

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, December 11, 2012, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member James Entenman

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.

Mayor Mike T. Huether

INVOCATION

Dr. Ron Tottingham, Empire Baptist Temple

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PLEDGE OF ALLEGIANCE

RECOGNITION/AWARDS

V.L. Crusinberry Award was awarded to Pete Lerdal, Park Mechanic

\* (Parks & Recreation)

Jeanne Fullenkamp Management Excellence Award was awarded to Angie

\* Uthe, Compensation & Benefits Manager (Human Resources)

Safety Award was awarded to Sgt. Dale Roemen, Police

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VISITOR RECOGNITION

Boy Scout Troop 371, Gloria Dei Lutheran Church

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Council Member Kermit Staggers recognized students from the

University of Sioux Falls.

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#### CONSENT AGENDA ITEMS

##### APPROVAL OF CONSENT AGENDA

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

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

Motion Passed.

#### MINUTES

Informational Meeting of Tuesday, December 4, 2012, at 4:00 p.m.

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Regular City Council Meeting of Tuesday, December 4, 2012, at 7:00

\* p.m.

#### COMMUNICATIONS

1. Approval of Contracts/Agreements on December 6, 2012 memo.

Sponsor: Mayor/Finance

2. Notice of change orders on December 6, 2012 memo.

Sponsor: Mayor/Finance

3. Report of Request for Quotes for Fuel: November 30, 2012; Unleaded Ethanol; 8,500 Gallons; CHS, Inc. (\$2.9050); Harms Oil (\$2.9764); Howes Oil and Olson Oil, no bid. Bid awarded to: CHS, Inc.

Sponsor: Mayor/Fleet

4. A memorandum dated November 30, 2012 declaring surplus capital items that will be disposed of as junk.

Sponsor: Mayor/Finance

5. A memorandum dated November 30, 2012 declaring surplus a capital item that will be sold via online auction.

Sponsor: Mayor/Finance

6. A communication was received from Serendipitous Events by Jessica, LLC requesting permission to consume, but not sell liquor, wine, and/or malt beverage at the Old Courthouse Museum, 200 West Sixth Street on Saturday, December 15, 2012, from 4:00 p.m. until 11:00 p.m. for a birthday party.

Sponsor: SDCL 35-1-5.3

#### REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

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

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

Motion Passed.

PUBLIC INPUT

I.L. Wiedermann spoke about Spellerberg Pool and the purchasing of railroad property.

Tim Stanga spoke about the railroad relocation project, an indoor swimming pool, tree trimming, snow gates, a recycling facility at the city landfill, and the River Greenway.

Charlie Roberts spoke in opposition to an indoor pool at Spellerberg Park.

Carol Flower spoke in opposition to an indoor pool at Spellerberg Park.

DylanDwyer spoke in support of an indoor swimming pool at Spellerberg Park.

Barry Zachariahs praised the improvements to city roads and against an indoor pool at Spellerberg park.

I.L. Wiedermann spoke about Spellerberg Park.

INTRODUCTION AND ADOPTION OF ORDINANCES

- 2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD,  
7. APPROVING THE RELEASE OF A PERMANENT UTILITY EASEMENT LOCATED IN LOT 1 OF UPTOWN EXCHANGE LOFTS AN ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.

Sponsor: Mayor/Public Works

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member James Entenman to adopt said Ordinance 97-12.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 18, 2012, at 7:00 p.m. for Item 8:

- 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE  
8. REVISED ORDINANCES OF THE CITY BY ADOPTING THE 2012 INTERNATIONAL BUILDING CODE AND AMENDMENTS THERETO.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member James Entenman and seconded by Council Member Greg Jamison to set a date of hearing and 2nd Reading for Tuesday, December 18, 2012, for Item 8.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 18, 2012, at 7:00 p.m. for Item 9:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE  
9. REVISED ORDINANCES OF THE CITY BY ADOPTING THE 2012 INTERNATIONAL FIRE CODE AND AMENDMENTS THERETO.

Sponsor: Mayor/Sioux Falls Fire Rescue

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member James Entenman to set a date of hearing and 2nd Reading for Tuesday, December 18, 2012, for Item 9.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 18, 2012, at 7:00 p.m. for Item 10:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE  
10. REVISED ORDINANCES OF THE CITY BY ADOPTING THE 2012 INTERNATIONAL RESIDENTIAL CODE AND AMENDMENTS THERETO.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member James Entenman to set a date of hearing and 2nd Reading for Tuesday, December 18, 2012, for Item 10.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 18, 2012, at 7:00 p.m. for Item 11:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE  
11. REVISED ORDINANCES OF THE CITY BY ADOPTING THE 2012 INTERNATIONAL EXISTING BUILDING CODE AND AMENDMENTS THERETO.

Sponsor: Mayor/Planning and Building Services

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, December 18, 2012, for Item 11.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 18, 2012, at 7:00 p.m. for Item 12:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE  
12. REVISED ORDINANCES OF THE CITY BY ADOPTING THE 2012 INTERNATIONAL MECHANICAL CODE AND THE 2012 INTERNATIONAL FUEL GAS CODE AND AMENDMENTS THERETO.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member James Entenman and seconded by Council Member Dean Karsky to set a date of hearing and 2nd Reading for Tuesday, December 18, 2012, for Item 12.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 18, 2012, at 7:00 p.m. for Item 13:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE  
13. REVISED ORDINANCES OF THE CITY BY ADOPTING THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE AND AMENDMENTS THERETO.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member James Entenman and seconded by Council Member Michelle Erpenbach to set a date of hearing and 2nd Reading for Tuesday, December 18, 2012, for Item 13.

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

Motion Passed.

#### HEARINGS AND RESOLUTIONS

DEFERRED (from the City Council Meeting of November 13, 2012): A  
14. RESOLUTION APPROVING THE COST RECOVERY ROLL FOR CONSTRUCTION OF SANITARY SEWER MAIN ON W. 69TH ST. FROM 1,600' EAST OF S. MEDICAL COURT TO S. TALLGRASS AVE., AND S. TALLGRASS AVE. FROM W. 69TH ST. TO 850' SOUTH.

Sponsor: Mayor/Public Works

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution 90-12.

Vote to adopt: Roll Call: Yeses, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr.,

7. Noes, 0.

Motion Passed.

RESOLUTION NO. 90-12

A RESOLUTION [APPROVING THE COST RECOVERY ROLL FOR CONSTRUCTION OF SANITARY SEWER MAIN ON W. 69TH ST. FROM 1,600' EAST OF S. MEDICAL COURT TO S. TALLGRASS AVE., AND S. TALLGRASS AVE. FROM W. 69TH ST. TO 850' SOUTH].

WHEREAS, the City of Sioux Falls has financed and constructed a [sanitary sewer main ] extending from the City of Sioux Falls [sanitary sewer ]distribution system to primarily serve property along [W.' 69th St. and along S. Tallgrass Ave.];

WHEREAS, the City determines that it is appropriate that such benefited property pay its proportionate share of the cost of such construction, without interest, according to the benefits that may accrue to such property before such property may be served by such facility;

WHEREAS, the governing body has made an investigation and found and determined the amount to be paid and the apportionment thereof among the benefited properties; and

WHEREAS, the City Council has determined that the amount to be paid the City for such benefit is as follows:

Sanitary Sewer

Lot 1 (ex. Lot H1 and H2) North Central Heart Institute Addn., City of Sioux Falls,  
Lincoln County, SD\$30,442.93

NE1/4 (ex. RR R-O-W and ex. Lots H-1 and H-2 and H-3) Sec. 18-T100N-R50W,  
Lincoln County, SD\$28,578.66

W650' of N1105' (ex. W33' and Lots H-1 and H-2) N1/2 NW1/4 Sec. 17-T100N-R50W,  
Lincoln County, SD\$46,135.81

Lot 1 (ex. Lot H1) of Brandt's Subd. in N1/2 NW1/4 Sec. 17-T100N-R50W,  
Lincoln County, SD\$2,472.88

Tract 1 (ex. Lot H-1) Sherr-Al Estates Addn. in N1/2 NW1/4 Sec. 17-T100N-R50W,  
Lincoln County, SD\$29,149.74

Tract 2 Brandt's Addn. NE1/4 NW1/4 Sec. 17-T100N-R50W, Lincoln County,  
SD\$25,525.75

Tract 1 Brandt's Addn. NE1/4 NW1/4 Sec. 17-T100N-R50W, Lincoln County,  
SD\$7,672.24

Tract 6 (ex. Lot H-1) Beal's Addn., City of Sioux Falls, Lincoln County,  
SD\$13,621.20

Tract 1 Eichmann's Addn. NE1/4 NW1/4 Sec. 17-T100N-R50W, Lincoln County,  
SD\$3,963.00

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

That the costs allocated to said property shall be delayed without interest

until such time as the property requests connection to said utility, at which time all costs previously determined applicable would become payable in full.

Date adopted: 12/11/12 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

15. A RESOLUTION AMENDING THE CITY OF SIOUX FALLS ENGINEERING DESIGN STANDARDS.

Sponsor: Mayor/Public Works

A motion was made by Council Member James Entenman and seconded by Council Member Michelle Erpenbach to adopt said Resolution 91-12.

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

Motion Passed.

RESOLUTION NO. 91-12

A RESOLUTION AMENDING THE CITY OF SIOUX FALLS ENGINEERING DESIGN STANDARDS.

BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD, that the City of Sioux Falls Engineering Design Standards adopted by Resolution 107-99 are hereby amended by revising Chapter 9, Sanitary Sewers; Chapter 10, Water Mains; and Chapter 11, Drainage Improvements. The revised chapters are attached to this resolution by reference.

Date adopted: 12/11/12 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

ADJOURNMENT

A motion was made by Council Member James Entenman and seconded by Council Member Dean Karsky to adjourn at 8:25 p.m.

Mayor Huether called for a voice vote. All members 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 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](http://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.