

City of Sioux Falls Council Meeting Minutes
Carnegie Town Hall, 235 West 10th Street
MEETING OF Monday, December 14, 2009, at 7:00 p.m.

ROLL CALL #6

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

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

INVOCATION

A. MR. MICHAEL PETERSON, CELEBRATE CHURCH

PLEDGE OF ALLEGIANCE

RECOGNITION/AWARDS

- A. MAYOR DAVE MUNSON PRESENTED THE EMPLOYEE OF THE YEAR FOR SAFETY AWARD TO CINDY HOFER, RN WITH HEALTH DEPARTMENT.
- B. MAYOR DAVE MUNSON PRESENTED THE V.L. CRUSINBERRY AWARD TO HOWARD GERRY, LEAD BUILDING MAINTENANCE WORKER WITH CENTRAL SERVICES/FACILITIES MANAGEMENT.
- C. MAYOR DAVE MUNSON PRESENTED THE JEANNE FULLENKAMP MANAGEMENT EXCELLENCE AWARD TO GALYNN HUBER, STREET/UTILITY MANAGER WITH PUBLIC WORKS/STREET-UTILITIES.
- D. MAYOR DAVE MUNSON RECOGNIZED BOY SCOUT TROOP 371 FROM GLORIA DEI LUTHERAN CHURCH.

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Knudson and seconded by Council Member Litz 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, DECEMBER 7, 2009, AT 4:00 P.M.

B. REGULAR CITY COUNCIL MEETING OF MONDAY, DECEMBER 7, 2009, AT 7:00 P.M.

NOTICE OF HEARINGS

Set the hearing date for Monday, January 11, 2010, at 7:00 p.m. for Item 1:

1. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR CONSTRUCTION OF SIDEWALK ON BOTH SIDES OF N. WESTPORT AVE. FROM W. RUSSELL ST. TO 350' NORTH OF W. SENCORE DR.

Res. 1681

Exhibits

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Litz and seconded by Council Member Beninga 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

There was none.

INTRODUCTION AND ADOPTION OF ORDINANCES

Set the hearing date and 2nd Reading for Monday, January 11, 2010, at 7:00 p.m. for Items 2 and 3:

2. 1ST 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

3. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE RELEASE OF THE PERMANENT UTILITY EASEMENT IN LOT 1, TRACT 1, FIRST INTERSTATE BANK ADDITION, MINNEHAHA COUNTY, SOUTH DAKOTA.

Ord. 1130

Exhibits

A motion was made by Council Member Litz and seconded by Council Member Anderson Jr. to set a hearing date and 2nd Reading for Monday, January 11, 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

4. A RESOLUTION DECLARING THE NECESSITY TO ADOPT THE COST RECOVERY ROLL FOR SANITARY SEWER IMPROVEMENTS CONSTRUCTED IN SECTION 12, SECTION 13, AND SECTION 14; ALL IN T100N, R50W, LINCOLN COUNTY, SD, AND ASSESSING THE COST FOR THE IMPROVEMENTS TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

NOH. 0017

Res. 0017

Exhibits

Evaluation

A motion was made by Council Member Litz and seconded by Council Member Brown to adopt said Res. 118-09.

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. 118-09

A RESOLUTION DECLARING THE NECESSITY TO ADOPT THE COST RECOVERY ROLL FOR SANITARY SEWER IMPROVEMENTS CONSTRUCTED IN SECTION 12, SECTION 13, AND SECTION 14; ALL IN T100N, R50W, LINCOLN COUNTY, SD, AND ASSESSING THE COST FOR THE IMPROVEMENTS TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

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

SECTION 1. Diamond Valley LLP has financed and constructed SANITARY SEWER that can provide sanitary sewer service to the following properties to be included in the sanitary sewer cost recovery:

Cost Recovery

The South Half (S1/2) of the Northwest Quarter
\$343,888.50

(NW1/4) of Section 13 and the North Half (N1/2) of the Southwest Quarter (SW1/4) of Section 13, except the South 505 Feet of the West 1,216 Feet of the North Half (N1/2) of the Southwest Quarter (SW1/4) of Section 13, and except Tract 2 of Pike Addition, Tract 3 of Pike Addition, Pike Tract 1 in the West Half (W1/2) of Section 13, and except the North 417.42 Feet of the West 467.42 Feet of the South Half (S1/2) of the Northwest (NW1/4) of Sec. 13, all in T100N, R50W, Lincoln County, SD;

Tract 2 of Pike Addition in the Northwest Quarter
\$6,461.00

(NW1/4) of Sec. 13, T100N, R50W, Lincoln County, SD;

Pike Tract 1 in the W1/2 of Sec. 13, T100N, R50W,
\$6,816.00

Lincoln County, SD;

Tract 3 of Pike Addn. to the City of Sioux Falls,
\$35,500.00

Lincoln County, SD;

N417.42' of the W467.42' of the S1/2 of the NW1/
\$14,200.00

4 of Sec. 13, T100N, R50W, Lincoln County, SD;

The West 768 Feet of the South 750 Feet of the
\$31,311.00

Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Sec. 14, T100N, R50W, Lincoln County, SD, except the West 350 Feet of the South 350 Feet thereof and except the North 233 Feet of the South 504 Feet of the East 207 Feet of the West 768.02 Feet of the Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4);

The West 350 Feet of the South 350 Feet of the
\$8,555.50

Southeast Quarter of the Southeast Quarter (SE1/4 SE1/4) of Sec. 14, T100N, R50W, Lincoln County, SD;

The North 233 Feet of the South 504 Feet of the
\$3,940.50

East 207 Feet of the
West 768.02 Feet of the Southeast Quarter of the
Southeast Quarter (SE1/4 SE1/4) of Sec. 14,
T100N, R50W, Lincoln County, SD;
Jacobsen Tract A in the SE1/4 SE1/4 of Sec. 14,
\$17,714.50

T100N, R50W, Lincoln County, SD;
Jacobsen Tract B in the SE1/4 SE1/4 of Sec. 14,
\$10,685.50

T100N, R50W, Lincoln County, SD;
The East 525 Feet of the North 275 Feet of the
\$42,138.50

Northeast Quarter of the Southeast Quarter (NE1/
4 SE1/4); The West 495 Feet of the East 1,020
Feet of the North 395 Feet of the Northeast
Quarter of the Southeast Quarter (NE1/4 SE1/4),
and the West 185 Feet of the East 525 Feet of the
South 120 Feet of the North 395 Feet of the
Northeast Quarter of the Southeast Quarter (NE1/
4 SE1/4), all in Sec. 14, T100N, R50W, Lincoln
County, SD, and Lot 1 of Nix Subdivision in the
Southeast Quarter of the Northeast Quarter (SE1/
4 NE1/4) of Sec. 14, T100N, R50W, Lincoln County,
SD.

SECTION 2. The improvements primarily serve properties in the SW1/4 of Sec. 12;
NW1/4 and SW1/4 of
Sec. 13; and NE1/4, SE1/4, and SW1/4 of Sec. 14; all in T100N, R50W, Lincoln Cou
nty, SD. The
improvements may also serve other areas which may be benefited, and the costs ha
ve not been
apportioned against the above-described properties. Therefore, the cost of the i
mprovements shall
be levied upon the above-described properties as provided by law.

SECTION 3. The costs allocated to the above-described properties shall be delaye
d without interest
until the property is platted for development or connected to city utilities. Pl
atting for
development or connection to city utilities of any of the above-described proper
ties will result in
the sanitary sewer cost recovery for that property being payable to Diamond Vall
ey LLP.

SECTION 4. The cost of the improvements is shown in the Diamond Valley Sanitary
Sewer Cost Recovery
Evaluation on file at Sioux Falls City Engineering.

SECTION 5. A copy of the resolution will be recorded at the Register of Deeds Off
ice, Lincoln
County, SD, as a notice to all potential or actual future landowners, of possibl
e present or future
cost recovery payments on the above-described properties.

SECTION 6. Prior to platting for development or connection to city utilities, th
e owners of the
above-described properties shall be required to pay Diamond Valley LLP the sanit
ary sewer fee set
out in the Diamond Valley Sanitary Sewer Cost Recovery Evaluation and present ev
idence of payment
to the appropriate City department.

Date adopted: 12/14/09 .

Dave Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

5. A RESOLUTION APPROVING THE 2010 AUDIT PLAN.

Res. 1686

Audit Plan

A motion was made by Council Member Brown and seconded by Council Member Knudson to adopt said Res. 119-09.

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. 119-09

A RESOLUTION APPROVING THE 2010 AUDIT PLAN.

WHEREAS, the Audit Committee shall develop and submit to the City Council for approval an annual

audit plan pursuant to Ordinance No. 120-05; and

WHEREAS, the Audit Committee has developed and approved such a plan for 2010;

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 document attached to and part of this resolution entitled 2010 Audit Plan, City of Sioux

Falls, is hereby approved.

That the Lead Internal Auditor is authorized to carry out the audits and other projects as

described in the 2010 Audit Plan.

Date adopted: 12/14/09 .

Dave Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

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

Bio

Memo

Res. 0018

A motion was made by Council Member Costello and seconded by Council Member Beninga to adopt said Res. 120-09.

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. 120-09

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
Erik Helland from December 2009	Board of Adjustment	Appointed for a term to December 2012 (to Kucker).
replace Chad		
Matt Carlson from December 2009	Infrastructure Review Advisory Board (IRAB)	Appointed for a term to December 2012 (to Runge).
replace Mike		
Timothy Galbraith from December 2009	Infrastructure Review Advisory Board (IRAB)	Appointed for a date to December 2012 (to Runge).
replace Eric Berg).		
Virgil Andersen from December 2009	Museum Board of Trustees	Appointed for a term to December 2012 (to Reappointed for a ter 2009 to December 2012
replace Jon Lauck).		
Patrick McGreevy m from December	Museum Board of Trustees	Reappointed for a ter 2009 to December 2012
.		
Baron Wolfgang from December 2009	Orpheum Theater Board of Directors	Appointed for a term

replace Colin		to December 2012 (to
		Punt).
Ron Rensberger	Property Maintenance Board of Appeals	Appointed for a term
from December 2009		to December 2012 (to
replace Wayne		Shearer).
Sharon Chontos	School Traffic Safety Advisory Committee	Appointed for a term
from December 2009	(PATH)	to December 2012 (to
replace Cynthia		Madigan).
Harriet Scott	Sioux Falls Housing and Redevelopment	Appointed for a term
from December 2009	Commission	to December 2014 (to
replace Barton		Hacker).
Mark Arndt	Sioux Falls Ice and Recreation Center	Appointed for a term
from December 2009	Board	to December 2014 (to
replace Daniel		McRandall).
Greg Dix	Solid Waste Planning Board	Reappointed for a ter
m from December		2009 to December 2012
.		
Merle Wollman	Solid Waste Planning Board	Reappointed for a ter
m from December		2009 to December 2012
.		
Lary Etten	Visual Arts Commission	Reappointed for a ter
m from December		2009 to December 2012
.		
Anita Kealey	Visual Arts Commission	Reappointed for a ter
m from December		2009 to December 2012
.		
Lyle Pudwill	Visual Arts Commission	Reappointed for a ter
m from December		2009 to December 2012
.		
Kristin Reaves	Visual Arts Commission	Reappointed for a ter
m from December		2009 to December 2012
.		

Date adopted: 12/14/09 .

Dave Munson

Mayor
 ATTEST:
 Debra A. Owen
 City Clerk

7. A RESOLUTION ADOPTING THE RECOMMENDATIONS OF THE 2008-2009 EVENTS CENTER TASK FORCE.

Res. 1685

Proponents

Opponents

A motion was made by Council Member Knudson and seconded by Council Member Costello to adopt said Res. 121-09.

Vote to adopt: Roll Call: Yeses, Council Member Jamison, Council Member Litz, Council Member Brown, Council Member Knudson, Council Member Beninga, Council Member Costello, 6. Noes Council Member Anderson Jr., Council Member Staggers, 2.

Motion Passed

RESOLUTION NO. 121-09

A RESOLUTION ADOPTING THE RECOMMENDATIONS OF THE 2008-2009 EVENTS CENTER TASK FORCE.

WHEREAS, a task force of citizen volunteers has studied the facility needs of Sioux Falls and arrived at a plan to build a new events center and expand the existing Convention Center;

WHEREAS, funding such a project will require state legislative authorization and will be put to a public vote; and

WHEREAS, the events center project will not be put to a vote unless it includes an accessible, user-friendly program to refund a temporary one cent sales tax to income-qualified residents;

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

That the Mayor and City Council adopt the recommendations of the 2008-2009 Events Center Task Force.

Date adopted: 12/14/09 .

Dave Munson

Mayor

ATTEST:

Debra A. Owen
City Clerk

ADJOURNMENT

A motion was made by Council Member Knudson and seconded by Council Member Brown to adjourn at 9:53 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