

City of Sioux Falls Council Meeting
Minutes
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, April 2, 2013, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT	ABSENT
Council Member Kenny Anderson Jr.	
Council Member James Entenman	
Council Member Michelle Erpenbach	
Council Member Greg Jamison	
Council Member Dean Karsky	
Council Member Rex Roling	
Council Member Kermit L. Staggers	
Council Member Sue Aguilar	
Mayor Mike T. Huether	

INVOCATION

- Reed DeVries, Adult Ministry Team Leader for Celebrate Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

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

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

MINUTES

- Informational Meeting of Tuesday, March 19, 2013, at 4:00 p.m.
- City Council Meeting of Tuesday, March 19, 2013, at 7:00 p.m.
- Informational Meeting of Tuesday, March 26, 2013, at 4:00 p.m.

- Joint City Council/Minnehaha County Commission Meeting of Tuesday, March 26, 2013, at 5:00 p.m.

COMMUNICATIONS

1. A memorandum dated February 26, 2013, declaring surplus capital items that were demolished as part of building upgrades.
Sponsor: Mayor/Finance
2. Approval of Contracts/Agreements on the March 28, 2013 memo.
Sponsor: Mayor/Finance
3. Notice of change orders on the March 28, 2013 memo.
Sponsor: Mayor/Fin
4. Statement of Claim for Mechanic's, Miner's, Laborer's or Materialman's Lien on Public Improvement Project from Sioux City Insulation, Inc. for work and materials furnished to Rick Plumbing & Heating, Inc. regarding a project at Sioux Falls City Hall.
Sponsor: SDCL 5-22-3
5. A communication was received from Paulsen Marketing requesting permission to consume, but not sell, wine and beer at the Sioux Falls Design Center, 108 West 11th Street, on Thursday, April 4, 2014, from 3:00 p.m. to 5:00 p.m. for the purpose of an annual meeting.
Sponsor: SDCL 35-1-5.3
6. A communication was received from Jacob Versteeg requesting permission to consume, but not sell wine, liquor and/or malt beverages at the Old Courthouse Museum, 200 West Sixth Street, on Friday, June 7, 2013, from 5:00 p.m. to 10:00 p.m. for the purpose of a wedding reception.
Sponsor: SDCL 35-1-5.3
7. A communication was received from John Kehoe and Stacy Howard requesting permission to consume, but not sell, beer, wine and liquor at the Old Courthouse Museum 200 West Sixth Street on Saturday, August 24, 2013, from 3:30 p.m. to 11:30 p.m. for the purpose of a wedding reception.
Sponsor: SDCL 35-1-5.3
8. Report of Requests for Quotes for Fuel dated: March 18, 2013; Unleaded Ethanol; 8,500 gallons; Howes Oil (\$3.1935); Harms Oil (\$3.2161); CHS, Inc. (\$3.2460); and Olson Oil (\$3.3200). Bid awarded to Howes Oil.
Sponsor: Mayor/Public Works
9. Report of Request for Quotes for Fuel: March 21, 2013; Diesel (#1 and #2 blend); 550 gallons; Howes Oil (\$1,891.44); Midway Service (\$1,913.45); Palisades Oil, no bid. Bid awarded to Howes Oil.
Sponsor: Mayor/Fire Rescue

10. Report of Request for Quotes for Fuel: March 21, 2013; Unleaded; 650 gallons; Howes Oil (\$2, 119.97); Midway Service (\$2,152.47); Palisades Oil, no bid. Bid awarded to Howes Oil.
Sponsor: Mayor/Fire Rescue
11. Report of Request for Quotes for Fuel: March 25, 2013; Unleaded Ethanol; 8,500 gallons; Howes Oil (\$3.2005); Harms Oil (\$3.2015); CHS, Inc. (\$3.2440); Olson Oil, no bid. Bid awarded to: Howes Oil.
Sponsor: Mayor/Public Works

APPLICATIONS

12. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sisters of the Presentation of the Blessed Virgin Mary to be operated at Falls Park, Falls Park Drive, for the Cinco de Mayo Fiesta, on May 11, 2013.
Sponsor: Mayor/City Attorney

The following abatements were recommended for approval by the Director of Equalization and the State's Attorney's Office for Minnehaha County; and the City Attorney for Sioux Falls:

13. Patricia Clifford, 633 N. Menlo Avenue., for 2012 property taxes in the amount of \$333.24.
Sponsor: SDCL 10-18-1
14. Lyle Hanson, 4009 E. 36th Street, for 2012 property taxes in the amount of \$581.84.
Sponsor: SDCL 10-18-1
15. Martha Kniep, 1100 N. Elmwood Avenue, for 2012 property taxes in the amount of \$1,182.44.
Sponsor: SDCL 10-18-1
16. Carol Zakrzewski, 3105 E. 23rd Street, for 2012 property taxes in the amount of \$463.04.
Sponsor: SDCL 10-18-1
17. Joyce D. Questad, 921 S. Stephen Avenue, for 2012 property taxes in the amount of \$388.53.
Sponsor: SDCL 10-18-1
18. Donald Kiszner, 1611 S. Campbell Trail, for 2012 property taxes in the amount of \$265.50.
Sponsor: SDCL 10-18-1

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, April 16, 2013 at 7:00 p.m. on Items 19-26:

19. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Almost Home Canine Rescue to be operated at the 8th and Railroad Parking Lot, 401 East 8th Street, for the 605 Summer Classic to be held on June 21-22, 2013.
Sponsor: Mayor/City Attorney
20. Special One-Day Liquor License for South Dakota National Guard Enlisted Association to be operated at Farmer s Market at Falls Park, 309 East Falls Park Drive, for the 2013 Enlisted Association of the National Guard of the United States 42nd Annual Conference welcome event on August 18, 2013.
Sponsor: Mayor/City Attorney
21. Special One-Day Liquor License for South Dakota National Guard Enlisted Association to be operated at J & L Harley Davidson, 2601 West 60th Street North, for the 2013 Enlisted Association of the National Guard of the United States 42nd Annual Conference Awards and Recognition Banquet on August 21, 2013.
Sponsor: Mayor/City Attorney
22. Special One-Day Wine Licenses for Downtown Sioux Falls Inc., to be operated at the following locations: 8th & Railroad Center lobby, 401 East 8th Street, Amanda s Imagery/Julie Prairie Photography, 311 South Phillips Avenue #201, Artisan House, 229 South Phillips Avenue, Bead Co., 319 South Phillips Avenue, Book Shop, 223 South Phillips Avenue, CH Patisserie, 309 South Phillips Avenue, Chelsea s Boutique, 321 South Phillips Avenue, Cookie Jar, 230 South Phillips Avenue, Exposure Sioux Falls, 333 South Phillips Avenue, Great Outdoor Store, 201 East 10th Street, Lillian s Shoppe, 311 South Phillips Avenue #101, NV Salon Studio, 106 West 11th Street, Rehfeld s Art & Framing, 210 South Phillips Avenue, Rug & Relic, 401 East 8th Street #112/114, Say Anything Jewelry, 524 North Main Avenue #104, Sticks and Steel, 401 East 8th Street #118, Young & Richards, 236 South Main Avenue, Zambroz, 209 South Phillips Avenue, for First Friday on May 3, 2013.
Sponsor: Mayor/City Attorney
23. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls Inc., to be operated at 8th & Railroad Parking Lot, 401 East 8th Street, for Downtown Block Parties on the East Bank on June 7, July 5, and August 2, 2013.
Sponsor: Mayor/City Attorney
24. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls, Inc., to be operated on Phillips Avenue from 9th to 14th Streets; Main Avenue from 10th to 13th Streets, 13th Street from Main to 1st Avenue, 12th Street from Main to Phillips Avenues, 11th Street from Dakota to Mall Avenues, 10th Street from Main to Mall Avenues, Parking Ramp by Main & 12th, Surface lot behind Diner, and Plaza by 12th & Phillips for Hot Summer Nites on July 17, 2013.
Sponsor: Mayor/City Attorney
25. Special One-day Malt Beverage and Special One-Day Wine Licenses for Hy-Vee Inc., All Occasions by Hy-Vee to be operated at The Point is to Serve Church, 506 North Kiwanis Avenue for weddings on May 4 and September 14,

2013.

Sponsor: Mayor/City

26. Special One-Day Liquor Licenses for Hy-Vee Inc., All Occasions by Hy-Vee to be operated at The Point is to Serve Church, 506 North Kiwanis Avenue for weddings on May 25 and September 21, 2013.
Sponsor: Mayor/City Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

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

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to amend the Regular Agenda by moving Item 28 before Item 27 and moving Item 36 before Item 32.

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

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

Motion Passed.

PUBLIC INPUT

Tim Stanga stated he was impressed with the numbers regarding snow gates presented at the April 2, 2013 Informational Meeting, talked about trust in City government, and asked the City to take another look at trimming the trees in Sioux Falls.

PETITIONS

Item 28 was considered at this time. See this item for the action taken.

27. Conditional Use Permit Appeal (2013-02-01): Southwest corner of W. 26th Street and S. Mary Beth Avenue, Lots 2 & 3, Block 7, Westridge II Addition, Minnehaha County. The Conditional Use Permit in the RS-2, Residential District was to allow the construction of twin homes on the subject property. (Approved at the March 6, 2013 Planning Commission meeting with a vote of 5-yes, 0-no).
Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Dean Karsky to approve said Conditional Use Permit.

A motion was made by Council Member Dean Karsky and seconded by Council Member Sue Aguilar to amend said Conditional Use Permit by removing Lot 3 of Block 7.

Vote to approve as amended: Roll Call: Yeses, Kenny Anderson Jr., Greg Jamison, Dean Karsky, 3. Noes, James Entenman, Michelle Erpenbach, Rex Roling, Kermit L. Staggers, Sue Aguilar, 5.
Motion Failed.

A motion was made by Council Member Dean Karsky and seconded by Council Member James Entenman to amend said Conditional Use Permit by adding a stipulation requiring two-stall garages per unit.

Vote to approve as amended: Roll Call: Yeses, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 6. Noes, Kenny Anderson Jr., Kermit L. Staggers, 2.
Motion Passed.

Vote to approve as amended: Roll Call: Yeses, James Entenman, Michelle Erpenbach, Kermit L. Staggers, Sue Aguilar, 4. Noes, Kenny Anderson Jr., Greg Jamison, Dean Karsky, Rex Roling, 4. Mayor Huether broke the tie by voting YES.
Motion Passed.

UNFINISHED BUSINESS

28. Transfer of 2012-2013 Retail Malt Beverage License from Stag LLC, Grand Casino, 4211 West 12th Street to Isava Inc., Sneaky s Chicken, 4211 West 12th Street (full service restaurant; CUP not required).
Sponsor: Mayor/Attorney

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member James Entenman to approve Item 28.

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

INTRODUCTION AND ADOPTION OF ORDINANCES

29. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CERTAIN PROVISIONS OF CHAPTER 90 RELATING TO ANIMALS AND FOWL AND CHAPTER 92, HEALTH AND SANITATION.
Sponsor: City Council

A motion was made by Council Member Rex Rolwing and seconded by Council Member Dean Karsky to adopt said Ordinance No. 16-13.

A motion was made by Council Member James Entenman and seconded by Council Member Michelle Erpenbach to amend Section 90.078: Licensing of Animals and Fowl, by removing the first sentence in the third paragraph, and replace with the following sentence: All applications for license certificates must be accompanied by a written consent of 100 percent of the owners of all real estate situated within 100 feet of the applicant s real estate not including those abutting properties and the appropriate fee.

A substitute motion was made by Council Member Michelle Erpenbach and seconded by Council Member James Entenman to amend Section 90.078: Licensing of Animals and Fowl, by removing the following words from the end of the paragraph, not including those abutting properties and the appropriate fee. The amendment will read: All applications for license certificates must be accompanied by a written consent of 100 percent of the owners of all real estate situated within 100 feet of the applicant s real estate.

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

A motion was made by Council Member Rex Rolwing and seconded by Council Member Dean Karsky to amend Section 90.001, Definitions, by removing the word rabbits found between the words cats and guinea pigs within the definition of Pet.

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

A motion was made by Council Member Kermit L. Staggers to amend by deleting all other references to the terms rabbit or rabbits in the proposed ordinance.
Motion died for lack of a second.

Vote to adopt as amended: Roll Call: Yeses, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Dean Karsky, Rex Rolwing, Sue Aguilar, 6. Noes, Greg Jamison, Kermit L. Staggers, 2.
Motion Passed.

Mayor Huether called for a five-minute recess at 8:52 p.m. The meeting resumed at 8:57 p.m.

30. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 37 TAXATION OF THE ORDINANCE. Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member James Entenman to adopt said Ordinance No. 13-13.

Vote to adopt: Roll Call: Yeses, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, 7. Noes, 0. Council Member Kermit L. Staggers passed on the vote and then voted YES. Motion Passed.

31. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 7100 W. SONGBIRD ST. FROM THE RS-2, RESIDENTIAL DISTRICT TO THE RD-1, RESIDENTIAL DISTRICT, PETITION NO. 2013-02-03, 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 Dean Karsky to adopt said Ordinance No. 14-13.

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

Item 36 was considered at this time. See this item for the action taken.

32. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE NW CORNER OF W. 12TH ST. AND N. ELLIS RD. FROM THE A-1, AGRICULTURAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT AND RC, RECREATION CONSERVATION DISTRICT, PETITION NO. 2013-02-06, 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 Greg Jamison to adopt said Ordinance No. 15-13.

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

Set a date of hearing and 2nd Reading for Tuesday, April 9, 2013, at 7:00 p.m. on Item 33:

33. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY EXPANDING CHAPTER 30: CITY COUNCIL, SUBCHAPTER NAMING FACILITIES.
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, April 9, 2013, at 7:00 p.m. for Item 33.

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

HEARINGS AND RESOLUTIONS

34. A RESOLUTION ADVISING AND GIVING CONSENT TO THE TEMPORARY APPOINTMENT OF A MEMBER TO THE CIVIL SERVICE BOARD.

Sponsor: Mayor

A motion was made by Council Member James Entenman and seconded by Council Member Michelle Erpenbach to adopt said Resolution No. 23-13.

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

RESOLUTION NO. 23-13

A RESOLUTION ADVISING AND GIVING CONSENT TO THE TEMPORARY APPOINTMENT OF A MEMBER TO THE CIVIL SERVICE BOARD.

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

That it gives its advice and consent to the following Mayoral appointment:

Name	Board	Term
Tom Nicholson	Civil Service Board	Temporary

Date adopted: 4/2/13

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad
City Clerk

35. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. ANNEXATION 2013-01-03 - W. 85TH ST. AND S. MINNESOTA AVE., SOUTHWEST CORNER

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 Resolution No. 25-13.

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

RESOLUTION NO. 25-13

ANNEXATION 2013-01-03

W. 85TH ST. AND S. MINNESOTA AVE., SOUTHWEST CORNER

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. A traffic signal-controlled intersection at W. 85th St. and S. Audie Ave. will provide access to the development.
 - c. W. 85th St. is a two-lane paved limited access arterial street with the other two-lane improvements not within the current CIP.
 - (1) The proposed access onto S. Minnesota Ave. does not meet the SD100 access plan.
 - d. Gravity sanitary sewer will be extended from the east across S. Minnesota Ave. at the cost of the developer.
 - e. The water main is extended from S. Audie Ave. and from across S. Minnesota Ave. creating a loop system.

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 NE1/4 of the NE1/4 and a portion of the SE1/4 of the NE1/4 of Section 22, T100N, R50W, 39.17 acres, more or less, including Lot H-1, Lincoln County, South Dakota, to be platted as Lots 1 8 and Outlot A, Block 1, Springdale Development Addition, containing 39.17 acres, more or less, to the City of Sioux Falls, 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: 4/2/13

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

36. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, CORRECTING THE LEGAL DESCRIPTION OF ANNEXATION RESOLUTION NO. 12-13. ANNEXATION 2012-12-05 LEGAL DESCRIPTION CORRECTION - W. 12TH ST. AND N. ELLIS RD.
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 No. 24-13.

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

RESOLUTION NO. 24-13

ANNEXATION 2012-12-05 LEGAL DESCRIPTION CORRECTION
W. 12TH ST. AND N. ELLIS RD.

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, CORRECTING THE LEGAL DESCRIPTION OF ANNEXATION RESOLUTION NO. 12-13.

WHEREAS, on February 19, 2013, the City Council of the City of Sioux Falls adopted Resolution No. 12-13 to include certain contiguous territory within the corporate limits of the city of Sioux Falls, South Dakota.

WHEREAS, the annexation map boundaries have been approved by the City Council.

WHEREAS, the legal description as set forth in Resolution No. 12-13 was not accurate.

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

That the legal description as set forth in Resolution No. 12-13 hereby is amended to read as follows:

Tract 1 of Lakeside Addition in the S1/2 of Section 16-101-50; a portion of the SW1/4 of Section 16-101-50 (excluding Bruns Tract 1, Tract 1 and Lot 5 Block 1 Crusher s Addition, and excluding an unplatted portion in the NW1/4 of the SW1/4 being 327' east to west and 1,061' north to south); including adjacent rights-of-way of Ellis Rd. and Highway 42, Minnehaha County, South Dakota
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: 4/2/13

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)

37. REPORT OF THE MARCH 26, 2013, 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 James Entenman to adjourn at 10:01 p.m.

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

Lorie Hogstad, CMC
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.