

City of Sioux Falls Council Meeting  
Minutes  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Tuesday, November 13, 2012, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

Council Member Kermit L. Staggers  
Council Member Sue Aguilar  
Council Member James Entenman  
Council Member Michelle Erpenbach  
Council Member Greg Jamison  
Council Member Dean Karsky  
Council Member Rex Rolfing  
Mayor Mike T. Huether

ABSENT

Council Member Kenny Anderson Jr.

INVOCATION

- Pastor Bill Mitchell, Abiding Savior Free Lutheran Church

PLEDGE OF ALLEGIANCE

VISITOR RECOGNITION

- Cub Scout Pack 260 from Harvey Dunn Elementary School
- Augustana College Advanced Journalism Class, instructor Dennis Gale

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Sue Aguilar and seconded by Council Member Dean Karsky to approve the Consent Agenda.

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

Motion Passed.

MINUTES

- Informational Meeting of Tuesday, November 6, 2012, at 4:00 p.m.
- Regular City Council Meeting of Tuesday, November 6, 2012, at 7:00 p.m.

## COMMUNICATIONS

1. Approval of Contracts/Agreements on November 8, 2012 memo.  
Sponsor: Mayor/Finance
2. Notice of change orders on November 8, 2012 memo.  
Sponsor: Mayor/Finance
3. Report of Request for Quotes for Fuel: November 1, 2012; #2 Clear Diesel; 7,500 Gallons; CHS, Inc. (\$3.47); Harms Oil (\$3.45); Midwest Oil (\$3.62); Howes Oil, no bid. Bid awarded to: Harms Oil.  
Sponsor: Mayor/Sioux Area Metro
4. Report of Request for Quotes for Fuel: November 5, 2012; Unleaded Ethanol; 8,500 Gallons; Howes Oil (\$2.8595); Harms Oil (\$2.8700); CHS, Inc. (\$2.9010); Olson Oil, no bid. Bid awarded to: Howes Oil.  
Sponsor: Mayor/Fleet
5. Report of Request for Quotes for Fuel: November 6, 2012; 50/50 Dyed Diesel; 1,000 Gallons; Midway Service (\$3.2450); Howes Oil (\$3.4790); Midwest Oil (\$3.6690). Bid awarded to: Midway Service.  
Sponsor: Mayor/Water Reclamation

## REGULAR AGENDA ITEMS

### APPROVAL OF REGULAR AGENDA

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

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member James Entenman to amend the Regular Agenda by deferring Item 6 to Tuesday, December 4, 2012.

Vote to amend: Roll Call: Yeses, Kermit L. Staggars, Sue Aguilar, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, 7. Noes, 0.  
Motion Passed.

Vote to approve the Regular Agenda, as amended: Roll Call: Yeses, Kermit L. Staggars, Sue Aguilar, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, 7. Noes, 0.  
Motion Passed.

## PUBLIC INPUT

There was none.

UNFINISHED BUSINESS

6. Deferred (from the City Council Meeting of November 6, 2012): Joint elections - agreement to share expenses.  
Sponsor: City Council

INTRODUCTION AND ADOPTION OF ORDINANCES

7. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS TO FUND THE 2012 ANNUAL DEBT SERVICE PAYMENT FOR THE DENNY SANFORD PREMIER CENTER. (\$4,250,500.00)  
Sponsor: Mayor/Finance

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member James Entenman to adopt said Ordinance 84-12.

Vote to adopt: Roll Call: Yeses, Kermit L. Staggars, Sue Aguilar, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, 7. Noes, 0.  
Motion Passed.

8. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY REGARDING MUNICIPAL SOLID WASTE.  
Sponsor: Mayor/Public Works

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to adopt said Ordinance 85-12.

Vote to adopt: Roll Call: Yeses, Sue Aguilar, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, 6. Noes, Kermit L. Staggars, 1.  
Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, November 20, 2012, at 7:00 p.m. for Item 9:

9. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY TO UPDATE AND FURTHER DEFINE RESTRICTED CONCEALED WEAPONS.  
Sponsor: Mayor/Police

A motion was made by Council Member James Entenman and seconded by Council Member Sue Aguilar to set a date of hearing and 2nd Reading for Tuesday, November 20, 2012, at 7:00 p.m.

Vote to set a date: Roll Call: Yeses, Kermit L. Staggars, Sue Aguilar, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, 7. Noes, 0.  
Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, November 20, 2012, at 7:00 p.m. for Item 10:

10. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING CHAPTER 1, GENERAL PROVISIONS AND CHAPTER 27, PARKS AND RECREATION, OF THE REVISED ORDINANCES OF THE CITY BY REMOVING SPECIFIC PENALTY, RESTRICTING USE OF REMOTE CONTROL AIRCRAFT, AMENDING EXCEPTIONS TO PARK HOURS, AND REMOVING REFERENCES TO BOARD.

Sponsor: Mayor/Parks and Recreation

A motion was made by Council Member Rex Roling and seconded by Council Member Michelle Erpenbach to set a date of hearing and 2nd Reading for Tuesday, November 20, 2012, at 7:00 p.m.

Vote to set a date: Roll Call: Yeses, Kermit L. Staggars, Sue Aguilar, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, November 20, 2012, at 7:00 p.m. for Item 11:

11. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. (Engineering, \$550,000.00)

Sponsor: Mayor/Public Works

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 20, 2012, at 7:00 p.m.

Vote to set a date: Roll Call: Yeses, Kermit L. Staggars, Sue Aguilar, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, November 20, 2012, at 7:00 p.m. for Item 12:

12. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING A JOINT POWERS AGREEMENT BETWEEN LINCOLN COUNTY AND THE CITY OF SIOUX FALLS REGARDING THE CITY S CONTRIBUTION TOWARD THE NONFEDERAL COST SHARE REQUIREMENT OF A HAZARD MITIGATION GRANT AWARD.

Sponsor: Mayor/Public Works

A motion was made by Council Member Rex Roling and seconded by Council Member Sue Aguilar to set a date of hearing and 2nd Reading for Tuesday, November 20, 2012, at 7:00 p.m.

Vote to set a date: Roll Call: Yeses, Kermit L. Staggars, Sue Aguilar, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 11, 2012, at 7:00 p.m. for Item 13:

13. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, 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 Greg Jamison and seconded by Council Member James Entenman to set a date of hearing and 2nd Reading for Tuesday, December 11, 2012, at 7:00 p.m.

Vote to set a date: Roll Call: Yeses, Kermit L. Staggars, Sue Aguilar, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, 7. Noes, 0.

Motion Passed.

#### HEARINGS AND RESOLUTIONS

14. 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.

Sponsor: Mayor/Public Works

A motion was made by Council Member Greg Jamison and seconded by Council Member Dean Karsky to defer Item 14 to Tuesday, December 11, 2012, at 7:00 p.m.

Vote to defer: Roll Call: Yeses, Kermit L. Staggars, Sue Aguilar, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, 7. Noes, 0.

Motion Passed.

15. A RESOLUTION CANCELING ONE SIDEWALK ASSESSMENT.

Sponsor: Mayor/Public Works

A motion was made by Council Member Sue Aguilar and seconded by Council Member James Entenman to adopt said Resolution 86-12.

Vote to adopt: Roll Call: Yeses, Kermit L. Staggars, Sue Aguilar, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 86-12

A RESOLUTION CANCELING ONE SIDEWALK ASSESSMENT.

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

That the principal, interest, and penalty for the sidewalk assessment for the Tract 1A, United States Post Office Addn. for Project No. B-04566 be canceled.

BE IT FURTHER RESOLVED:

That the Finance Director is hereby authorized to show said action on the respective record and to notify the Minnehaha County Treasurer of said action.

Date adopted: 11/13/12 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

16. A RESOLUTION AUTHORIZING THE CITY OF SIOUX FALLS TO GIFT A MOWER TO MINNEHAHA COUNTY, SOUTH DAKOTA.

Sponsor: Mayor/Parks and Recreation

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member James Entenman to adopt said Resolution 87-12.

Vote to adopt: Roll Call: Yeses, Kermit L. Staggars, Sue Aguilar, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolwing, 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 87-12

A RESOLUTION AUTHORIZING THE CITY OF SIOUX FALLS TO GIFT A MOWER TO MINNEHAHA COUNTY, SOUTH DAKOTA.

WHEREAS, the City of Sioux Falls has declared as surplus a 2006 72-inch mower, Serial No. 2107; and

WHEREAS, Minnehaha County, 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 the City of Sioux Falls to Minnehaha County of the following surplus property:

- 2006 72-inch mower, Serial No. 2107

is hereby approved.

Date adopted: 11/13/12 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

ADJOURNMENT

A motion was made by Council Member Greg Jamison and seconded by Council Member Rex Rolwing to adjourn at 7:42 p.m.

The Mayor 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.