

	City of Sioux Falls Council Meeting Minutes
	Carnegie Town Hall, 235 West Tenth Street
	MEETING OF Monday, June 8, 2009 at 7:00 p.m.

ROLL CALL #4

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Members Present:	Members Absent:
Council Member Costello	Council Member Beninga
Council Member Jamison	
Council Member Knudson	
Council Member Litz	
Council Member Staggers	
Council Member Anderson Jr.	
Council Member Brown	
Mayor Dave Munson	

INVOCATION

A. PASTOR JON HALVORSON, AUGUSTANA LUTHERAN CHURCH

PLEDGE OF ALLEGIANCE

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Knudson and seconded by Council Member Litz to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Costello, 7. Noes, 0.

Motion Passed

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, JUNE 1, 2009, AT 4:00 P.M.

B. REGULAR COUNCIL MEETING OF MONDAY, JUNE 1, 2009, AT 7:00 P.M.

APPROVAL OF REGULAR AGENDA

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

Vote to approve: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Costello, 7. Noes, 0.

Motion Passed

PUBLIC INPUT

Patricia Malfero, City Wide Taxi, spoke regarding taxi cab rates.

Brent Kinsley, Yellow Cab, spoke regarding taxi cab rates.

INTRODUCTION AND ADOPTION OF ORDINANCES

Set the hearing date and 2nd Reading for Monday, June 15, 2009, at 7:00 p.m. for Items 1 through 7:

1. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR EXPENSES RELATED TO THE PETTIGREW HEIGHTS NEIGHBORHOOD HOUSING RESOURCE CENTER.

Proposed ord0158

memo

Additional Documents

2. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING CHAPTER 17 ENTITLED "FOOD AND FOOD HANDLERS" BY ADDING A DEFINITION OF TEMPORARY FOOD ESTABLISHMENT ALONG WITH ESTABLISHING A FOLLOW-UP INSPECTION FEE AND TEMPORARY EVENT FEE IN CHAPTER 15 1/2 ENTITLED "FEES."

Proposed ord0085

Proposed ord0085a

3. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA, AUTHORIZING THE ISSUANCE OF ITS WASTEWATER SYSTEM REVENUE BOND TO THE SOUTH DAKOTA CONSERVANCY DISTRICT, AUTHORIZING THE USE OF THE PROCEEDS THEREOF FOR CAPITAL IMPROVEMENTS, PLEDGING A PORTION OF THE WASTEWATER SYSTEM REVENUE OF THE CITY TO THE PAYMENT OF SAID WASTEWATER SYSTEM REVENUE BOND, FIXING THE TERMS OF SUCH WASTEWATER SYSTEM REVENUE BOND, AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE CITY AND THE SOUTH DAKOTA CONSERVANCY DISTRICT AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH WASTEWATER SYSTEM REVENUE BOND TO THE SOUTH DAKOTA CONSERVANCY DISTRICT NOT TO EXCEED \$8,462,000.

Proposed ord1098CW30

4. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA, AUTHORIZING THE ISSUANCE OF ITS SANITARY LANDFILL REVENUE BOND TO THE SOUTH DAKOTA CONSERVANCY DISTRICT, AUTHORIZING THE USE OF THE PROCEEDS THEREOF FOR CAPITAL IMPROVEMENTS, PLEDGING A PORTION OF THE LANDFILL REVENUE OF THE CITY TO THE PAYMENT OF SAID SANITARY LANDFILL REVENUE BOND, FIXING THE TERMS OF SUCH SANITARY LANDFILL REVENUE BOND, AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE CITY AND THE SOUTH DAKOTA CONSERVANCY DISTRICT AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH SANITARY LANDFILL REVENUE BOND TO THE SOUTH DAKOTA CONSERVANCY DISTRICT NOT TO EXCEED \$1,970,000.

Proposed ord1099cw31

5. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY REVISING SEWER UTILITY RATES AND CHARGES.

Proposed ord0249

Presentation for Items 5, 6, 7 & 14

6. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY INCREASING WATER RATES.

Proposed ord0250

7. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING THE SCHEDULE OF RATES TO BE CHARGED BY THE CITY LIGHT AND POWER DEPARTMENT FOR FURNISHING ELECTRIC CURRENT FOR LIGHT AND POWER PURPOSES.

Proposed ord0248

A motion was made by Council Member Litz and seconded by Council Member Knudson to set a hearing date and 2nd Reading for Monday, June 15, 2009, at 7:00 p.m. for Items 1 through 7.

Vote to set a hearing date: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Costello, 7. Noes, 0.
Motion Passed

Set the hearing date and 2nd Reading for Monday, July 13, 2009, at 7:00 p.m. for Item 8:

8. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF SAID CITY BY CHANGING A STREET NAME. (S. BOB DR. TO S. CANYON AVE.)

Proposed ord1096

Item 8 - Exhibits

Item 8 - Request Letters

A motion was made by Council Member Knudson and seconded by Council Member Brown to set a hearing date and 2nd Reading for Monday, July 13, 2009, at 7:00 p.m. for Item 8.

Vote to set a hearing date: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Costello, 7. Noes, 0.
Motion Passed

HEARINGS AND RESOLUTIONS

9. DEFERRED ACTION: A RESOLUTION APPROVING THE COST RECOVERY ROLL FOR CONSTRUCTION OF THE EAST SIDE SANITARY SEWER SYSTEM.

Proposed res1637

Item 9 - Exhibits

Pgs 1-12

Pgs 13-24

Pgs 25-36

Pgs 37-48

Pgs 49-60

Pgs 61-72

Pgs 73-84

Pgs 85-96

Pgs 97-108

A motion was made by Council Member Litz and seconded by Council Member Costello to defer Item 9 to the City Council meeting on Monday, June 15, 2009, at 7:00 p.m.

Vote to defer: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Costello, 7. Noes, 0.
Motion Passed

10. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR REPAIR/REPLACE CONCRETE SIDEWALK ON VARIOUS STREETS AND AVENUES IN THE SIDEWALK INSPECTION DISTRICT OF 2001.

Proposed res0059

Item 10 - Exhibits

A motion was made by Council Member Knudson and seconded by Council Member Jamison to adopt said Resolution 54-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Costello, 6. Noes Staggers, 1.
Motion Passed

RESOLUTION NO. 54-09

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR REPAIR/REPLACE CONCRETE SIDEWALK ON VARIOUS STREETS AND AVENUES IN THE SIDEWALK INSPECTION DISTRICT OF 2001.

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 repair/replace concrete sidewalk on various streets and avenues in the sidewalk inspection district of 2001 pursuant to a contract entered into with Drake Construction on the 22nd day of May, 2008, 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: 06/08/09.

Dave

Munson

Mayor

ATTEST:

Debra A. Owen

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 5 .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 January 1, 2010; the remaining installments, with interest, will become due and payable annually at the County Treasurer s Office on January 1 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 10th day of June, 2009, 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.

Debra A. Owen

City Clerk

11. A RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SIDEWALK ON VARIOUS STREETS AND AVENUES IN THE CITY OF SIOUX FALLS AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

Proposed Res0064

Item 11 - Exhibits

A motion was made by Council Member Brown and seconded by Council Member Costello to defer Item 11 to the meeting on Monday, June 15, 2009, at 7:00 p.m.

Vote to defer: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Costello, 6. Noes Staggers, 1.

Motion Passed

Item 11 on June 8th City Council Meeting

77th & Lyncrest

City Council Meeting on Sidewalks for S. Bellwood Ave

12. A RESOLUTION APPROVING THE COOPERATIVE'S INTEGRATED RESOURCE PLAN ("IRP")

AS REQUIRED BY THE ENERGY POLICY ACT OF 1992.

Proposed res1654

A motion was made by Council Member Brown and seconded by Council Member Costello to adopt said Resolution 51-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Costello, 7. Noes, 0.
Motion Passed

RESOLUTION NO. 51-09

A RESOLUTION APPROVING THE COOPERATIVE S INTEGRATED RESOURCE PLAN (IRP) AS REQUIRED BY THE ENERGY POLICY ACT OF 1992.

WHEREAS, the Energy Policy Act of 1992 requires the City of Sioux Falls, SD, (Sioux Falls) to file and submit

an Integrated Resource Plan (IRP) every five years; and

WHEREAS, the Energy Planning and Management Program, Paragraph (c) of Section 2 of 905.12 submittal procedures

of part 905 of the Code of Federal Regulations authorizes the formation or IRP cooperatives, and

WHEREAS, the Energy Planning and Management Program, paragraph (c) of section 2 of 905.12 submittal procedures

of part 905 of the Code of Federal Regulations authorizes the formation of IRP cooperatives, and

WHEREAS, Sioux Falls and the Heartland Consumers Power District ; and the City of Madison, SD; and the City of

Volga, SD, have formed a IRP cooperative, and

WHEREAS, the City of Sioux Falls, SD and the IRP cooperative members have developed the IRP under the revised

guidelines of the Energy Planning and Management Program, and

WHEREAS, the Sioux Falls City Council has reviewed the 2009 IRP prepared by the cooperative, and

WHEREAS, Sioux Falls desires to support the IRP, but only to the extent that the IRP is not inconsistent with

the terms and conditions of the Power Sales Agreements between Sioux Falls and its suppliers.

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

That the Cooperative s IRP reference above be and it hereby is approved and adopted.

Date adopted: 06/08/09.

Dave

Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

13. A RESOLUTION AUTHORIZING THE CITY OF SIOUX FALLS TO GIFT TO THE CITY OF HARRISBURG A TRAFFIC SIGNAL CONTROLLER, A TRAFFIC SIGNAL CABINET, AND A CONFLICT MONITOR.

Proposed res1652

Item 13 - Harrisburg Letter

Item 13 - Equipment Photos

A motion was made by Council Member Anderson Jr. and seconded by Council Member Jamison to adopt said Resolution 52-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Costello, 7. Noes, 0.
Motion Passed

RESOLUTION NO. 52-09

A RESOLUTION AUTHORIZING THE CITY OF SIOUX FALLS TO GIFT TO THE CITY OF HARRISBURG A TRAFFIC SIGNAL CONTROLLER, A TRAFFIC SIGNAL CABINET, AND A CONFLICT MONITOR.

WHEREAS, the City of Sioux Falls has declared as surplus a traffic signal controller, a traffic signal cabinet, and a conflict monitor; and

WHEREAS, the City of Harrisburg finds it desirable to acquire a traffic signal controller, a traffic signal cabinet, and a conflict monitor;

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

That the gifting by the City of Sioux Falls of a traffic signal controller, a traffic signal cabinet, and a conflict monitor to the City of Harrisburg is hereby approved.

Date adopted: 06/08/09.

Dave

Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

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

Proposed res0072

A motion was made by Council Member Knudson and seconded by Council Member Brown to adopt said Resolution 53-09.

A substitute motion was made by Council Member Staggers to defer Item 14 to the City Council meeting on Monday, June 15, 2009, at 7:00 p.m. Motion dies for lack of a second.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Costello, 6. Noes Staggers, 1.
Motion Passed

RESOLUTION NO. 53-09

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, with in 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 2010, 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: 06/08/09.

Dave Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

ADJOURNMENT

A motion was made by Council Member Litz and seconded by Council Member Jamison to adjourn at 8:30 p.m.

Vote to adjourn: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Stagers, Costello, 7. Noes, 0.

Motion Passed

Jamie L. Palmer
Assistant City Clerk