

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, June 11, 2013, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Sue Aguilar

Council Member James Entenman

Council Member Michelle Erpenbach Council Member Kenny Anderson Jr.

Council Member Greg Jamison Council Member Rex Roling

Council Member Dean Karsky

Council Member Kermit L. Staggers

Mayor Mike T. Huether

INVOCATION

Pastor Pat McClanahan, Common Ground

*

Council Member Kenny Anderson Jr. arrived at this time.

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Huether referenced the upcoming Festival of Cultures.

Diversity Day, June 15, 2013

*

The City's Human Relations Intern Daniel Bagherpour was introduced.

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, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Kermit L. Staggers, 7. Noes, 0.

Motion Passed.

MINUTES

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

*

Regular City Council Meeting of Tuesday, June 4, 2013, at 7:00 p.m.

*

COMMUNICATIONS

1. Approval of Contracts/Agreements on June 6, 2013 memo.

Sponsor: Mayor/Finance

A communication was received from the Girl Scouts -Dakota Horizons stating their intent to sell raffle tickets from July 1, 2013 until July 31, 2013 for a 50/50 raffle. The winner will receive half of the ticket sale revenue, a maximum of \$15,000.00. Tickets will be sold for \$100.00 each. The proceeds will be used for the Girl Scouts-Dakota Horizons.

Sponsor: SDCL 22-25-25

3. A communication was received from Northern State University stating their intent to conduct a raffle from July 18, 2013 until July 20, 2013 for an iPad mini (approximate value is \$200.00 to \$300.00.) Tickets are free. Registration cards will be used to contact people about Northern State University.

Sponsor: SDCL 22-25-25

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Dean Karsky and seconded by Council Member Kenny Anderson Jr. to approve the Regular Agenda.

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

Motion Passed.

PUBLIC INPUT

There was none.

INTRODUCTION AND ADOPTION OF ORDINANCES

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD,

4. APPROVING THE RELEASE OF A PORTION OF A PERMANENT UTILITY EASEMENT LOCATED IN LOT 2A OF JUDEE ESTATES ADDITION, LINCOLN COUNTY, SOUTH DAKOTA, TO THE CITY OF SIOUX FALLS, LINCOLN 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 33-13.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, June 18, 2013 at 7:00 p.m. for Item 5:

5. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING THE BOARD OF HEALTH.

Sponsor: Mayor/Health

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, June 18, 2013 at 7:00 p.m.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, June 18, 2013 at 7:00 p.m. for Item 6:

6. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE SALE OF REAL ESTATE BELONGING TO THE CITY OF SIOUX FALLS AND DIRECTING A WARRANTY DEED OF CONVEYANCE BE DELIVERED TO THE PURCHASER THEREOF.

Sponsor: Mayor/Public Works

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, June 18, 2013 at 7:00 p.m.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, June 18, 2013 at 7:00 p.m. for Item 7:

7. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CERTAIN PROVISIONS OF CHAPTERS 50, 51, AND 53 RELATING TO WASTEWATER REGIONALIZATION.

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, June 18, 2013 at 7:00 p.m.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, June 18, 2013 at 7:00 p.m. for Item 8:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING
8. SUPPLEMENTAL APPROPRIATIONS. (Street -\$7,288,000.00; Parks and Recreation -\$613,000.00; Fire - \$80,000.00; Engineering - \$48,000.00; Police - \$9,000.00)

Sponsor: Mayor/Finance

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, June 18, 2013 at 7:00 p.m.

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

Motion Passed.

HEARINGS AND RESOLUTIONS

9. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR CONSTRUCTION OF SIDEWALK ON N. CLIFF AVE. FROM E. BENSON RD. TO E. 60TH ST. N.

Sponsor: Mayor/Public Works/Engineering

A motion was made by Council Member James Entenman and seconded by Council Member Michelle Erpenbach to adopt said Resolution 42-13.

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

Motion Passed.

RESOLUTION NO. 42-13

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR [CONSTRUCTION OF SIDEWALK ON N. CLIFF AVE. FROM E. BENSON RD. TO E. 60TH ST. N.]

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 [construction of sidewalk on N. Cliff Ave. from E. Benson Rd. to E. 60th St. N.] pursuant to a contract entered into with [T&R Contracting] on the [25th] day of [April], 20[12], 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.

Date adopted: 06/11/13 .

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 [five] installments, together with interest at [4.25]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 January1, 20[14]; the remaining installments, with interest, will become due and payable annually at the County Treasurer's Office on January1 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 [11th] day of June, 20[13], 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.

Lorie Hogstad

City Clerk

10. A RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON W. 3RD ST. FROM N. MAIN AVE. TO N. PHILLIPS AVE.

Sponsor: Mayor/Public Works/Engineering

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution 43-13.

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

Motion Passed.

RESOLUTION NO. 43-13

A RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON [W. 3RD ST. FROM N. MAIN AVE. TO N. PHILLIPS AVE].

WHEREAS, a petition of the owners of:

[W1/2 vacated alley and S32.69' Lot 7 and all of Lots 8 and 9 Block 34 Brookings & Edmunds Addition; Lot 1A Block 33 Brookings & Edmunds Addition; Lot 1B Block 33 Brookings & Edmunds Addition; Lot 1 Block 3 Phillips to the Falls Addition; Lot 2 Block 2 Phillips to the Falls Addition];

to the City of Sioux Falls, [One of: Minnehaha/Lincoln] County, South Dakota, has been filed with the City Clerk, asking that the aforesaid be vacated. Pursuant to SDCL, notice of hearing has duly been given, and said notice was properly published; and

WHEREAS, the hearing was held on [June 11, 2013], and the petition has been duly examined and investigated by the City Council of the City of Sioux Falls. Testimony in support of said petition has been heard, and no opposition thereto was voiced. Said property, as shown upon the plats attached to and made a part of said petition, has [been used as a street or alley and no longer serves a useful public purpose.]

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

That the public right-of-way on [W. 3rd St. from N. Main Ave. to N. Phillips Ave]. to the City of Sioux Falls, [One of: Minnehaha/Lincoln] County, South Dakota, be and the same hereby is declared vacated, subject to an easement reserved by the City of Sioux Falls in, over, and upon such vacated property for drainage, sewer, water and gas mains, electric, telephone lines, cable TV, and all public utility uses required or authorized by the City of Sioux Falls as shown on Exhibit A, and that the City Clerk shall cause to be filed with the Register of Deeds, [One of: Minnehaha/Lincoln] County, South Dakota, a duly certified transcript of this resolution.

Date adopted: 06/11/13 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

11. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING DIAGONAL PARKING ON PHILLIPS AVE.

Sponsor: Mayor/Public Works

A motion was made by Council Member Greg Jamison and seconded by Council Member Michelle Erpenbach to adopt said Resolution 44-13.

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

Motion Passed.

RESOLUTION NO. 44-13

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING DIAGONAL PARKING ON PHILLIPS AVE.

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

That it approves the establishment of diagonal parking on the west side of Phillips Ave. adjacent to the southbound direction of travel starting at approximately 430' south of 2nd St. extending south for approximately 300'.

Date adopted: 06/11/13 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

ADJOURNMENT

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member James Entenman to adjourn at 8:16 p.m.

Mayor Huether called for a voice vote. All members present 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.