

MINUTES	Monday, October 26,	
2009		
Informational		
Meeting		4:
00 p.m. at Carnegie Town Hall		
Sioux Falls City		
Council		235
West 10th Street		

Members Present: Kenny Anderson Jr., Gerald Beninga, Vernon Brown, J. Pat Costello, Greg Jamison, Bob Litz, and Kermit Staggers.
Members Absent: De Knudson, and Mayor Dave Munson.

Staff Present: Debra A. Owen, City Clerk, and Jamie L. Palmer, Assistant City Clerk.

1. Call To Order

Council Chair Costello called the meeting to order at 4:00 p.m.

2. City Council Staff Report

A. Updates by Debra A. Owen, City Clerk

No report.

3. Mayor Munson

No report.

4. Audit Committee

Costello reported that the committee met last week and there are a couple of audit reports that will be coming before the City Council.

5. Fiscal Committee

Beninga reported there will be a meeting next week to discuss the budgeting process and rental registration.

6. Land Use Committee

Staggers reported that they will meet today immediately following the Informational meeting to discuss a temporary boulevard sign ordinance and deregulation.

7. Public Services Committee

No report.

8. City Council Open Discussion

Brown stated that Shawna Goldammer gave a presentation at the SD Municipal League that would be beneficial for the entire council and asked that it be scheduled for a future Informational meeting.

9. Presentations

A. Monthly Financial Update by Eugene Rowenhorst, Finance Director

September 2009

Councilor Brown excused himself from the meeting at 4:11 p.m.

B. Cable Franchise by Robert Amundson, City Attorney; Karen Leonard, Assistant City Attorney; and Adrian Herbst, Attorney, Baller Herbst Law Group

CFO 10.14.09 Amer. Legal Midco Herbst

Franchise Renewal Agreement Final 10.09.09

Bob Amundson, City Attorney opened the discussion and introduced Karen Leonard, Assistant City Attorney. She stated that the documents before the council are the regulatory master cable ordinance and a franchise renewal agreement between the City of Sioux Falls and Midcontinent Communications. The current franchise agreement expires December 31, 2009. She reviewed background information regarding the Federal Cable Act and gave a powerpoint presentation.

Leonard explained the cable franchise fee at this time.

Leonard explained the build out requirements at this time.

Leonard explained OVS (Open Video System) Operators and why they were not included in this master ordinance. She explained that they met with Midcontinent Communications, SDN, Knology, Alliance and the Home Builders Association regarding this issue.

Leonard explained the length of build out time.

Leonard stated that if a cable operator is already operating and is annexed into the city, it can continue to operate and is not required to extend its service beyond its service area. However, if they wish to extend their services, they will need to file an application for a franchise.

A question and answer session occurred at this time.

Todd Anawski, Government Affairs, Home Builder's Association spoke about their issues regarding the cable franchise ordinance.

Kathy Ford, Knology, spoke about their issues regarding the cable franchise ordinance.

Leonard stated that two ordinances and a resolution will come before the City Council. On November 9, 2009, first readings will occur for the the Cable Service Regulatory Ordinance and the ordinance associated with the Midcontinent franchise agreement. The resolution which sets the franchise fee is scheduled to come before the council on November 16, 2009.

Power Point Slides

SF School District 5 Year Plan

City of Sioux Falls 5 year Plan

10. Adjournment

Council Chair Costello adjourned the meeting at 5:20 p.m.

Jamie L. Palmer
Assistant City Clerk