

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, October 15, 2013, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

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

Council Member Michelle Erpenbach

Council Member Greg Jamison

Mayor Mike T. Huether

INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Pancreatic Cancer Awareness Month, November 2013

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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, Dean Karsky, Rex Roling, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

MINUTES

Informational Meeting of Tuesday, October 8, 2013, at 4:00 p.m.

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City Council Meeting of Tuesday, October 8, 2013, at 7:00 p.m.

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COMMUNICATIONS

1. Approval of Contracts/Agreements on October 11, 2013 memo.

Sponsor: Mayor/Finance

2. Report of Requests for Quotes for Fuel dated: October 2, 2013; #2 Dyed Diesel; 1,000 gallons; Midway Service (\$3.160); Howes Oil (\$3.279); and Midwest Oil (\$3.369). Bid awarded to: Midway Service.

Sponsor: Mayor/Water Reclamation

3. Report of Requests for Quotes for Fuel dated: October 4, 2013; Diesel (#1 and #2 blend); 1,100 gallons; Howes Oil (\$3,949.00); Palisades Oil and Midway Service, both no bid. Bid awarded to: Howes Oil.

Sponsor: Mayor/Sioux Falls Fire Rescue

4. Report of Requests for Quotes for Fuel dated: October 7, 2013; Unleaded Ethanol/89 Octane; 8,500 gallons; Harms Oil (\$3.200); CHS, Inc., Howes Oil and Olson Oil, all no bid. Bid awarded to: Harms Oil.

Sponsor: Mayor/Fleet

5. A communication was received from Kevin and Jill Engelhart requesting permission to consume, but not sell, liquor, wine, and/or malt beverage at the Old Courthouse Museum, 200 W. Sixth St., on Saturday, November 2, 2013 from 6:00 p.m. until 12:00 a.m. for a wedding reception.

Sponsor: SDCL 35-1-5.5

APPLICATIONS

6. Special One-Day Liquor License request for Washington Pavilion Management Inc., Washington Pavilion, 301 South Main Avenue, for the South Dakota Symphony Orchestra Gala on November 2, 2013.

Sponsor: Mayor/Attorney

7. Special One-Day Liquor License request for Washington Pavilion Management Inc., Washington Pavilion, 301 South Main Avenue, for a Fifty Shades of Parody performance on November 7, 2013.

Sponsor: Mayor/Attorney

8. Special One-Day Liquor License request for Ovations Food Services LP, to be operated at the Sioux Falls Orpheum Theater, 315 North Phillips Avenue, for a Cartwright Brothers performance on October 19, 2013.

Sponsor: Mayor/Attorney

9. Special One-Day Liquor License request for Ovations Food Services LP, to be operated at the Sioux Falls Orpheum Theater, 315 North Phillips Avenue, for a wedding on October 26, 2013.

Sponsor: Mayor/Attorney

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, November 5, 2013, at 7:00 p.m. for Items 10 and 11:

10. New 2013-14 Retail Malt Beverage License for Hy-Vee, Inc., Hy-Vee Food Store #2, 4101 South Louise Avenue with Conditional Use Permit (2008-05-03) being approved on June 4, 2008.

Sponsor: Mayor/Attorney

11. Special One-Day Malt Beverage and Special One-Day Wine Licenses for The Feisty Fighters to be operated at Landscape Garden Center, 7201 South Minnesota Avenue, for Sparkle & Shine on November 19, 2013.

Sponsor: Mayor/Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

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

Vote to approve: Roll Call: Yeses, Dean Karsky, Rex Roling, Kermit L. Stagers, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

PUBLIC INPUT

David Zokaites spoke about open meeting laws, the Sioux Falls Multi-Cultural Center and power politics.

Robert Kolbe spoke about dreamers and what idea of theirs came to fruition and what ones didn't.

UNFINISHED BUSINESS

12. New 2013 Retail Liquor License, including Sunday Sales and video lottery terminals, for QSL Sioux Falls, LLC, Quaker Steak and Lube, 6401 South Louise Avenue (full service restaurant; CUP not required). Pending Final inspections per Fire, Health and Building Services.

Sponsor: Mayor/City Attorney

13. New 2013 Package Liquor License for Cubby's Inc., Cubby's West to be operated at 2101 West 49th Street (CUP not required).

Sponsor: Mayor/City Attorney

14. New 2013-14 Package Malt Beverage License for Cubby's Inc., Cubby's West

12th to

be operated at 1900 West 12th Street (CUP not required).

Sponsor: Mayor/City Attorney

15. New 2013-14 Package Malt Beverage License for Cubby's Inc., Cubby's North Cliff to be operated at 3420 North Cliff Avenue (CUP not required).

Sponsor: Mayor/City Attorney

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering

16. America Inc., Chef Dominique's, to be operated at Spring Center Apartments, 512 South Spring Avenue, for a ribbon cutting on October 23, 2013.

Sponsor: Mayor/City Attorney

17. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique's, to be operated at Johnson, Heidepriem, & Abdallah, LLP, 101 South Main Ave, Suite 100, for a Law Enforcement Reception on November 13, 2013.

Sponsor: Mayor/City Attorney

18. Special One-Day Liquor License for Sanford Health to be operated at the Sanford Health Pentagon, 2210 Pentagon Place for a NCAA Basketball Game between the University of South Dakota and Northern State University on November 2, 2013.

Sponsor: Mayor/City Attorney

19. Special One-Day Liquor Licenses for Sanford Health to be operated at the Sanford Health Pentagon, 2210 Pentagon Place for all 2013-14 Home Season games for the Skyforce between November 22, 2013 and April 5, 2014, and for possible playoff games between April 6 and May 31, 2014.

Sponsor: Mayor/City Attorney

Special One-Day Malt Beverage License for Tobin Hauck LLC, Monk's House of Ale

20. Repute to be operated at the 8th and Railroad Parking Lot, 401 East 8th Street for a Harvest Festival on October 26, 2013, and to authorize publication of the notice on 10-04-13 to set the hearing date.

Sponsor: Mayor/Attorney

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Roling to approve Items 12 through 20.

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

Motion Passed.

INTRODUCTION AND ADOPTION OF ORDINANCES

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING
21. THE CODE OF ORDINANCES OF THE CITY BY ADDING A SUBCHAPTER TO CHAPTER 37
TITLED TAX INCREMENTAL DISTRICTS.

Sponsor: Mayor/Community Development

A motion was made by Council Member Rex Rolwing and seconded by Council Member Dean Karsky to adopt said Ordinance 64-13.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member James Entenman to amend said Ordinance with a fill in the blank amendment to add subsection numbers to be completed in the ordinance.

Vote to amend: Roll Call: Yeses, Dean Karsky, Rex Rolwing, Kermit L. Staggars, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Kermit L. Staggars to amend said Ordinance by adding to the Authority and Purpose subsection, after the word "herein" the sentence "The City shall not utilize tax increment finance revenue for the purpose of securing a fa[^]sade easement".

Vote to amend: Roll Call: Yeses, Kermit L. Staggars, Sue Aguilar, Kenny Anderson Jr., 3. Noes, Dean Karsky, Rex Rolwing, James Entenman, Michelle Erpenbach, Greg Jamison 5.

Motion Failed.

A motion was made by Council Member Greg Jamison and seconded by Council Member Sue Aguilar to amend said Ordinance by adding to the Application subsection the following: "The application shall identify all persons and entities that have an interest in the project and/or in the entity applying for the tax increment financing district. The disclosures shall require identification of all members of an LLC or LLP, other partners, investors, shareholders and directors of a corporation or any other person who has a financial interest in the project or in the entity applying for the tax increment financing. The applicant shall be under a continuing obligation to update this disclosure within thirty (30) days of any changes throughout the application process and throughout the life of the developer's agreement. If the applicant is a publicly traded company, the applicant shall be deemed to have complied with this provision if it has provided the City a copy of its most recent annual report with the application."

Council Member Greg Jamison withdrew his amendment. Council Member Sue Aguilar withdrew her second.

Vote to adopt, as amended: Roll Call: Yeses, Dean Karsky, Rex Rolwing, Kermit L. Staggars, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, November 5, 2013, for Item 22:

1st READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING

22. PROPERTY AT NORTHEAST CORNER OF W. 60TH ST. N. AND N. MARION RD. FROM THE C-4, PLANNED COMMERCIAL DISTRICT TO THE RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2013-09-01, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

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, November 5, 2013.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, November 5, 2013, for Item 23:

23. 1st READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY NORTH OF E. TENTH ST. AND EAST OF N. SIX MILE RD. FROM THE O, OFFICE DISTRICT AND THE RS-2, RESIDENTIAL DISTRICT TO THE RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2013-09-03, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member James Entenman and seconded by Council Member Rex Roling to set a date of hearing and 2nd Reading for Tuesday, November 5, 2013.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, November 5, 2013, for Item 24:

24. 1st READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY NORTH OF W. 41ST ST. AND WEST OF S. ELLIS RD. FROM THE AG, AGRICULTURAL DISTRICT TO THE RD, RESIDENTIAL DISTRICT, PETITION NO. 2013-09-05, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Dean Karsky and seconded by Council Member James Entenman to set a date of hearing and 2nd Reading for Tuesday, November 5, 2013.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, November 5, 2013, for Item 25:

1st READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY ONE-HALF MILE WEST OF N. MARION RD. ON W. MAPLE ST. FROM THE RS-1, RESIDENTIAL DISTRICT TO THE S, INSTITUTIONAL DISTRICT; RS-2, RESIDENTIAL DISTRICT; AND RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2013-09-15, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

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, November 5, 2013.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, November 5, 2013, for Item 26:

1st READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2013-09-04, TO CHAPTER 160.446, PLANNED DEVELOPMENT DISTRICTS, AT NORTHWEST CORNER OF W. 69TH ST. AND S. WESTERN AVE. AMENDING THE ROLLING HEIGHTS PLANNED DEVELOPMENT DISTRICT REGULATIONS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Greg Jamison and seconded by Council Member Sue Aguilar to set a date of hearing and 2nd Reading for Tuesday, November 5, 2013.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, November 5, 2013, for Item 27:

1st READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2013-09-07, TO SECTION 160.446, PLANNED DEVELOPMENT DISTRICTS, AT THE SOUTHWEST CORNER OF E. 57TH ST. AND S. SYCAMORE AVE. ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA A BOUNDARIES, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

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, November 5, 2013.

Vote to set a date: Roll Call: Yeses, Dean Karsky, Rex Roling, Kermit L.

Staggers, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, November 5, 2013, for Item 28:

1st READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE
28. CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 77, SUBCHAPTER
PARKING TICKET APPEALS.

Sponsor: Mayor/Public Parking

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, November 5, 2013.

Vote to set a date: Roll Call: Yeses, Dean Karsky, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, 7. Noes, 0. Council Member Rex Roling was excused from the meeting and the vote on this item.

Motion Passed.

HEARINGS AND RESOLUTIONS

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT NO. 2 TO
29. CONTRACT FOR MANAGEMENT AND OPERATION OF SIOUX FALLS TRANSIT N/K/A SIOUX
AREA METRO.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member James Entenman and seconded by Council Member Dean Karsky to adopt said Resolution 78-13.

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

Motion Passed.

RESOLUTION NO. 78-13

A RESOLUTION [AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDMENT NO. 2 TO
CONTRACT FOR MANAGEMENT AND OPERATION OF SIOUX FALLS TRANSIT N/K/A SIOUX AREA
METRO].

WHEREAS, [the City and First Transit, Inc. ("Management Company") have engaged Management Company to manage the operations of the public transit system in the Sioux Falls area, including all properties and equipment, assets, and facilities now and hereafter owned by the City for use in providing public transit services]; and

WHEREAS, the City and Management Company have agreed that the scope of services that Management Company will provide needs to be updated along with streamlining the accounting, reporting, and purchasing requirements.

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

Section 1. The document attached hereto and made a part of this resolution entitled "Amendment No.2 to Contract for the Management and Operation of Sioux Falls Transit N/K/A Sioux Area Metro" is hereby approved.

Section 2. The Mayor is authorized to sign the Amendment No. 2 after it is ratified and executed by Management Company.

Section 3. The City shall publish the resolution, without attachment, after its passage. The attachment is on file and available for inspection in the office of the City Clerk.

Date adopted: 10/15/13 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE
30. LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. (ANNEXATION 2012-11-03-W
. 85TH ST. AND S. TALLGRASS AVE.)

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution 79-13.

Vote to adopt: Roll Call: Yeses, Dean Karsky, Rex Rolwing, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 79-13

ANNEXATION 2012-11-03-W. 85TH ST. AND S. TALLGRASS AVE.

A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

WHEREAS, there has been presented to the City Council of the City of Sioux Falls and filed with the City Clerk, a Petition in writing signed by the owners and otherwise in compliance with the provisions of SDCLChapter 9-4, requesting that the territory hereinafter described be included within the municipality;

WHEREAS, there has been an analysis completed in regard to the territory hereinafter described and it has been found that:

1. The property has been properly described and is contiguous to the current city limits.
2. The proposed land uses and densities are generally consistent with the Shape Sioux Falls 2035 Comprehensive Plan.
3. There is adequate provision for municipal utilities and access to the

major street network when the following occur:

- a. The site is not located within a regional watershed. Therefore, a post-construction BMP will be required.
- b. W. 85th St. and S. Tallgrass Ave. improvements are currently scheduled for 2017.
- c. Gravity sanitary sewer will be extended from the development roughly 2,500' to the north, south through S. Cactus Pl. right-of-way, and under W. 85th St. to this property.
- d. The water main will be extended from 88th, 90th, or 93rd St.

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

That the following described properties are and the same hereby are included within the corporate limits of the city of Sioux Falls, Lincoln County, and the boundary of the city is hereby extended to include such territory:

The NW1/4 of Section 20-T100N-R50W (except Tract 1 of Bultzer Addition in the NW1/4 thereof), but including adjacent 471st (Tallgrass) Ave. and W. 85th St. right-of-ways, Lincoln County, South Dakota

And that the City Clerk shall cause to be filed with the Register of Deeds, Lincoln County, South Dakota, a duly certified transcript of this resolution.

Date adopted: 10/15/13 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE
31. LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. (ANNEXATION 2013-07-
19-PINEWOOD)

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Roling to adopt said Resolution 80-13.

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

Motion Passed.

RESOLUTION NO. 80-13

ANNEXATION 2013-07-19-PINEWOOD

A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

WHEREAS, there has been presented to the City Council of the City of Sioux Falls and filed with the City Clerk, a Petition in writing signed by the owners

and otherwise in compliance with the provisions of SDCL Chapter 9-4, requesting that the territory hereinafter described be included within the municipality;

WHEREAS, there has been an analysis completed in regard to the territory hereinafter described and it has been found that:

1. The property has been properly described and is contiguous to the current city limits.
2. The proposed land uses and densities are generally consistent with the Shape Sioux Falls 2035 Comprehensive Plan.
3. There is adequate provision for municipal utilities and access to the major street network.

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

That the following described properties are and the same hereby are included within the corporate limits of the city of Sioux Falls, Lincoln County, and the boundary of the city is hereby extended to include such territory.

Tract 8, Pinewood Addition in the NW1/4 of Section 22-T100-R50W of the 5th P.M., Lincoln County, South Dakota

And that the City Clerk shall cause to be filed with the Register of Deeds, Lincoln County, South Dakota, a duly certified transcript of this resolution.

Date adopted: 10/15/13 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

32. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. (ANNEXATION 2013-07-18-WILLOW RIDGE)

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member James Entenman and seconded by Council Member Greg Jamison to adopt said Resolution 81-13.

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

Motion Passed.

RESOLUTION NO. 81-13

ANNEXATION 2013-07-18-WILLOW RIDGE

A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

WHEREAS, there has been presented to the City Council of the City of Sioux Falls and filed with the City Clerk, a Petition in writing signed by the owners and otherwise in compliance with the provisions of SDCL Chapter 9-4, requesting that the territory hereinafter described be included within the municipality;

WHEREAS, there has been an analysis completed in regard to the territory hereinafter described and it has been found that:

1. The property has been properly described and is contiguous to the current city limits.
2. The proposed land uses and densities are generally consistent with the Shape Sioux Falls 2035 Comprehensive Plan.
3. There is adequate provision for municipal utilities and access to the major street network when the following occur:
 - a. The site is not located within a regional watershed. Therefore, a post construction BMP will be required.
 - b. Gravity sanitary sewer will be extended from the west at the cost of the developer.
 - c. The water main is extended from E. Tenth 10th St. or from the existing Willow Ridge Subdivision to the west. The southern portion of the annexation area with an approximate elevation of below 1,465 MSL can be developed now. The northern half with an elevation above 1,465 MSL can be developed when the water system is extended from E. Madison St. and S. Dubuque Ave. to the area to be annexed.
 - d. Access to the development will be provided off of E. 10th St. as well as street connectivity from the existing development to the west.

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

That the following described properties are and the same hereby are included within the corporate limits of the city of Sioux Falls, Minnehaha County, and the boundary of the city is hereby extended to include such territory.

A part of the E1/2, of the SW1/4, of Section 17-T101N-R48W of the 5th P.M., Minnehaha County, South Dakota, as described by exhibit.

And that the City Clerk shall cause to be filed with the Register of Deeds, Minnehaha County, South Dakota, a duly certified transcript of this resolution.

Date adopted: 10/15/13 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

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

Sponsor: Mayor

A motion was made by Council Member Rex Rolwing and seconded by Council Member

Dean Karsky to adopt said Resolution 82-13.

Vote to adopt: Roll Call: Yeses, Dean Karsky, Rex Rolwing, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, 7. Noes, 0. Council Member James Entenman was excused from the meeting and the vote on this item.

Motion Passed.

RESOLUTION NO. 82-13

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 Mayoral appointments:

Name	Board	Term
Doug Barthel	Sioux Falls Sports Authority	Reappointed for a term from November 2013 to November 2016
Jim Entenman	Sioux Falls Sports Authority	Reappointed for a term from November 2013 to November 2016
Don Kearney	Sioux Falls Sports Authority	Reappointed for a term from November 2013 to November 2016
Curt Soehl	Sioux Falls Sports Authority	Appointed for a term from November 2013 to November 2016 (to replace Pat Costello)

Date adopted: 10/15/13 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

Mayor Mike Huether recognized some University of Sioux Falls students who were in the audience.

ADJOURNMENT

A motion was made by Council Member Dean Karsky and seconded by Council Member James Entenman to adjourn at 8:42 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.