

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, July 9, 2013, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rex Roling

Council Member Kermit L. Staggers

Council Member Sue Aguilar

Council Member Kenny Anderson Jr.

Council Member James Entenman

Mayor Mike T. Huether

INVOCATION

Pastor Dennis Thomas, Common Ground

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PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

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

Vote to approve: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., James Entenman, 7. Noes, 0.

Motion Passed.

MINUTES

Informational Meeting of Tuesday, July 2, 2013, at 4:00 p.m.

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COMMUNICATIONS

1. Approval of Contracts/Agreements on July 3, 2013 memo.

Sponsor: Mayor/Finance

2. Notice of change orders on July 3, 2013 memo.

Sponsor: Mayor/Finance

3. A communication was received from Friends of South Dakota Public Broadcasting requesting permission to consume, but not sell, wine and malt beverage at the Sioux Falls Design Center, 108 W. 11th St., on Sunday, August 4, 2013 from 3:00 p.m. until 5:00 p.m. for a reception featuring Blenko glass with the manufactures of the glass artwork.

Sponsor: SDCL 35-1-5.3

4. A communication was received from Sandra DeWald and Gary Fischer requesting permission to consume, but not sell, liquor, wine and malt beverage at the Old Courthouse Museum, 200 W. Sixth St., on Saturday, September 14, 2013 from 12:00 p.m. until 11:59 p.m. for a wedding, reception and dance.

Sponsor: SDCL 35-1-5.3

5. A communication was received from Howes Oil Company requesting permission to consume, but not sell, beer and wine at the Old Courthouse Museum, 200 W. Sixth St., on Sunday, September 29, 2013 from 5:00 p.m. until 9:00 p.m. for a 75th company anniversary party.

Sponsor: SDCL 35-1-5.3

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Dean Karsky and seconded by Council Member James Entenman to approve the Regular Agenda.

Vote to approve: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., James Entenman, 7. Noes, 0.

Motion Passed.

PUBLIC INPUT

There was none.

INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Tuesday, July 16, 2013, at 7:00 p.m. for Item 6:

6. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE EXCHANGE OF REAL PROPERTY.

Sponsor: Mayor/Community Development

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 Tuesday, July 16, 2013.

Vote to set a date: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., James Entenman, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for the Joint City Council/Minnehaha County Commission Meeting on Tuesday, July 23, 2013, at 5:00 p.m. for Item 7:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING  
7. PROPERTY AT 9000 E. 41ST ST. FROM THE A-1 AGRICULTURAL DISTRICT TO THE RR RURAL RESIDENTIAL DISTRICT AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Dean Karsky and seconded by Council Member Michelle Erpenbach to set a date of hearing and 2nd Reading for the Joint City Council/Minnehaha Commission Meeting on Tuesday, July 23, 2013.

Vote to set a date: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., James Entenman, 7. Noes, 0.

Motion Passed.

#### HEARINGS AND RESOLUTIONS

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

Sponsor: Mayor/Public Works

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member James Entenman to adopt said Resolution 50-13.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., James Entenman, 7. Noes, 0.

Motion Passed.

#### RESOLUTION NO. 50-13

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

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

SECTION 1. It is necessary to levy and there shall be levied a special front foot assessment fee upon each lot, tract, and parcel of land fronting upon every street and part thereof, within the city of Sioux Falls, to be used to maintain and repair street surfacing or pavement.

SECTION 2. There is hereby assessed against each and every lot, tract, and parcel of land fronting upon every street or part thereof, one dollar (\$1.00) per front foot for the year 2014 which shall be apportioned as the assessment for maintaining of street surfacing or pavement. Front foot, for the purposes of this resolution, means the actual front of the premises as established by the buildings thereon, record title, and use of the property regardless of the original plat.

SECTION 3. The City Clerk shall certify such special front foot assessment fees to the county auditors of Minnehaha and Lincoln Counties, SD, and the same shall be collected as municipal taxes for general purposes.

SECTION 4. This resolution is necessary for the immediate support of the municipal government and its existing public institutions and shall take effect upon its passage and publication.

Date adopted: 07/09/13 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

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

Sponsor: City Council

A motion was made by Council Member James Entenman and seconded by Council Member Dean Karsky to adopt said Resolution 51-13.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., James Entenman, 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 51-13

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 City Council appointments:

Name	Board	Term
Kenny Anderson Jr.	SECOG	Appointed for a term from August 2013 until August 2014.
Sue Aguilar	SECOG	Appointed for a term from August 2013 until August 2014.

Jim David	SECOG	Appointed for a term from August 2013 until August 2014, as an alternate.
Kenny Anderson Jr.	UDC	Appointed for a term from August 2013 until August 2014.
Greg Jamison	UDC	Appointed for a term from August 2013 until August 2014.
Kermit L. Staggars	UDC	Appointed for a term from August 2013 until August 2014.
Rex Rolwing	UDC	Appointed for a term from August 2013 until August 2014.
Michelle Erpenbach and Jim David	UDC	Appointed for a term from August 2013 until August 2014, as alternates.

Date adopted: 07/09/13 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

#### NOTICE OF HEARINGS FOR STREET VACATIONS

Set a date of hearing for Tuesday, August 13, 2013, at 7:00 p.m. for Items 10:

10. A PROPOSED RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON A PORTION OF N. BLUE BELL LN. AS SHOWN ON EXHIBIT 1.

Sponsor: Mayor/Public Works

A motion was made by Council Member Dean Karsky and seconded by Council Member James Entenman to set a date of hearing for Tuesday, August 13, 2013.

Vote to set a date: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolwing, Sue Aguilar, Kenny Anderson Jr., James Entenman, 7.  
Noes, 0.

Motion Passed.

Set a date of hearing for Tuesday, August 13, 2013, at 7:00 p.m. for Items 11:

11. A PROPOSED RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON A PORTION OF S. MINNESOTA AVE. AS SHOWN ON EXHIBIT A.

Sponsor: Mayor/Public Works

A motion was made by Council Member James Entenman and seconded by Council Member Rex Rolwing to set a date of hearing for Tuesday, August 13, 2013.

Vote to set a date: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean

Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., James Entenman, 7.  
Noes, 0.

Motion Passed.

Set a date of hearing for Tuesday, August 13, 2013, at 7:00 p.m. for Items 12:

12. A PROPOSED RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON A PORTION OF  
S. SUNNYMEADE CIR. AS SHOWN ON EXHIBIT A.

Sponsor: Mayor/Public Works

A motion was made by Council Member Michelle Erpenbach and seconded by Council  
Member Sue Aguilar to set a date of hearing for Tuesday, August 13, 2013.

Vote to set a date: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean  
Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., James Entenman, 7.  
Noes, 0.

Motion Passed.

Mayor Huether recognized guests in the audience, which included Olivia Neitzert  
and members of Boy Scout Troop 48.

ADJOURNMENT

A motion was made by Council Member Michelle Erpenbach and seconded by Council  
Member Rex Roling to adjourn at 7:40 p.m.

Mayor Huether called for a voice vote. All members voted yes. Motion Passed.

Denise D. Tucker, 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) 367-8080 (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: INFORMATIONAL MEETINGS  
AIR LIVE ON TUESDAYS EACH MONTH AT 4:00 P.M. COUNCIL COMMITTEE MEETINGS AIR  
LIVE THE FIRST, SECOND, AND THIRD TUESDAYS OF EACH MONTH IMMEDIATELY FOLLOWING  
THE INFORMATIONAL MEETING. CITY COUNCIL MEETINGS AIR LIVE THE FIRST, SECOND,  
AND THIRD TUESDAYS OF EACH MONTH AT 7:00 P.M. THE JOINT CITY COUNCIL/  
MINNEHAHA COUNTY COMMISSION MEETINGS AIR LIVE THE FOURTH TUESDAY 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  
MEETING'S VIDEO ARE POSTED ON THE MEETING MINUTES AND AGENDAS PAGE.

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

CITYLINK REBROADCAST: INFORMATIONAL MEETINGS AT 1:30 A.M. AND 9:00 A.M.  
ON THURSDAYS, AND 6:00 P.M. ON SATURDAYS. COUNCIL COMMITTEE MEETINGS AT 12:30  
A.M. AND 8:00 A.M. ON THURSDAYS, AND 5:00 P.M. ON SATURDAYS. CITY COUNCIL  
MEETINGS AT 2:30 AM AND 10:00 A.M. ON THURSDAYS, AND 7:00 P.M. ON

SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 8:  
00 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1:00 P.M. ON FIRST SUNDAY AFTER  
LIVE MEETING.