

	City of Sioux Falls Council Meeting Minutes	
	Carnegie Town Hall, 235 West Tenth Street	
	REGULAR MEETING OF Monday, July 13, 2009 at 7:00 p.m.	

ROLL CALL #7

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Members Present:	Members Absent:
Council Member Litz	Council Member Knudson
Council Member Staggers	
Council Member Anderson Jr.	
Council Member Beninga	
Council Member Brown	
Council Member Costello	
Council Member Jamison	
Mayor Dave Munson	

INVOCATION

A. PASTOR KEVIN SCHNEIDER, GOOD NEWS REFORMED CHURCH

PLEDGE OF ALLEGIANCE

APPROVAL OF CONSENT AGENDA

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

Vote to approve: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Staggers, Beninga, Costello, 7. Noes, 0.
Motion Passed

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, JULY 6, 2009, AT 4:00 P.M.

B. REGULAR COUNCIL MEETING OF MONDAY, JULY 6, 2009, AT 7:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM THE WASHINGTON PAVILION OF ARTS AND SCIENCE STATING THEIR INTENT TO SELL RAFFLE TICKETS ON JULY 18, 2009 FOR PAVILION PRESCHOOL TUITION (VALUE AT \$2,295.00). TICKETS WILL BE \$2.00 A PIECE. THE PROCEEDS WILL HELP SUPPORT THE WASHINGTON PAVILION OF ARTS AND SCIENCE UNDERSERVED AND AT-RISK YOUTH ACTION ARTS PROGRAM.

2. A COMMUNICATION WAS RECEIVED FROM THE WASHINGTON PAVILION OF ARTS AND SCIENCE STATING THEIR INTENT TO SELL RAFFLE TICKETS ON SEPTEMBER 12, 2009 FOR SIOUX FALLS CANARIES SKYBOX SEATS (VALUE AT \$1,100.00) AND PAVILION PRESCHOOL TUITION (VALUE AT \$2,295.00). TICKETS WILL BE \$2.00 APIECE. THE PROCEEDS WILL HELP SUPPORT THE WASHINGTON PAVILION OF ARTS AND SCIENCE UNDERSERVED AND AT-RISK YOUTH ACTION ARTS PROGRAM.

NOTICE OF HEARINGS

Set hearing date for Monday, August 10, 2009, at 7:00 p.m. on Items 3 and 4:

3. A PROPOSED RESOLUTION APPROVING THE COST RECOVERY ROLL FOR SANITARY SEWER IMPROVEMENTS CONSTRUCTED ON S. MEREDITH AVE. FROM W. 86TH ST. TO W. 90TH ST., AND ASSESSING THE COST FOR THE IMPROVEMENTS TO EACH LOT OR TRACT OF LAND BENEFITTING THEREBY.

Res. 0003

Exhibits

4. A PROPOSED RESOLUTION APPROVING THE COST RECOVERY ROLL FOR SANITARY SEWER AND WATER MAIN IMPROVEMENTS CONSTRUCTED TO PRIMARILY SERVE ARROWHEAD PARKWAY ADDITION AND CAPITOL HILL ADDITION, AND ASSESSING THE COST FOR THE IMPROVEMENTS TO EACH LOT OR TRACT OF LAND BENEFITTING THEREBY.

Res. 0099

Exhibits

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Brown and seconded by Council Member Costello to approve the Regular Agenda.

Vote to approve: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Staggers, Beninga, Costello, 7. Noes, 0.
Motion Passed

PUBLIC INPUT

There was none.

INTRODUCTION AND ADOPTION OF ORDINANCES

5. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF SAID CITY BY CHANGING A STREET NAME. (S. BOB DR. TO S. CANYON AVE.)

Ord. 1096

Exhibits

Owner letters

A motion was made by Council Member Jamison and seconded by Council Member Anderson Jr. to adopt said Ordinance 66-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Staggers, Beninga, Costello, 7. Noes, 0.

Motion Passed

6. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY INCREASING TAXICAB FARES.

Ord. 0013

Taxicab rates

Councilor De Knudson arrived at this time.

A motion was made by Council Member Anderson Jr. and seconded by Council Member Litz to adopt said Ordinance 67-09.

A motion was made by Council Member Staggers to amend the title of the ordinance by striking the word "increasing" and changing it to "deregulating taxicab fares"; adding the word "deleted" after "Section 43-6. Taxicab rates" and striking the remaining sections of the ordinance. Since there is no second, the motion is not before the meeting.

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

Motion Passed

7. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY OF SIOUX FALLS, SD, BY AMENDING CHAPTER 5, ALCOHOLIC BEVERAGES.

Ord. 1086

A motion was made by Council Member Litz and seconded by Council Member Brown to adopt said Ordinance 68-09.

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

Motion Passed

Set hearing date and 2nd Reading for Monday, August 3, 2009, at 7:00 p.m. for Item 8:

8. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY CHANGING CITY COUNCIL DISTRICT DESIGNATIONS FOR DISTRICTS 1, 2, 3, 4, AND 5, AS PROPOSED BY THE DISTRICTING COMMISSION.

Ord. 1089

Districting Commission Official Report

Districting Commission Supplemental Report

Map

A motion was made by Council Member Knudson and seconded by Council Member Litz to set a hearing date and 2nd Reading for Monday, August 3, 2009, at 7:00 p.m. for Item 8.

Vote to set a hearing date: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Stagers, Beninga, Costello, 8. Noes, 0.

Motion Passed

Set hearing date and 2nd Reading for Monday, August 10, 2009, at 7:00 p.m. for Item 9:

9. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE RELEASE OF A PERMANENT SANITARY SEWER EASEMENT, PERMANENT STORM SEWER EASEMENT, AND PERMANENT DRAINAGE EASEMENT IN LOT 1 OF VOCATIONAL-TECHNICAL 3RD ADDITION TO THE CITY OF SIOUX FALLS AND THE E1/2 SW1/4 LYING SOUTH OF LOT 1 OF VOCATIONAL-TECHNICAL 3RD ADDITION TO THE CITY OF SIOUX FALLS, EXCEPT LOT H1 OF THE SW1/4 AND EXCEPT LOTS H5 AND H6 THEREOF AND EXCEPT LOT PE 1 THEREOF, ALL IN SECTION 12, T-101-N, R-50-WEST OF THE 5TH P.M., MINNEHAHA COUNTY, SOUTH DAKOTA.

Ord. 1097

Exhibits

Release/Exhibit A

A motion was made by Council Member Knudson and seconded by Council Member Litz to set a hearing date and 2nd Reading for Monday, August 10, 2009, at 7:00 p.m. for Item 9.

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

HEARINGS AND RESOLUTIONS

10. A RESOLUTION DETERMINING USE OF A DESIGN-BUILD CONTRACT FOR THE PURCHASE OF PLAYGROUND EQUIPMENT AT CHERRY ROCK PARK AND TWO STRUCTURES AT SERTOMA PARK.

Res. 0005

A motion was made by Council Member Brown and seconded by Council Member Anderson Jr. to adopt said Resolution 63-09.

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

RESOLUTION NO. 63-09

A RESOLUTION DETERMINING USE OF A DESIGN-BUILD CONTRACT FOR THE PURCHASE OF PLAYGROUND EQUIPMENT AT CHERRY ROCK PARK AND TWO STRUCTURES AT SERTOMA PARK.

WHEREAS, the City has determined that a need for playground equipment exists at Cherry Rock Park

and two structures at Sertoma Park; and

WHEREAS, there is a need to have the playground equipment installed on or before October of 2009;

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 it is in the best interest of the public to enter into a design-build contract for the

purchase of playground equipment to be located at Cherry Rock Park and two structures at Sertoma

Park.

Date adopted: 07/13/09 .

Dave Munson

Mayor

ATTEST:

Debra A. Owen
City Clerk

11. A RESOLUTION CORRECTING A LEGAL DESCRIPTION AND AREA DESCRIPTION ON RESOLUTION NO. 46-09 FOR VACATING A PORTION OF SECTION LINE RIGHT-OF-WAY, N. CLIFF AVE. RIGHT-OF-WAY, AND NORTH DR. RIGHT-OF-WAY AS SHOWN ON ATTACHED EXHIBIT A.

Res. 0100

Exhibit A

Exhibits

Res. 46-09

A motion was made by Council Member Knudson and seconded by Council Member Jamison to adopt said Resolution 64-09.

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

RESOLUTION NO. 64-09

A RESOLUTION CORRECTING A LEGAL DESCRIPTION AND AREA DESCRIPTION ON RESOLUTION N O. 46-09 FOR VACATING A PORTION OF SECTION LINE RIGHT-OF-WAY, N. CLIFF AVE. RIGHT-OF-WAY, AND NORTH DR. RIGHT-OF-WAY AS SHOWN ON ATTACHED EXHIBIT A.

WHEREAS, on May 11, 2009, the City Council of the City of Sioux Falls adopted Resolution No. 46-09

approving vacating a portion of section line right-of-way, N. Cliff Ave. right-of-way, and North

Dr. right-of-way as shown on the attached exhibit.

WHEREAS, the legal description and area to be vacated as set forth in Resolution No. 46-09 were not accurate.

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

That the legal description as set forth in Resolution No. 46-09 is hereby amended to read as follows:

Lot 6 in Block 2 (ex Lot H-1 of Lot 6 in Block 2) in Sioux Empire Development Park Three East

Addition to the City of Sioux Falls and vacated east section line right-of-way in the SE1/4 of

Section 4-101-49 beginning at the south right-of-way line of E. Amidon St. conti

nuing south

415.47', Minnehaha County, South Dakota

And the description of the area to be vacated set forth in Resolution No. 46-09 is hereby amended

to read as follows:

That a portion of section line right-of-way, N. Cliff Ave. right-of-way, and North Dr. right-of-way

and a part of County Auditor's Lots H-2 and H-3 of the SW1/4 of Section 3, Township 101 North,

Range 49 West as shown on attached Exhibit A to the City of Sioux Falls, Minnehaha County, South

Dakota, be and the same hereby is declared vacated

And that the City Clerk shall cause to be filed with the Register of Deeds, Minnehaha County, South

Dakota, a duly certified transcript of this resolution.

Date adopted: 07/13/09 .

Dave Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

12. A RESOLUTION AUTHORIZING THE CITY OF SIOUX FALLS TO GIFT TO THE CITY OF BRANDON A COMPUTER LAPTOP.

Res. 0008

A motion was made by Council Member Beninga and seconded by Council Member Anderson Jr. to adopt said Resolution 65-09.

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

Motion Passed

RESOLUTION NO. 65-09

A RESOLUTION AUTHORIZING THE CITY OF SIOUX FALLS TO GIFT TO THE CITY OF BRANDON A COMPUTER LAPTOP.

WHEREAS, the City of Sioux Falls has declared as surplus a Toshiba Satellite A70 computer laptop

(Serial Number 45279153K); and

WHEREAS, the City of Brandon finds it desirable to acquire the above-described computer laptop;

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

That the gifting by the City of Sioux Falls of a Toshiba Satellite A70 computer laptop to the City

of Brandon is hereby approved.

Date adopted: 07/13/09 .

Dave Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

Set hearing date for Monday, August 10, 2009, at 7:00 p.m. on Items 13 and 14:

13. A PROPOSED RESOLUTION VACATING A PORTION OF N. SPRING AVE. BETWEEN W. EIGHTH ST. AND W. NINTH ST. AS SHOWN ON EXHIBIT A.

Res. 0004

Exhibit A

Exhibits

Petition

14. A PROPOSED RESOLUTION VACATING S 17' OF W 6TH ST. ADJACENT TO LOT 1 BLK. 1 HEIDEBRINK ADDN.

Res. 1443

Exhibits

Petition

A motion was made by Council Member Knudson and seconded by Council Member Litz to set a hearing date for Monday, August 10, 2009, at 7:00 p.m. for Items 13 and 14.

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

ADJOURNMENT

A motion was made by Council Member Brown and seconded by Council Member Litz to adjourn at 7:53 p.m.

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

Denise D. Tucker, CMC
Assistant City Clerk