

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, August 14, 2012, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Rex Roling

Council Member Kermit L. Staggers

Council Member Sue Aguilar

Council Member Kenny Anderson Jr. Council Member Michelle Erpenbach

Council Member James Entenman

Council Member Greg Jamison

Council Member Dean Karsky

Mayor Mike T. Huether

INVOCATION

Pastor Jason Mueller, The Ransom Church

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PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Sue Aguilar and seconded by Council Member James Entenman to approve the Consent Agenda.

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

Motion Passed.

MINUTES

Budget Hearings Meeting of Tuesday, August 7, 2012, at 3:00 p.m.

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COMMUNICATIONS

1. Approval of Contracts/Agreements on August 9, 2012 memo.

Sponsor: Mayor/Finance

2. Notice of change orders on August 9, 2012 memo.

Sponsor: Mayor/Finance

A communication was received from the Sioux Falls Presidents' Bowl station  
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3. their intent to sell raffle tickets from August 15, 2012 until September  
8,  
2012 for two cash prizes of \$5,000.000. Tickets will be sold for \$10.00  
each. The proceeds will be used for all three high school activities.

Sponsor: SDCL 22-25-25

4. A memorandum dated August 7, 2012, declaring surplus a capital item that will be disposed of as junk.

Sponsor: Mayor/Finance

NOTICE OF HEARINGS

Set public hearing date for Tuesday, September 4, 2012, at 7:00 p.m., and set adoption of Resolution for Tuesday, September 11, 2012, at 7:00 p.m., for Item 5:

5. A PROPOSED RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2013, AND THE 2013-2017 CAPITAL PROGRAM.

Sponsor: Mayor/Finance

Set a date of hearing for Tuesday, September 11, 2012, at 7:00 p.m., for Item 6:

6. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR REMOVAL AND REPLACEMENT OF CONCRETE SIDEWALK AT VARIOUS LOCATIONS.

Sponsor: Mayor/Finance

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

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

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

Motion Passed.

PUBLIC INPUT

I.L. Wiedermann expressed concerns about: ownership of a railroad system; Pat Lloyd serving on the Park Board; and the extent of the Sanford naming rights.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

- 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD,  
7. PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR CIP NO. 148014, RIGHT-OF-WAY ACQUISITION FOR PUBLIC WORKS. (\$486,765.00)

Sponsor: Mayor/Public Works

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to adopt said Ordinance 67-12.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, September 11, 2012, at 7:00 p.m. for Item 8:

- 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD,  
8. APPROVING THE RELEASE OF PORTIONS OF A PERMANENT UTILITY EASEMENT LOCATED IN VACATED E. NINTH ST. BETWEEN N. MABLE AVE. AND N. BLAUVELT AVE., IN THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.

Sponsor: Mayor/Public Works

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to set a date of hearing and 2nd Reading for Tuesday, September 11, 2012, at 7:00 p.m. for Item 8.

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

Motion Passed.

#### HEARINGS AND RESOLUTIONS

9. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR TREE TRIMMING IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

Sponsor: Finance/Parks and Recreation

A motion was made by Council Member James Entenman and seconded by Council Member Rex Roling to adopt said Resolution 61-12.

Vote to adopt: Roll Call: Yeses, Rex Roling, Sue Aguilar, Kenny Anderson Jr., James Entenman, Greg Jamison, Dean Karsky, 6. Noes, Kermit L. Staggars, 1.

Motion Passed.

RESOLUTION NO. 61-12

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR TREE TRIMMING IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

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

SECTION 1. That the special assessment roll for tree trimming in various areas in Sioux Falls, SD, is hereby approved and the assessments in the assessment roll are levied against the property described in it. The assessments become a lien against the property when the assessment roll is filed in the City Finance Office.

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

Date adopted: 08/14/12.

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

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 one installment, together with interest not to exceed 4.75 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, 2013.

Notice is further given that the special assessment roll approved in the above resolution was filed with the City Finance Office on the 14th day of August, 2012, and that the entire assessment may be paid without interest to the City Finance Office on or before September 13, 2012.

Lorie Hogstad

City Clerk

10. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE MOWING OF WEEDS AND GRASSES IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

Sponsor: Finance/Planning and Building Services

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Roling to adopt said Resolution62-12.

Vote to adopt: Roll Call: Yeses, Rex Roling, Sue Aguilar, Kenny Anderson Jr., James Entenman, Greg Jamison, Dean Karsky, 6. Noes, Kermit L. Staggers, 1.

Motion Passed.

RESOLUTION NO. 62-12

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE MOWING OF WEEDS AND GRASSES IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

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

SECTION 1. That the special assessment roll for mowing weeds and grasses in various areas in Sioux Falls, SD, is hereby approved and the assessments in the assessment roll are levied against the property described in it. The assessments become a lien against the property when the assessment roll is filed in the City Finance Office.

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

Date adopted: 08/14/12.

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

NOTICE TO PROPERTY OWNERS

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Notice is further given that the special assessment roll approved in the above resolution was filed with the City Finance Office on the 14th day of August, 2012, and that the entire assessment may be paid without interest to the City Finance Office on or before September 13, 2012.

Lorie Hogstad

City Clerk

11. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR LITTER REMOVAL IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

Sponsor: Finance/Public Works

A motion was made by Council Member Dean Karsky and seconded by Council Member James Entenman to adopt said Resolution63-12.

Vote to adopt: Roll Call: Yeses, Rex Roling, Sue Aguilar, Kenny Anderson Jr., James Entenman, Greg Jamison, Dean Karsky, 6. Noes, Kermit L. Stagers, 1.

Motion Passed.

RESOLUTION NO. 63-12

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR LITTER REMOVAL IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

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

SECTION 1. That the special assessment roll for litter removal in various areas in Sioux Falls, SD, is hereby approved and the assessments in the assessment roll are levied against the property described in it. The assessments become a lien against the property when the assessment roll is filed in the City Finance Office.

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

Date adopted: 08/14/12.

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

NOTICE TO PROPERTY OWNERS

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Lorie Hogstad

City Clerk

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR REPAIR OR  
12. DEMOLITION OF REAL PROPERTY IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS,  
SOUTH DAKOTA.

Sponsor: Finance/Planning and Building Services

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution64-12.

Vote to adopt: Roll Call: Yeses, Rex Roling, Sue Aguilar, Kenny Anderson Jr., James Entenman, Greg Jamison, Dean Karsky, 6. Noes, Kermit L. Stagers, 1.

Motion Passed.

RESOLUTION NO. 64-12

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR REPAIR OR DEMOLITION OF REAL PROPERTY IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

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

SECTION 1. That the special assessment roll for repair or demolition of real property in various areas in Sioux Falls, SD, is hereby approved and the assessments in the assessment roll are levied against the property described in it. The assessments become a lien against the property when the assessment roll is filed in the City Finance Office.

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

Date adopted: 08/14/12.

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

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 one installment, together with interest not to exceed 4.75 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, 2013.

Notice is further given that the special assessment roll approved in the above resolution was filed with the City Finance Office on the 14th day of August, 2012, and that the entire assessment may be paid without interest to the City Finance Office on or before September 13, 2012.

Lorie Hogstad

City Clerk

13. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR SNOW REMOVAL IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

Sponsor: Finance/Public Parking

A motion was made by Council Member Greg Jamison and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution65-12.

Vote to adopt: Roll Call: Yeses, Rex Roling, Sue Aguilar, Kenny Anderson Jr., James Entenman, Greg Jamison, Dean Karsky, 6. Noes, Kermit L.

Staggers, 1.

Motion Passed.

RESOLUTION NO. 65-12

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR SNOW REMOVAL IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

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

SECTION 1. That the special assessment roll for snow removal in various areas in Sioux Falls, SD, is hereby approved and the assessments in the assessment roll are levied against the property described in it. The assessments become a lien against the property when the assessment roll is filed in the City Finance Office.

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

Date adopted: 08/14/12.

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

NOTICE TO PROPERTY OWNERS

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Notice is further given that the special assessment roll approved in the above resolution was filed with the City Finance Office on the 14th day of August, 2012, and that the entire assessment may be paid without interest to the City Finance Office on or before September 13, 2012.

Lorie Hogstad

City Clerk

14. A RESOLUTION AMENDING THE 2012-2016 CAPITAL PROGRAM TO INCREASE FUNDING FOR

CIP NO. 148014, RIGHT-OF-WAY ACQUISITION FOR PUBLIC WORKS IN 2012.

Sponsor: Mayor/Public Works

A motion was made by Council Member Dean Karsky and seconded by Council Member Rex Rolwing to adopt said Resolution 66-12.

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

Motion Passed.

RESOLUTION NO. 66-12

A RESOLUTION AMENDING THE 2012-2016 CAPITAL PROGRAM TO INCREASE FUNDING FOR CIP NO. 148014, RIGHT-OF-WAY ACQUISITION FOR PUBLIC WORKS IN 2012.

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

That the 2012-2016 Capital Program shall be amended as follows:

Public Works-Engineering

Amend Capital Improvements Program Project No. 148014, Right-of-Way Acquisition for Public Works, by increasing the amount of funding for right-of-way acquisition by \$486,765 in 2012. The additional funding will require an increase in appropriations that will be funded by Surface Transportation Program (STP) funds.

Date adopted: 08/14/12 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

ADJOURNMENT

A motion was made by Council Member Greg Jamison and seconded by Council Member Rex Roling to adjourn at 8:06 p.m.

Vote to adjourn: Roll Call: Yeses, Rex Roling, Kermit L. Stagers, Sue Aguilar, Kenny Anderson Jr., James Entenman, Greg Jamison, Dean Karsky, 7. Noes, 0.

Motion None.

The Mayor called for a voice vote. All members present voted yes.

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 THE FIRST, SECOND, THIRD, AND LAST TUESDAYS OF EACH MONTH AT 4:00 P.M. COUNCIL COMMITTEE MEETINGS AIR LIVE THE FIRST, SECOND, AND LAST 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 THIRD TUESDAY OF EACH MONTH AT 5:30 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' 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.