

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Monday, June 13, 2011, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Kenny Anderson Jr.

Council Member Vernon Brown

Council Member James Entenman

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rex Rolfing

Council Member Sue Aguilar

Mayor Mike T. Huether

INVOCATION

Pastor Doug Bartel, Hillcrest Church

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PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Vernon Brown and seconded by Council Member Dean Karsky to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolfing, Sue Aguilar, 8. Noes, 0.

Motion Passed.

MINUTES

Informational Meeting of Monday, June 6, 2011, at 4:00 p.m.

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City Council Meeting of Monday, June 6, 2011, at 7:00 p.m.

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#### COMMUNICATIONS

- A communication was received from the South Dakota Corn Growers Association stating its intent to sell raffle tickets from June 23, 2011 to January 7, 2012, for a John Deere Gator (valued at \$14,400.00). Tickets will be sold at one for \$5.00 and three for \$10.00. The proceeds will be used for educational programs administered through the South Dakota Corn Growers Association.
1. to January 7, 2012, for a John Deere Gator (valued at \$14,400.00). Tickets will be sold at one for \$5.00 and three for \$10.00. The proceeds will be used for educational programs administered through the South Dakota Corn Growers Association.

Sponsor: SDCL 22-25-25

#### REGULAR AGENDA ITEMS

##### APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Sue Aguilar to approve the Regular Agenda.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Sue Aguilar to amend the Regular Agenda by moving Item 17 after Item 4.

Vote to amend: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Sue Aguilar to amend the Regular Agenda by deferring the 1st Reading on Item 10 to the City Council Meeting on Monday, June 20, 2011, at 7:00 p.m.

Vote to amend: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Sue Aguilar to amend the Regular Agenda by deferring the 1st Reading on Item 14 to the City Council Meeting on Monday, June 20, 2011, at 7:00 p.m.

Vote to amend: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Sue Aguilar to amend the Regular Agenda by deferring Item 16 to the City Council Meeting on Tuesday, July 5, 2011, at 7:00 p.m.

Vote to amend: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Sue Aguilar to amend the Regular Agenda by deferring Item 19 to the City Council Meeting on Tuesday, July 5, 2011, at 7:00 p.m.

Vote to amend: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member James Entenman to amend the Regular Agenda by deferring Item 3 to the City Council Meeting on Monday, June 20, 2011, at 7:00 p.m.

Vote to amend: Roll Call: Yeses, Kenny Anderson Jr., James Entenman, 2. Noes, Vernon Brown, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 6.

Motion Failed.

Vote to approve the Regular Agenda, as amended: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

#### PUBLIC INPUT

Charles Santee spoke regarding bus related concerns.

Theresa Stehly spoke regarding water rate increases.

Susan Blake spoke regarding swimming fee increases.

Bob Hansen spoke regarding the water and sewer rates.

Cathy Brechtelsbauer spoke regarding swimming fee increases.

Mark Weber spoke regarding conservation water kits.

Tim Stanga spoke regarding raising rates at the swimming pools, water rate increases and the public parks.

#### UNFINISHED BUSINESS

2. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Multi-Cultural Center of Sioux Falls to be operated on the upper west side of Falls Park for the Festival of Cultures on June 18, 2011, and authorize publication of notice on 06-03-11 to set the hearing date.

Sponsor: Mayor/Attorney

A motion was made by Council Member Sue Aguilar and seconded by Council Member James Entenman to approve Item 2.

Vote to approve: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 7. Noes, 0. Council Member Kenny Anderson Jr. was excused from the meeting and the

vote on this item.

Motion Passed.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

- 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD,  
REPEALING CHAPTER 22 OF THE REVISED ORDINANCES OF THE CITY AND AMENDING  
3. CHAPTERS 23 AND 28 OF THE REVISED ORDINANCES OF THE CITY BY INCLUDING  
SECONDHAND GOODS DEALERS AND GUN DEALERS AND DEALERS IN PRECIOUS METALS  
OR PRECIOUS GEMS.

Sponsor: Mayor/Police

A motion was made by Council Member Vernon Brown and seconded by Council Member Michelle Erpenbach to adopt said Ordinance for Item 3.

A motion was made by Council Member Vernon Brown and seconded by Council Member Michelle Erpenbach to amend the main motion by adding "sporting goods" and "sporting equipment" to the goods included in the definition of Secondhand Goods Dealer found in Sec. 28-1 and adding "not previously sold at retail" to Sec. 28-4.

Vote to amend: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

A motion was made by Council Member Kenny Anderson Jr., to amend this Ordinance by deleting the language in Sec. 28-15 subsections (a) and (b) that reads "his designee" to add in its place "Leads Online". Motion dies for lack of a second.

A motion was made by Council Member Greg Jamison and seconded by Council Member Kenny Anderson Jr., to defer Item 3 to the City Council Meeting on Tuesday, July 5, 2011, at 7:00 p.m.

Vote to defer: Roll Call: Yeses, Kenny Anderson Jr., James Entenman, Greg Jamison, Dean Karsky, Rex Roling, 5. Noes, Vernon Brown, Michelle Erpenbach, Sue Aguilar, 3. Noes, 0.

Motion Passed.

A short recess was taken at 8:57 p.m.

The meeting resumed at 9:02 p.m.

4. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD,  
PROVIDING SUPPLEMENTAL APPROPRIATIONS. (\$3,687,500.)

Sponsor: Mayor/Finance Department

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Greg Jamison to adopt said Ordinance for Item 4.

A motion was made by Council Member Greg Jamison and seconded by Council Member Vernon Brown to amend the main motion by deleting \$1,400,000 from facilities management; reduce the library to \$42,500 and adding \$1,610,000 to streets for a total of \$2,803,500.

Vote to amend: Roll Call: Yeses, Vernon Brown, Greg Jamison, Dean Karsky, Rex Roling, 4. Noes, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Sue Aguilar, 4. Mayor Huether broke the tie with a vote of 'No'.

Motion Failed.

Vote to adopt: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

Item 17 was heard at this time. See item for action taken.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD,  
5. AMENDING CHAPTER 21 OF THE REVISED ORDINANCES OF THE CITY BY CREATING A CHAPTER ENTITLED COMMUNITY DEVELOPMENT.

Sponsor: Mayor/Community Development

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Roling to adopt said Ordinance for Item 5.

Vote to adopt: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

2ndReading: AN ORDINANCE TO MODIFY THE REVENUE OBLIGATION  
6. LOAN AGREEMENT, AS AMENDED, AND THE \$10,323,000 CITY OF SIOUX FALLS, SOUTH DAKOTA, SALES TAX REVENUE BOND, SERIES 2006B, ISSUED THEREUNDER ON APRIL 10, 2006, PURSUANT TO ORDINANCE NO. 25-06.

Sponsor: Mayor/Public Works

A motion was made by Council Member Rex Roling and seconded by Council Member James Entenman to adopt said Ordinance for Item 6.

Vote to adopt: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

2ndReading: AN ORDINANCE TO MODIFY THE SALES TAX REVENUE  
7. OBLIGATION LOAN AGREEMENT, AS AMENDED, AND THE \$3,316,310 NOTE ISSUED THEREUNDER ON MAY 24, 1990, PURSUANT TO ORDINANCE NO. 63-90.

Sponsor: Mayor/Public Works

A motion was made by Council Member Rex Roling and seconded by Council Member Kenny Anderson Jr. to adopt said Ordinance for Item 7.

Vote to adopt: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Monday, June 20, 2011, at 7:00 p.m. on Item 8:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING  
8. SECTION 27-41 OF ARTICLE III OF CHAPTER 27, "PARKS AND RECREATION" OF  
THE REVISED ORDINANCES OF THE CITY BY REVISING RECREATION AND FACILITY FEES.

Sponsor: Mayor/Parks and Recreation

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to set a date of hearing and 2nd Reading for Monday, June 20, 2011, at 7:00 p.m. on Item 8.

Vote to set a date: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Monday, June 20, 2011, at 7:00 p.m. on Item 9:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING  
9. THE REVISED ORDINANCES OF THE CITY BY REVISING LICENSE FEES ISSUED BY THE PUBLIC HEALTH DIRECTOR.

Sponsor: Mayor/Health Department

A motion was made by Council Member Sue Aguilar and seconded by Council Member Michelle Erpenbach to set a date of hearing and 2nd reading for Monday, June 20, 2011, at 7:00 p.m. for Item 9.

Vote to set a date: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Monday, June 20, 2011, at 7:00 p.m. on Item 10:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING  
10. THE REVISED ORDINANCES OF THE CITY BY REPEALING THE THREE YEAR EXPIRATION FOR RESIDENTIAL RENTAL UNIT REGISTRATIONS.

Sponsor: City Council/Aguilar and Anderson, Jr.

Action taken at the approval of the Regular Agenda deferred the 1st Reading on this item to the City Council Meeting on Monday, June 20, 2011, at 7:00 p.m.

Set a date of hearing and 2nd Reading for Monday, June 20, 2011, at 7:00 p.m. on Item 11:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING  
11. THE REVISED ORDINANCES OF THE CITY BY AMENDING THE SCHEDULE OF RATES TO BE CHARGED BY THE CITY LIGHT AND POWER DEPARTMENT FOR FURNISHING

ELECTRIC CURRENT FOR LIGHT AND POWER PURPOSES AS FOUND IN  
CHAPTER 41 "UTILITIES."

Sponsor: Mayor/Public Works

A motion was made by Council Member Sue Aguilar and seconded by Council Member James Entenman to set a date of hearing and 2nd Reading for Monday, June 20, 2011, at 7:00 p.m. on Item 11.

Vote to set a date: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Monday, June 20, 2011, at 7:00 p.m. on Item 12:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING  
12. THE REVISED ORDINANCES OF THE CITY BY REVISING CHAPTER 18 THEREOF TO  
DECREASE RATES AT THE LANDFILL IN SECTIONS 18-30(b) AND 18-30(n).

Sponsor: Mayor/Public Works

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Roling to set a date of hearing and 2nd Reading for Monday, June 20, 2011, at 7:00 p.m. on Item 12.

Vote to set a date: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Monday, June 20, 2011, at 7:00 p.m. on Item 13:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING  
13. THE REVISED ORDINANCES OF THE CITY BY INCREASING WATER RATES AS FOUND IN  
CHAPTER 41 "UTILITIES."

Sponsor: Mayor/Public Works

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Dean Karsky to set a date of hearing and 2nd reading for Monday, June 20, 2011, at 7:00 p.m. on Item 13.

Vote to set a date: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 7. Noes, Kenny Anderson Jr., 1.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, July 5, 2011, at 7:00 p.m. on Item 14:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING  
14. THE REVISED ORDINANCES OF THE CITY BY CHARGING A REPLACEMENT FEE FOR  
RELOADABLE FARE CARDS FOR TRANSIT.

Sponsor: Mayor/Planning and Building Services

Action taken at the approval of the Regular Agenda deferred the 1st Reading on this item to the City Council Meeting on Monday, June 20, 2011, at 7:00 p.m.

HEARINGS AND RESOLUTIONS

15. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR REPAIR, REPLACE CONCRETE DRIVEWAY AND/OR SIDEWALK AT VARIOUS LOCATIONS.

Sponsor: Mayor/Engineering and Finance

A motion was made by Council Member Vernon Brown and seconded by Council Member Michelle Erpenbach to adopt said Resolution for Item 15.

Vote to adopt: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR [REPAIR, REPLACE CONCRETE DRIVEWAY AND/OR SIDEWALK AT VARIOUS LOCATIONS].

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

SECTION 1. That the special assessment roll for the assessment of the property assessable for [repair, replace concrete driveway and/or sidewalk at various locations] pursuant to a contract entered into with [Double D Concrete ] on the [30th ] day of [July ], 20[10 ], be and the same is hereby approved and the assessment as set out in the special assessment roll approved this date is hereby levied against the property described therein and becomes a lien against such property upon filing of the special assessment roll in the City Accounting Office.

SECTION 2. The assessment may be paid in [five ] annual installments and shall be collected under Plan One-Collection by County Treasurer as provided in SDCL 9-43.

NOTICE TO PROPERTY OWNERS

Notice is hereby given that assessments levied under the above resolution will become due and payable at the office of the County Treasurer in [five ] installments, together with interest at [5.75 ]percent per annum in accordance with SDCL 9-43. The first installment, with interest, will become due with general taxes and will be payable at the County Treasurer's Office on January 1, 20[12 ]; the remaining installments, with interest, will become due and payable annually at the County Treasurer's Office on January 1 of each following year until total assessment, with interest, is paid in full.

Notice is further given that the special assessment roll approved in the above resolution was filed with the City Clerk's Office on the [15th ] day of [June ], 20[11 ], and that the whole of said assessment, or any installment thereof, may be paid without interest to the City Accounting Office on or before 30 days after said filing.

16. 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 SEVENTH 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.

Sponsor: Mayor/Parks and Recreation

Action taken at the approval of the Regular Agenda deferred this item to the City Council Meeting on Tuesday, July 5, 2011, at 7:00 p.m.

17. A RESOLUTION AMENDING THE 2011-2015 CAPITAL PROGRAM. (\$3,687,500.00)

Sponsor: Mayor/Finance

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Jim Entenman to adopt said Resolution for Item 17.

Vote to adopt: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

A RESOLUTION AMENDING THE 2011-2015 CAPITAL PROGRAM.

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

That the 2011-2015 Capital Program be amended as follows:

Facilities Management

Amend the Capital Improvements Program by adding a new project, Carnegie Building Improvements, in 2011. The estimated cost is \$50,000 for engineering and \$250,000 for construction, totaling \$300,000. This project will require an increase in appropriations that will be funded by the Sales/Use Tax Fund.

Amend Capital Improvements Project No.044011, City Hall and City Hall Annex Improvements, by increasing funding for HVAC upgrades at City Hall in 2011. The estimated cost is \$170,000 for engineering and \$930,000 for construction, totaling \$1,100,000. This project will require an increase in appropriations that will be funded by the Sales/Use Tax Fund.

Arena

Amend the Other Capital Expenditures Program by adding a scoreboard in 2011. The estimated cost is \$550,000 and will require an increase in appropriations that will be funded by the Sales/Use Tax Fund.

Amend the Other Capital Expenditures Program by adding lighting upgrades in 2011. The estimated cost is \$250,000 and will require an increase in appropriations that will be funded by the Sales/Use Tax Fund.

Fire

Amend the Capital Improvements Program by adding a new project, Fire Headquarters Parking Lot Improvements, in 2011. The estimated cost is \$10,000 for engineering and \$105,000 for construction, totaling \$115,000. This project will require an increase in appropriations that will be funded by the Sales/Use Tax Fund.

Library

Amend Capital Improvements Project No.010028, Caille Branch Library Improvements, by increasing funding for HVAC upgrades in 2011. The estimated cost is \$6,500 for engineering and \$36,000 for construction, totaling \$42,500. This project will require an increase in appropriations that will be funded by the Sales/Use Tax Fund.

Amend Capital Improvements Project No.012028, Ronning Branch Library Improvements, by increasing funding for parking lot improvements in 2011. The estimated cost is \$20,000 for engineering and \$110,000 for construction, totaling \$130,000. This project will require an increase in appropriations that will be funded by the Sales/Use Tax Fund.

#### Public Works-Streets

Amend Capital Improvements Project No.021033, Overlay and Seal Coating Program-Asphalt Streets, by increasing funding in 2011. The estimated cost is \$75,000 for engineering and \$935,000 for construction, totaling \$1,010,000. This project will require an increase in appropriations that will be funded by the Sales/Use Tax Fund.

Amend Capital Improvements Project No.198099, Concrete Pavement Restoration and Joint Replacement, by increasing funding in 2011. The estimated cost is \$190,000 and will require an increase in appropriations that will be funded by the Sales/Use Tax Fund.

18. A RESOLUTION APPROVING A JOINT POWERS AGREEMENT REGARDING "ALL HAZARD" EMERGENCY RESPONSE OF THE STATE REGIONAL RESPONSE TEAMS.

Sponsor: Mayor/Fire Rescue

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Michelle Erpenbach to adopt said Resolution for Item 18.

Vote to adopt: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

A RESOLUTION APPROVING A JOINT POWERS AGREEMENT REGARDING "ALL HAZARD" EMERGENCY RESPONSE OF THE STATE REGIONAL RESPONSE TEAMS.

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 it approves nunc pro tunc the document titled "Joint Powers Agreement Regarding 'All Hazard' Emergency Response of the State Regional Response Teams," which is attached hereto and made a part of this agreement, between the City and the State of South Dakota related to the ability to receive emergency assistance in the form of an on-site response team to respond to "All Hazard" incidents, terrorism, or other emergencies being experienced by a requesting agency. Accordingly, the terms and conditions of the Joint Powers Agreement shall be deemed effective as of June2, 2011.

The Mayor is authorized to sign such agreement after it is ratified and executed by the state of South Dakota and the Office of Homeland Security.

This resolution is necessary for the immediate preservation of the health and safety of the municipal government and its existing public institutions and shall take effect upon its passage and publication.

19. A RESOLUTION DECLARING IT NECESSARY TO LEVY AND LEVYING A SPECIAL FRONT FOOT ASSESSMENT FEE FOR STREET MAINTENANCE AND REPAIR.

Sponsor: Mayor/Public Works

Action taken at the approval of the Regular Agenda deferred this item to the City Council Meeting on Tuesday, July 5, 2011, at 7:00 p.m.

20. A RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPER FOR THE CITY OF SIOUX FALLS, SD.

Sponsor: City Council/Erpenbach and Aguilar

A motion was made by Council Member Vernon Brown and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution for Item 20.

Vote to adopt: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

A RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPER FOR THE CITY OF SIOUX FALLS, SD.

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

Pursuant to SDCL 9-12-6, the official newspaper for the City of Sioux Falls, SD, shall be the Argus Leader, for a period from July 10, 2011, through July 2, 2012.

This Resolution is effective upon the date of publication.

21. A RESOLUTION APPROVING TRANSIT ROUTE MODIFICATIONS.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Vernon Brown to adopt said Resolution for Item 21.

Vote to adopt: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 7. Noes, Michelle Erpenbach, 1.

Motion Passed.

A RESOLUTION APPROVING TRANSIT ROUTE MODIFICATIONS.

WHEREAS, the Public Transit Advisory Board facilitated public input on proposed transit route modifications, including holding a public hearing on October 25, 2010, as well as hosting an open house to gather public input on November 16, 2010;

WHEREAS, the Public Transit Advisory Board at their November 22, 2010, meeting recommended approval of transit route modifications to Routes 10 and 11 contingent upon the elimination of Route 12;

WHEREAS, the Public Transit Advisory Board at their January 24, 2011, meeting unanimously recommended approval of the elimination of transit Route 12;

WHEREAS, the transit route modifications meet the criteria for the necessity of City Council action established in Executive Order 11-09;

NOW, THEREFORE, BE IT RESOLVED, that the transit route modifications to Routes 10 and 11, identified on the maps attached hereto and made a part of this resolution, and the elimination of Route 12 are hereby adopted.

The transit route modifications to Routes 10 and 11 are contingent upon the approval of the elimination of Route 12. In the event the elimination of Route 12 is not adopted, this resolution shall not become effective.

22. A RESOLUTION OF THE CITY COUNCIL SUPPORTING THE RECOMMENDATION FOR THE SITE LOCATION OF A FUTURE EVENTS CENTER. (Downtown area)

Sponsor: City Council/Jamison and Brown

A motion was made by Council Member Vernon Brown and seconded by Council Member Michelle Erpenbach to adopt the Resolution for Item 22.

Vote to adopt: Roll Call: Yeses, Vernon Brown, Michelle Erpenbach, Greg Jamison, Sue Aguilar, 4. Noes, Kenny Anderson Jr., James Entenman, Dean Karsky, Rex Roling, 4.

Mayor Huether broke the tie with a vote of 'No'.

Motion Failed.

A short recess was taken at 11:00 p.m.

The meeting and public testimony (for Item 22) resumed at 11:06 p.m.

23. A RESOLUTION OF THE CITY COUNCIL SUPPORTING THE RECOMMENDATION FOR THE SITE LOCATION OF A FUTURE EVENTS CENTER. (Sioux Falls Convention Center).

Sponsor: City Council/Entenman and Karsky

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Roling to adopt said Resolution for Item 23.

Vote to adopt: Roll Call: Yeses, Kenny Anderson Jr., James Entenman, Dean Karsky, Rex Roling, 4. Noes, Vernon Brown, Michelle Erpenbach, Greg Jamison, Sue Aguilar, 4. Mayor Huether broke the tie with a vote of 'Yes'.

Motion Passed.

A RESOLUTION OF THE CITY COUNCIL SUPPORTING THE RECOMMENDATION FOR THE SITE LOCATION OF A FUTURE EVENTS CENTER.

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

That the Sioux Falls City Council hereby supports the placement of a future events center at the site of the Sioux Falls Convention Center.

NEW BUSINESS/ITEMS ADDED AFTER DEADLINE

The City Council may include other such business as may come before this body.

ADJOURNMENT

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Vernon Brown to adjourn the meeting at 12:16 a.m.

Vote to adjourn: Roll Call: Yeses, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 8. Noes, 0.

Motion Passed.

Tamara Jorgensen, CMC

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) 367-8081 (VOICE) OR (605) 367-7039 (TDD) 24 HOURS IN ADVANCE OF THE MEETING.

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 16: CITY COUNCIL MEETINGS AIR LIVE THE FIRST, SECOND, AND THIRD MONDAYS OF EACH MONTH AT 7:00 P.M. THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AIR LIVE THE THIRD MONDAY OF EACH MONTH AT 5:00 P.M. REGULAR MEETINGS OF THE CITY COUNCIL ARE ALSO ARCHIVED AND AVAILABLE FOR VIEWING ON DEMAND AT WWW.SIOUXFALLS.ORG. LINKS TO EACH MEETINGS'S VIDEO ARE POSTED ON THE MEETING MINUTES AND AGENDAS PAGE.

CLOSED CAPTIONING: CITY COUNCIL MEETINGS ARE CLOSE CAPTIONED ON CITYLINK 16.

CITYLINK 16 REBROADCAST: CITY COUNCIL MEETINGS AT 10:00 A.M. ON WEDNESDAYS, 1:00 A.M. ON THURSDAYS, AND 7:00 P.M. ON SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 10:00 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.