEES STATING ITS INTENT TO SELL RAFFLE TICKETS FROM MARCH 1, 2010 TO JULY 11, 2010 FOR A GRAND PRIZE OF A FREE ONE NIGHT STAY AT COUNTRY INN & SUITES (APPROXIMATE VALUE \$85.00).

TICKETS WILL BE \$1.00 EACH OR \$5.00 FOR SIX. THE PROCEEDS ARE TO BE USED FOR THE SIOUX EMPIRE JAYCEES CHRISTMAS FOR KIDS PROJECT.

APPROVAL OF REGULAR AGENDA

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

Vote to approve: Roll Call: Yeses, Council Member Jamison, Council Member Litz, Council Member Anderson Jr., Council Member Brown, Council Member Knudson, Council Member Staggers, Council Member Beninga, Council Member Costello, 8. Noes, 0.
Motion Passed

PUBLIC INPUT

DOC: SUMMARY

DOC: OFFICIAL BALLOT

DOC: BALLOT ADDENDUM

Bill Earley, member of the Charter Revision Commission, presented the Charter Revision Commission s report with two amendments for the April 13, 2010, Election ballot.

I.L. Wiedermann, a Sioux Falls resident, spoke about fire hydrants and the need for additional markers for the fire hydrants.

INTRODUCTION AND ADOPTION OF ORDINANCES

2. DEFERRED ACTION (FROM MEETING OF JANUARY 19, 2010) 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING CHAPTER 15 1/2, FEES.

Ord. 1124

A motion was made by Council Member Knudson and seconded by Council Member Litz to defer Item 2 to the City Council Meeting of Monday, March 1, 2010, at 7:00 p.m.

Vote to defer: Roll Call: Yeses, Council Member Jamison, Council Member Litz, Council Member Anderson Jr., Council Member Brown, Council Member Knudson, Council Member Staggers, Council Member Beninga, Council Member Costello, 8. Noes, 0.
Motion Passed

3. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY OF SIOUX FALLS, SD, BY REPEALING THE CITY'S LICENSING OF DANCEHALL ESTABLISHMENTS.

Ord. 0084

A motion was made by Council Member Anderson Jr. and seconded by Council Member Knudson to adopt said Ordinance 3-10.

Vote to adopt: Roll Call: Yeses, Jamison, Knudson, Litz, Staggers, Anderson Jr., Brown, 6. Noes, 0. Council Member Beninga and Council Member Costello were excused from the meeting and the vote on this item. Motion Passed.

4. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROPOSING A CITY CHARTER AMENDMENT FOR THE 2010 APRIL ELECTION THROUGH THE CHARTER PROVISION ARTICLE VIII, SECTION 8.01(B).

Ord. 1142

A motion was made by Council Member Litz and seconded by Council Member Anderson Jr. to adopt said Ordinance 4-10.

Vote to adopt: Roll Call: Yeses, Council Member Jamison, Council Member Litz, Council Member Anderson Jr., Council Member Brown, Council Member Knudson, Council Member Staggers, Council Member Beninga, Council Member Costello, 8. Noes, 0.
Motion Passed

5. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY OF SIOUX FALLS, SD, BY REVISING BOUNDARIES FOR VOTING PRECINCTS AS SET FORTH IN SECTION 14-2 OF CHAPTER 14, ELECTIONS.

Ord. 1141

Map: SF Precinct

Map: SF Precinct change request 02/2010

A motion was made by Council Member Knudson and seconded by Council Member Jamison to adopt said Ordinance 5-10.

Vote to adopt: Roll Call: Yeses, Council Member Jamison, Council Member Litz, Council Member Anderson Jr., Council Member Brown, Council Member Knudson, Council Member Staggers, Council Member Beninga, Council Member Costello, 8. Noes, 0.

Motion Passed

6. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING CHAPTER 25 1/2, NOISE CONTROL.

Ord. 1144

Ord. 1144a proposed amendment

PowerPoint Presentation

A motion was made by Council Member Litz and seconded by Council Member Anderson Jr. to adopt said Ordinance 6-10.

A motion was made by Council Member Anderson Jr. and seconded by Council Member Litz to amend the main motion by having the "Special application type, a single event lasting no more than three consecutive days requesting extended time and/or decibel levels; the application deadline is a minimum one month prior to the event date; permit cost for 1 days is \$90, for 2 days is \$130; for 3 days is \$170; and the past deadline fee for 1 day is \$135; for 2 days is \$195; and for 3 days is \$255."

Vote to amend: Roll Call: Yeses, Jamison, Knudson, Litz, Staggers, Anderson Jr., Beninga, Brown, 7. Noes, 0. Council Member Costello was excused from the meeting and the vote on this item. Motion Passed.

Vote to adopt as amended: Roll Call: Yeses, Jamison, Knudson, Litz, Staggers, Anderson Jr., Beninga, Brown, 7. Noes, 0. Council Member Costello was excused from the meeting and the vote on this item. Motion Passed.

7. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REPEALING SECTION 5-2.6 OF SAID CITY.

Ord. 1108

A motion was made by Council Member Beninga and seconded by Council Member Anderson Jr. to adopt said Ordinance 7-10.

Vote to adopt: Roll Call: Yeses, Council Member Jamison, Council Member Litz, Council Member Anderson Jr., Council Member Brown, Council Member Knudson, Council Member Staggers, Council Member Beninga, Council Member Costello, 8. Noes, 0.

Motion Passed

8. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY CREATING ARTICLE IV, RIGHT-OF-WAY ALLOWANCES IN THE CENTRAL BUSINESS DISTRICT AND ARTICLE V, EVENTS IN THE

CENTRAL BUSINESS DISTRICT, ALONG WITH REVISING ARTICLE III OF CHAPTER 29 TO REVISE REFERENCE TO SIDEWALK VENDORS.

Ord. 1109

Memo to Council

Public Meeting Presentation (October 2009)

A motion was made by Council Member Beninga and seconded by Council Member Jamison to adopt said Ordinance 2-10.

Vote to adopt: Roll Call: Yeses, Council Member Jamison, Council Member Litz, Council Member Anderson Jr., Council Member Brown, Council Member Knudson, Council Member Staggers, Council Member Beninga, Council Member Costello, 8. Noes, 0.
Motion Passed

Set the hearing date and 2nd Reading for Tuesday, February 16, 2010, at 7:00 p.m. for Item 9:

9. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, CONVEYING LOT A IN THE SW1/4 OF SECTION 3-T101N-R49W OF THE 5TH P.M., MINNEHAHA COUNTY, SOUTH DAKOTA.

Ord. 1145

Warranty Deed

Exhibits

Purchase Offer

A motion was made by Council Member Litz and seconded by Council Member Anderson Jr. to set a hearing date and 2nd Reading for Tuesday, February 16, 2010, at 7:00 p.m.

Vote to set a hearing date: Roll Call: Yeses, Council Member Jamison, Council Member Litz, Council Member Anderson Jr., Council Member Brown, Council Member Knudson, Council Member Staggers, Council Member Beninga, Council Member Costello, 8. Noes, 0.
Motion Passed

HEARINGS AND RESOLUTIONS

10. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, TO CONDUCT A SPECIAL MEETING OF THE LINCOLN COUNTY COMMISSION, MINNEHAHA COUNTY COMMISSION, AND SIOUX FALLS CITY COUNCIL ON TUESDAY, FEBRUARY 16, 2010, AT 5 P.M.

Res. 1697

A motion was made by Council Member Knudson and seconded by Council Member Litz to adopt said Resolution 4-10.

Vote to adopt: Roll Call: Yeses, Council Member Jamison, Council Member Litz, Council Member Anderson Jr., Council Member Brown, Council Member Knudson, Council Member Staggers, Council Member Beninga, Council Member Costello, 8. Noes, 0.

Motion Passed

RESOLUTION NO. 4-10

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, TO CONDUCT A SPECIAL MEETING OF THE LINCOLN COUNTY COMMISSION, MINNEHAHA COUNTY COMMISSION, AND SIOUX FALLS CITY COUNCIL ON TUESDAY , FEBRUARY 16, 2010, AT 5 P.M.

If there aren't any "WHEREAS" phrases, skip "NOW, THEREFORE" and begin with just "BE IT RESOLVED..."

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

That a special meeting of the joint Lincoln County Commission, Minnehaha County Commission, and Sioux Falls City Council will be conducted on Tuesday, February 16, 2010, at 5 p .m.

Date adopted: 02/08/10 .

Dave Munson

Mayor

ATTEST:

Debra A. Owen
City Clerk

11. A RESOLUTION AMENDING THE CITY OF SIOUX FALLS ENGINEERING DESIGN STANDARDS.

Res. 1696

Summary

A motion was made by Council Member Litz and seconded by Council Member Brown to adopt said Resolution 5-10.

Vote to adopt: Roll Call: Yeses, Council Member Jamison, Council Member Litz, Council Member Anderson Jr., Council Member Brown, Council Member Knudson, Council Member Staggers, Council Member Beninga, Council Member Costello, 8. Noes, 0.

Motion Passed

RESOLUTION NO. 5-10

A RESOLUTION AMENDING THE CITY OF SIOUX FALLS ENGINEERING DESIGN STANDARDS.

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 City of Sioux Falls Engineering Design Standards adopted by Resolution 107-99 are hereby

amended by revising Chapter 5, Street Access and Parking Lot Criteria; Chapter 8, Street Design and

Pavement Thickness; Chapter 9, Sanitary Sewers; Chapter 10, Water Mains; Chapter 11, Drainage

Improvements; Chapter 12, Erosion and Sediment Control; and Chapter 15, Street Lighting. The

revised chapters are attached to this resolution by reference.

Date adopted: 02/08/10 .

Dave Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

12. A RESOLUTION APPROVING THE SIOUX FALLS PARKS AND RECREATION 20-YEAR COMPREHENSIVE PLAN.

Res. 1698

Res./Plan

A motion was made by Council Member Litz and seconded by Council Member Brown to adopt said Resolution 6-10.

Vote to adopt: Roll Call: Yeses, Council Member Jamison, Council Member Litz, Council Member Anderson Jr., Council Member Brown, Council Member Knudson, Council Member Staggers, Council Member Beninga, Council Member Costello, 8. Noes, 0.

Motion Passed

RESOLUTION NO. 6-10

A RESOLUTION APPROVING THE SIOUX FALLS PARKS AND RECREATION 20-YEAR COMPREHENSIVE PLAN.

WHEREAS, the Sioux Falls Parks and Recreation Department (the "Department") has undertaken the goal of being accredited by the Commission for Accreditation of Parks and Recreation Agencies ("CAPRA");

and

WHEREAS, the Department is required to have a comprehensive plan adopted by its board and governing bodies; and

WHEREAS, through the process of being accredited, the Department has refined its comprehensive plan to reflect the standards as required by CAPRA to comply with their standards; and

WHEREAS, the Sioux Falls Parks and Recreation Board approved the 20-Year Comprehensive Plan on

January 19, 2010, and recommends approval of the same to the Sioux Falls City Council.

If there aren't any "WHEREAS" phrases, skip "NOW, THEREFORE" and begin with just "BE IT

RESOLVED..."

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

That the Sioux Falls Parks and Recreation 20-Year Comprehensive Plan as attached hereto and made a part of this Resolution is hereby approved.

Date adopted: 02/08/10 .

Dave Munson

Mayor

ATTEST:

Debra A. Owen
City Clerk

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

Res. 1700

Memo/Res.

A motion was made by Council Member Knudson and seconded by Council Member Litz to adopt said Resolution 7-10.

A motion was made by Council Member Staggers to amend the resolution by having "those people that are being appointed to serve the correct amount of time: four years for Board of Ethics; three years for Board of Health; three years

for Infrastructure Review Advisory Board; five years Parks and Recreation Board; five years Sioux Falls Ice and Recreation Center Board; and three years Zoological Society of Sioux Falls Board of Directors." Since there is no second, the motion is not before the meeting.

Vote to adopt: Roll Call: Yeses, Council Member Jamison, Council Member Litz, Council Member Anderson Jr., Council Member Brown, Council Member Knudson, Council Member Beninga, Council Member Costello, 7. Noes Council Member Staggers, 1.
Motion Passed

RESOLUTION NO. 7-10

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
Robert Swanhorst from February 2010 replace Lloyd	Board of Ethics	Appointed for a term to December 2014 (to Stivers)
Robert Kjergaard from February 2010 replace Kim	Board of Health-Falls Community Health Center Board	Appointed for a term to December 2013 (to McCready)
David Bear from February 2010 complete the	Board of Health-Falls Community Health Center Board	Appointed for a term to December 2013 (to unexpired term of Wa llace Chandler)
Jim Richardson, M.D. from February 2010 replace Darrell	Board of Health-Falls Community Health Center Board	Appointed for a term to December 2013 (to Johnson)
Bill Kemmis from February 2010 replace Erin	Infrastructure Review Advisory Board (IRAB)	Appointed for a term to December 2013 (to Hayes)
Patti Abdallah from February 2010 ace Anne Hajek)	Parks and Recreation Board	Appointed for a term to May 2015 (to repl
Mark Millage from February 2010 lete the unexpired	Parks and Recreation Board	Appointed for a term to May 2014 (to comp term of Bob McDowell

)
 Barry Solomon Sioux Falls Ice and Recreation Center Appointed for a term
 from February 2010 Board to December 2015 (to
 replace Alan Spencer)
 Charles O Brien, M.D. Washington Pavilion Board of Trustees Appointed for a term
 from February 2010 to May 2011 (to comp
 lete the unexpired term of Becky Nelson
)
 Catherine Piersol Zoological Society of Sioux Falls Appointed for a term
 from February 2010 Board of Directors to December 2013 (to
 replace Kathy Sanford)
 Gloria Hoyme Zoological Society of Sioux Falls Appointed for a term
 from February 2010 Board of Directors to December 2013 (to
 replace Roger Braaten)

Date adopted: 02/08/10 .

Dave Munson

Mayor

ATTEST:

Debra A. Owen
 City Clerk

ADJOURNMENT

A motion was made by Council Member Litz and seconded by Council Member Jamison to adjourn at 7:54 p.m.

Vote to adjourn: Roll Call: Yeses, Council Member Jamison, Council Member Litz, Council Member Anderson Jr., Council Member Brown, Council Member Knudson, Council Member Staggers, Council Member Beninga, Council Member Costello, 8. Noes, 0.
 Motion Passed

Denise D. Tucker, CMC
 Assistant City Clerk