

City of Sioux Falls Council Meeting
Minutes
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Tuesday, August 7, 2012, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

Council Member Dean Karsky
Council Member Rex Rolwing
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

ABSENT

INVOCATION

- Pastor Blaze Johnson, Celebrate Community Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

- Purple Heart Day - August 7, 2012

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Michelle Erpenbach to approve the Consent Agenda.

Vote to approve: 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.

MINUTES

- Informational Meeting of Tuesday, July 17, 2012 at 4:00 p.m.

- City Council Meeting of Tuesday, July 17, 2012 at 7:00 p.m.
- Informational Meeting of Tuesday, July 24, 2012, at 4:00 p.m.
- Joint City Council/Minnehaha County Commission Meeting of Tuesday, July 24, 2012, at 5:00 p.m.
- Special City Council Meeting of Wednesday, July 25, 2012, at 1:30 p.m.
- Budget Hearings Meeting of Tuesday, July 31, 2012, at 3:00 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the August 2, 2012 memo.
Sponsor: Mayor/Finance
2. Notice of change orders on the August 2, 2012 memo.
Sponsor: Mayor/Finance
3. Report of Requests for Quotes for Fuel dated: July 23, 2012; Diesel (#1 and #2 blend); 700 gallons; Howes Oil (\$2,356.90); Palisades Oil and Midway Service, both no bids. Bid awarded to: Howes Oil.
Sponsor: Mayor/Fire Rescue
4. Report of Requests for Quotes for Fuel dated: July 23, 2012; Unleaded Ethanol & E70; 7,000 gallons unleaded/1,000 gallons E70 (8,000 total); Harms Oil (\$3.197 Unleaded/\$3.023 E70; Howes Oil, CHS, Inc. and Olson Oil, all no bids. Bid awarded to: Harms Oil.
Sponsor: Mayor/Public Works
5. Report of Requests for Quotes for Fuel dated: July 25, 2012; Diesel (#1 and #2 blend); 550 gallons; Howes Oil (\$1,789.71); Midway Service (\$1,800.70); Palisades Oil, no bid. Bid awarded to: Howes Oil.
Sponsor: Mayor/Fire Rescue
6. Report of Requests for Quotes for Fuel dated: July 25, 2012; Unleaded; 650 gallons; Howes Oil (\$1,982.18); Midway Service (\$2,012.40); Palisades Oil, no bid. Bid awarded to Howes Oil.
Sponsor: Mayor/Fire Rescue
7. Report of Requests for Quotes for Fuel dated: July 30, 2012; Unleaded Ethanol; 8,500 gallons; Harms Oil (\$3.1197); Howes Oil (\$3.1585); CHS, Inc. (\$3.1690); Olson Oil (\$3.1800). Bid awarded to: Harms Oil.
Sponsor: Mayor/Public Works
8. A communication was received from OTA requesting permission to consume, but not sell, wine and beer at the Sioux Falls Design Center, 108 West 11th

Street, on Wednesday, August 8, 2012, from 5:30 p.m. - 9:30 p.m. for the purpose of hosting an event spotlighting creative leaders in the community.
Sponsor: SDCL 35-1-5.3

9. A communication was received from Ryan Robinson and Rachelle Sather requesting permission to consume, but not sell, liquor, wine and/or malt beverages at the Old Courthouse Museum, 200 W. 6th Street, on Saturday, November 3rd, 2012, from 5:00 p.m. to 12:00 a.m. for the purpose of a wedding reception.
Sponsor: SDCL 35-1-5.3
10. The McKinney/Lott wedding party is requesting permission to consume, but not sell, beer and wine at the Siouxland Heritage Museum, 200 W. 6th Street, on Saturday, April 6, 2013, from 7:30 p.m. until 11:30 p.m. The purpose of the event is for a wedding reception.
Sponsor: SDCL 35-1-5.3
11. Communication received from the Lincoln High School Bandparent Association stating their intent to sell raffle tickets from August 22, 2012, to October 31, 2012, for a cash prize of \$2,000.00. The tickets will be sold for \$5.00 each. The proceeds will be used to support the LHS Band in their fall schedule, regional competitions and to represent LHS and the City of Sioux Falls in the Tournament of Roses Parade.
Sponsor: SDCL 22-25-25
12. A communication was received from the Family Visitation Center stating their intent to sell raffle tickets from October 28, 2012, to December 2, 2012, for a gift certificate to Gunderson's Jewelry (valued at approximately \$1,000.00). Tickets will be sold as one for \$10.00 and three for \$20.00. The proceeds will be used to support the agency's mission of providing safety for children reconnecting with their family.
Sponsor: SDCL 22-25-25

APPLICATIONS

13. Special One-Day Liquor License requests for SMG to be operated at the Arena, 1201 North West Avenue, for a Bob Dylan Concert on August 18, 2012.
Sponsor: Mayor/City Attorney

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, August 21, 2012, at 7:00 p.m. for Items 14 through 21:

14. Transfer of a 2011-2012 Retail Wine License from Tokyo Sushi and Hibachi LLC, Tokyo Sushi and Hibachi, 3202 East 10th Street, to B&S Japanese Steakhouse, LLC, Tokyo Sushi and Hibachi, 3202 East 10th Street, (full service restaurant; CUP not required).
Sponsor: Mayor/City Attorney
15. Transfer of a 2011-2012 Retail Malt Beverage License from Tokyo Sushi and Hibachi LLC, Tokyo Sushi and Hibachi, 3202 East 10th Street, to B&S

Japanese Steakhouse, LLC, Tokyo Sushi and Hibachi, 3202 East 10th Street,
(full service restaurant; CUP not required).

Sponsor: Mayor/City Attorney

16. Renewal of the 2012-2013 Retail Malt Beverage for B&S Japanese Steakhouse, LLC, Tokyo Sushi and Hibachi, 3202 East 10th Street, (full service restaurant; CUP not required).

Sponsor: Mayor/City Attorney

17. New 2012 Retail Wine License for Olive Destination, Inc., Olive Destination, to be operated at 5023 South Louise Avenue, with the special use permit (2012-06-16) being approved on July 18, 2012.

Sponsor: Mayor/City Attorney

18. Special One-Day Liquor License for Southeastern Behavioral Healthcare to be operated at the Avera Prairie Center, 1000 East 23rd Street, for the Festival of Trees on November 16, 2012.

Sponsor: Mayor/City Attorney

19. Special One-day Beer and Special One-day Wine Licenses for Avera McKennan Foundation to be operated at Perspective, 196 East 6th Street, for the Paint the Night Pink fundraiser event on October 19, 2012.

Sponsor: Mayor/City Attorney

20. Special One-Day Liquor License for Hy-Vee Inc., All Occasions by Hy-Vee, to be operated at the Point is to Serve Church, 506 North Kiwanis Avenue, for a wedding on September 29, 2012.

Sponsor: Mayor/City Attorney

21. Special One-Day Liquor Licenses for Hy-Vee Inc., All Occasions by Hy-Vee, to be operated at the Great Plains Zoo and Delbridge Museum, 805 South Kiwanis Avenue, for weddings on June 1, 2013 and September 28, 2013.

Sponsor: Mayor/City Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Dean Karsky and seconded by Council Member Michelle Erpenbach 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

Theresa Stehly thanked the City Council for their responsive customer service and stated she would like to see this attitude fostered in other government agencies as well. Stehly spoke regarding the proposed ban on texting and driving. She also thanked the City Council for starting their meetings with a prayer.

Lois Brown spoke about the proposed ordinance on texting and driving.

I. L. Wiedermann spoke about the proposed ordinance banning texting while driving. He also asked about the legality of certain members of the Council and the Mayor voting on the Events Center contract.

Tim Stanga stated that the Events Center complex had not been discussed before. He also spoke regarding the proposed ordinance banning texting and driving. He recommended that State Representatives in the Legislature be invited to attend the second reading on the texting ordinance. Stanga spoke about the outside skating rink, the indoor tennis facility and the operating costs.

PETITIONS

22. APPEAL OF CONDITIONAL USE PERMIT (2012-06-04) in the RD, Residential District, to allow a day care center at 6900 S. Witzke Avenue. (Legal Description: Lot 7, Block 21, Platinum Valley addition, Lincoln County). (The Planning Commission recommends approval). PETITIONER IS REQUESTING WITHDRAWAL OF THIS ITEM.
Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member James Entenman to withdraw Item 22.

Vote to withdraw: 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.

UNFINISHED BUSINESS

23. DEFERRED ACTION (removed from Council Meeting of 07/17/12): Special One-Day Liquor License for the Sioux Falls Men s Slow-Pitch Softball Association to be operated at Harmodon Park East, 5721 East 41st Street, for a National Men s Slow-Pitch Softball Tournament on September 1-2, 2012.
Sponsor: Mayor/Attorney

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Dean Karsky to approve Item 23.

Vote to approve: Roll Call: Yeses, Dean Karsky, Rex Roling, Kermit L. Stagers, Sue Aguilar, James Entenman, Michelle Erpenbach, Greg Jamison, 7. Noes, 0. Council Member Kenny Anderson Jr. was excused from the meeting and

the vote on this item.
Motion Passed.

INTRODUCTION AND ADOPTION OF ORDINANCES

24. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY TO UPDATE THE INDUSTRIAL PRETREATMENT PROGRAMS, DEFINITIONS, STANDARDS, AND WASTEWATER LOCAL LIMITS.

Sponsor: Mayor/Public Works

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Sue Aguilar to adopt said Ordinance No. 56-12.

Vote to adopt: 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.

25. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING CHAPTER 12 1/2, CONFLICTS OF INTEREST OF OFFICERS AND EMPLOYEES AND ETHICS BOARD.

Sponsor: City Council/Attorney

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Sue Aguilar to adopt said Ordinance No. 57-12.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Sue Aguilar to amend the main motion by deleting the sentence from Section 12 %-29. Definitions in this article: "The city council member seeking an advisory opinion shall be the sole determiner in the election of whether the opinion is confidential or public".

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 Michelle Erpenbach and seconded by Council Member Sue Aguilar to amend the main motion by deleting the following from Section 12 %-9 (c). Complaints: "unless it is a referral from the fraud coordination committee regarding a city official under Article III"; and deleting the following from Section 12 %-35. Complaint procedure: "unless it is a referral regarding a city official from the fraud coordination committee".

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.

Vote to adopt the main motion, 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.

26. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REPEALING SUBSECTION 4 OF CHAPTER 15.59.306 OF APPENDIX B OF THE ZONING ORDINANCE OF SAID CITY. Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to adopt said Ordinance No. 58-12.
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.

27. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. SOUTHEASTERN AVE. AND E. STONEY BROOK TRL. FROM THE RS-2, RESIDENTIAL DISTRICT TO THE RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2012-05-20, 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 Sue Aguilar to adopt said Ordinance No. 59-12.

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.

28. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 105 S. BLAUVELT AVE. FROM THE C-2, GENERAL COMMERCIAL DISTRICT TO THE RD, RESIDENTIAL DISTRICT, PETITION NO. 2012-05-21, 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 adopt said Ordinance No. 60-12.

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.

29. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 5204 AND 5208 S. LOOP PL. FROM THE C-4, PLANNED COMMERCIAL DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2012-06-05, 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 James Entenman and seconded by Council Member Kenny Anderson Jr. to adopt said Ordinance No. 61-12.

Vote to adopt: 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.

30. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 2003 N. WAYLAND AVE. FROM THE I-1, LIGHT INDUSTRIAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2012-06-07, 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 Kenny Anderson Jr. and seconded by Council Member James Entenman to adopt said Ordinance No. 62-12.

Vote to adopt: 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.

31. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. 69TH ST. AND S. LOUISE AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE AVERA PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2012-06-10, 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 Sue Aguilar and seconded by Council Member Dean Karsky to adopt said Ordinance No. 63-12.

Vote to adopt: 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.

32. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2012-05-23, TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT E. SIXTH ST. AND N. POWDER HOUSE RD. (SD HWY. 100) ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA REGULATIONS, 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 Kenny Anderson Jr. and seconded by Council Member James Entenman to adopt said Ordinance No. 64-12.

Vote to adopt: 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.

33. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT SOUTHWEST CORNER OF W. SECOND ST. AND N. KIWANIS AVE. FROM THE O, OFFICE DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2012-06-03, 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 adopt said Ordinance No. 65-12.

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

34. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 226 W. 41ST ST. AND 233 AND 229 W. 40TH ST. FROM THE RD, RESIDENTIAL DISTRICT TO THE C-2, GENERAL COMMERCIAL DISTRICT, PETITION NO.2012-06-08, 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 Rex Roling to adopt said Ordinance No. 66-12.

Vote to adopt: Roll Call: Yeses, Dean Karsky, Rex Roling, 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, August 14, 2012, at 7:00 p.m. for Item 35:

35. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, 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 Kenny Anderson Jr. and seconded by Council Member Dean Karsky to set a date of hearing and 2nd Reading for Tuesday, August 14, 2012, at 7:00 p.m. for Item 35.

Vote to set a date: Roll Call: Yeses, Dean Karsky, Rex Roling, 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, August 21, 2012, at 7:00 p.m. for Item 36:

36. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING SECTION 2-5 REGARDING INFORMATIONAL MEETINGS AND WORKING SESSIONS OF THE CITY COUNCIL.
Sponsor: City Council

A motion was made by Council Member Rex Rolwing and seconded by Council Member Michelle Erpenbach to set a date of hearing and 2nd Reading for Tuesday, August 21, 2012, at 7:00 p.m. for Item 36.

Vote to set a date: 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.

Set a date of hearing and 2nd Reading for Tuesday, August 21, 2012, at 7:00 p.m. for Item 37:

37. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING CHAPTER 40 TO RESTRICT THE USE OF WIRELESS COMMUNICATION DEVICES AND AMENDING THE ESTABLISHMENT OF SPEED ZONES.
Sponsor: City Council

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to set a date of hearing and 2nd Reading for Tuesday, August 21, 2012, at 7:00 p.m. for Item 37.

Vote to set a date: Roll Call: Yeses, Dean Karsky, Rex Rolwing, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, 7. Noes, Kermit L. Staggers, 1.

Motion Passed.

HEARINGS AND RESOLUTIONS

38. DEFERRED (from meeting of 07/10/12): A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. ANNEXATION 2012-05-01 85TH ST. AND I-29 LEMME
Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Dean Karsky and seconded by Council Member James Entenman to defer action on this item to the City Council Meeting on Tuesday, September 4, 2012, at 7:00 p.m.

Vote to defer: 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.

39. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, TO SET THE JOINT CITY COUNCIL/LINCOLN COUNTY COMMISSION MEETING AT 7:00 P.M. ON THE FOURTH TUESDAY OF EACH MONTH, AS NECESSARY.
Sponsor: City Council

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Rolwing to adopt said Resolution No. 57-12.

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. 57-12

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, TO SET THE JOINT CITY COUNCIL/LINCOLN COUNTY COMMISSION MEETING AT 7:00 P.M. ON THE FOURTH TUESDAY OF EACH MONTH, AS NECESSARY.

If there aren't any "WHEREAS" phrases, skip "NOW, THEREFORE" and begin with just "BE IT RESOLVED..."

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

That the Joint City Council/Lincoln County Commission meeting will be held at 7:00 p.m. on the fourth Tuesday of each month, as necessary.

This resolution is necessary for the support of the municipal government and its existing public institutions and shall take effect upon its passage and publication.

Date adopted: 08/07/12 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

40. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, TO CHANGE THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETING TIME FROM 5:30 P.M. to 5:00 P.M. AND FROM THE THIRD MONDAY OF EACH MONTH TO THE FOURTH TUESDAY OF EACH MONTH.

Sponsor: City Council

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Roling to adopt said Resolution No. 58-12.

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

Motion Passed.

RESOLUTION NO. 58-12

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, TO CHANGE THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETING TIME FROM 5:30 P.M. to 5:00 P.M. AND FROM THE THIRD MONDAY OF EACH MONTH TO THE FOURTH TUESDAY OF EACH MONTH.

If there aren't any "WHEREAS" phrases, skip "NOW, THEREFORE" and begin with just "BE IT RESOLVED..."

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

That the Joint City Council/Minnehaha County Commission meeting will be held at 5:00 p.m. on the fourth Tuesday of each month.

This resolution is necessary for the support of the municipal government and its existing public institutions and shall take effect upon its passage and publication.

Date adopted: 08/07/12 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

41. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF FOSS FIELDS ADDITION.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Rex Rolwing and seconded by Council Member Dean Karsky to adopt said Resolution No. 59-12.

Vote to adopt: 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.

RESOLUTION NO. 59-12

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF FOSS FIELDS ADDITION.

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

That the preliminary plan of Foss Fields Addition to the City of Sioux Falls, Minnehaha County, SD, is hereby approved, and the City Clerk of the City of Sioux Falls is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Date adopted: 08/07/12 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

42. A RESOLUTION AUTHORIZING SIOUX FALLS FIRE RESCUE TO GIFT A FIRE ENGINE TO THE FEDORA, SOUTH DAKOTA, FIRE DEPARTMENT.

Sponsor: Mayor/Fire Rescue

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution No. 60-12.

Vote to adopt: 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.

RESOLUTION NO. 60-12

A RESOLUTION AUTHORIZING SIOUX FALLS FIRE RESCUE TO GIFT A FIRE ENGINE TO THE FEDORA, SOUTH DAKOTA, FIRE DEPARTMENT.

WHEREAS, Sioux Falls Fire Rescue has declared as surplus a 1992 Spartan GA40M-2142 fire engine; and

WHEREAS, the Fedora Fire Department located in Fedora, South Dakota, finds it desirable to acquire the above-described surplus property;
NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:
That the gifting by Sioux Falls Fire Rescue to the Fedora Fire Department of the following surplus property:
1992 Spartan GA40M-2142 fire engine
is hereby approved.

Date adopted: 08/07/12 .

Mike T. Huether

Mayor
ATTEST:
Lorie Hogstad
City Clerk

REPORT OF OFFICERS/BOARDS/COMMITTEES/TRANSFERS OF UNENCUMBERED APPROPRIATION BALANCES AMONG PROGRAMS WITHIN A DEPARTMENT OR ORGANIZATIONAL UNIT AS PROVIDED IN THE SIOUX FALLS CITY CHARTER SECTION 5.07(d)

43. REPORT OF THE JULY 27, 2012, NOTICE OF TRANSFERS OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.
Sponsor: Mayor/Finance

ADJOURNMENT

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to adjourn the meeting at 8:35 p.m.

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

Tamara Jorgensen, CMC
Assistant City Clerk