

City of Sioux Falls Council Meeting
Minutes
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Tuesday, January 7, 2014, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

Council Member Sue Aguilar
Council Member Kenny Anderson Jr.
Council Member Michelle Erpenbach
Council Member Greg Jamison
Council Member Dean Karsky
Council Member Rex Rolwing
Council Member Kermit L. Staggers
Mayor Mike T. Huether

ABSENT

Council Member James Entenman

INVOCATION

- Reed DeVries, Adult Ministry Team Leader, Celebrate Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

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

Council Member Kermit L. Staggers asked to move the following items from Item 1 (Contracts and Agreements) to the Regular Agenda for discussion purposes: Water Reclamation - 2014 XP-SWMM Modeling Update Agreement for engineering services for \$39,937.00; Urban Management - Community Arts and Culture Programming Agreement for services for \$31,000.00; Economic Development - Downtown Market Analysis & Strategies Agreement for services for \$30,000.00.

Vote to approve: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolwing, Kermit L. Staggers, 7.
Noes, 0.
Motion Passed.

MINUTES

- City Council Meeting of Tuesday, December 17, 2013, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on January 2, 2014 memo.

Sponsor: Mayor/Finance

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Dean Karsky to approve the following item: Water Reclamation - 2014 XP-SWMM Modeling Update Agreement for engineering services for \$39,937.00.

Vote to approve: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, 7.

Noes, 0.

Motion Passed.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Dean Karsky to approve the following item: Urban Management - Community Arts and Culture Programming Agreement for services for \$31,000.00.

Vote to approve: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, 6. Noes, Kermit L.

Staggers, 1.

Motion Passed.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Dean Karsky to approve the following item: Economic Development - Downtown Market Analysis & Strategies Agreement for services for \$30,000.00.

Vote to approve: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, 6. Noes, Kermit L.

Staggers, 1.

Motion Passed.

2. Notice of change orders on January 2, 2014 memo.

Sponsor: Mayor/Finance

3. A memorandum dated December 18, 2013, declaring surplus capital items that were demolished as part of infrastructure upgrades.

Sponsor: Mayor/Finance

4. A memorandum dated December 27, 2013, declaring surplus a capital item that will be used for parts.

Sponsor: Mayor/Finance

5. Report of Requests for Quotes for Fuel dated: December 12, 2013; E-10 Unleaded Ethanol / 87 Octane; 8,500 gallons; Howes Oil (\$2.5655); Harms Oil, CHS, Inc. and Olson Oil, all no bid. Bid awarded to: Howes Oil.

Sponsor: Mayor/Public Works

6. Report of Requests for Quotes for Fuel dated: December 13, 2013; Diesel (#1 and #2 blend); 1,130 gallons; Howes Oil (\$4,104.73); Palisades Oil and Midway Service, both no bid. Bid awarded to: Howes Oil.

Sponsor: Mayor/Fire Rescue

7. Report of Requests for Quotes for Fuel dated: December 13, 2013; Unleaded; 578 gallons; Howes Oil (\$1,576.5); Palisades Oil and Midway Service, both no bid. Bid awarded to: Howes Oil.

Sponsor: Mayor/Fire Rescue

8. Report of Requests for Quotes for Fuel dated: December 19, 2013; Unleaded Ethanol & E85; 7,500 gallons unleaded / 1,000 gallons E85; Harms Oil (\$2.7010 unleaded/\$2.5610 E85); CHS, Inc., Howes Oil and Olson Oil, all no bid. Bid awarded to: Harms Oil.
Sponsor: Mayor/Public Works
9. Report of Request for Quotes For Fuel dated December 31, 2013; E-10 Unleaded Ethanol / 87 Octane; 8,500 gallons; Howes Oil (\$2.8575); Harms Oil, CHS, Inc. and Olson Oil, all no bid. Bid awarded to: Howes Oil.
Sponsor: Mayor/Public Works

APPLICATIONS

10. Special One-Day Liquor License for Washington Pavilion Management Inc., Washington Pavilion of Arts & Science to be operated at 301 South Main Avenue for the Toulouse Lautrec opening reception on January 24, 2014.
Sponsor: Mayor/City Attorney
11. Special One-Day Liquor License for Philanthropy Promotions Inc., J&L Harley Davidson, to be operated at Falls Park West (park area north of the Sioux Falls Park and Recreation Office leading to Falls Park along Phillips Avenue) with a north boundary of Falls Park Drive, south boundary to 8th Street, east boundary is to the chain link fence on the east side of the park (the street will be closed on 6th Street from Dakota to Weber Avenues), and the west boundary of Dakota Avenue, for Hot Harley Nights, on July 12, 2014.
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:

12. Augustana College Association, 2001 South Summit Avenue, for 2012 taxes in the amount of \$1,290.28.
Sponsor: SDCL 10-18-1
13. South Dakota Department of Transportation, 700 East Broadway Avenue, for 2012 taxes in the amount of \$21.89.
Sponsor: SDCL 10-18-1

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, January 21, 2014, at 7:00 p.m. for Items 14 through 21:

14. New 2014 Retail Liquor License, including Sunday Sales and video lottery terminals, for W&P of Sioux Falls LLC, business name to be determined, to be operated on Lot 9A, Block 17, Dawley Farm Village Addition (general location 600 South Highline Place), (full service restaurant, CUP not required).
Sponsor: Mayor/City Attorney

15. Transfer of 2014 Retail Liquor License from JD Holdings Inc., Billy Frogs, 5002 South Marion Road to SD Billy Frogs Inc., Billy Frogs to be operated at 5002 South Marion Road.
Sponsor: Mayor/City Attorney
16. New 2014 Retail Wine License for Lyutsiya Anderson, Day of Indulgence, to be operated at 5400 West 26th Street with Conditional Use Permit (2013-10-18) being approved on December 4, 2013.
Sponsor: Mayor/City Attorney
17. New 2014 Retail Wine License for Munce Spa Inc., Spa 2000, to be operated at 224 North Phillips Avenue, Suite 110, with Conditional Use Permit (2013-11-03) being approved on December 4, 2013.
Sponsor: Mayor/City Attorney
18. New 2014 Retail Wine License for Cheese World, LLC, Cheese World, to be operated at 2210 West 69th Street, Suite 130, with Major Amendment (2013-09-04) being approved on October 2, 2013.
Sponsor: Mayor/City Attorney
19. New 2013-14 Retail Malt Beverage License for Cheese World, LLC, Cheese World, to be operated at 2210 West 69th Street, Suite 130, with Major Amendment (2013-09-04) being approved on October 2, 2013.
Sponsor: Mayor/City Attorney
20. Special One-Day Malt Beverage License request for the Sioux Falls Roller Dollz to be operated at the Multicultural Center, 515 North Main Avenue, for a charity fundraising event on January 25, 2014.
Sponsor: Mayor/City Attorney
21. Special One-Day Malt Beverage, Special One-Day Wine and Special One-Day Off-Sale Package Farm Wine Dealer Licenses for the Multi-Cultural Center of Sioux Falls to be operated at 515 North Main Avenue for a Decadence in Chocolate event on February 1, 2014.
Sponsor: Mayor/City Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

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

Vote to approve: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, 7.
Noes, 0.
Motion Passed.

PUBLIC INPUT

There was none.

Item 1 was discussed at this time. See item for action taken.

UNFINISHED BUSINESS

22. Review of the Security Management Plan for the 2014 Package Liquor license renewal for Maketh Gak, Sudanese General Store to be operated at 623 West 11th Street which was approved on December 17, 2013.

Sponsor: Mayor/City Attorney

23. New 2014 Retail Liquor License, including Sunday Sales and video lottery terminals, for Sandtrap, Inc, business name to be determined, 5213 West 12th Street, with Conditional Use Permit (2013-11-06) being approved on December 4, 2013. Pending final inspections per Fire, Health, and Building Services.

Sponsor: Mayor/City Attorney

24. New 2014 Retail Wine License for Top Shelf Entertainment, Wine and Canvas to be operated at 5031 South Louise Avenue, with the Special Use Permit (2013-11-10) being approved on December 4, 2013. Pending final inspections per Fire, Health and Building Services.

Sponsor: Mayor/City Attorney

25. New 2013-14 Retail Malt Beverage License for Top Shelf Entertainment, Wine and Canvas to be operated at 5031 South Louise Avenue, with the Special Use Permit (2013-11-10) being approved on December 4, 2013. Pending final inspections per Fire, Health and Building Services.

Sponsor: Mayor/City Attorney

26. Special One-Day Liquor License for the Home Builders Association of the Sioux Empire to be operated at 6904 South Lyncrest Place, for a Membership Meeting on January 23, 2014.

Sponsor: Mayor/City Attorney

27. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Senior Citizens Services Inc., to be operated at Active Generations, 2300 West 46th Street, for the Gourmet Guys Fundraiser, on April 6, 2014.

Sponsor: Mayor/City Attorney

A motion was made by Council Member Dean Karsky and seconded by Council Member Rex Rolfling to approve Items 22 through 27.

Vote to approve: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolfling, Kermit L. Staggers, 7.

Noes, 0.

Motion Passed.

INTRODUCTION AND ADOPTION OF ORDINANCES

28. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. 12TH ST. AND N. ELLIS RD. FROM THE AG, AGRICULTURAL DISTRICT TO THE C 4, PLANNED COMMERCIAL AND RA-1, MULTIFAMILY RESIDENTIAL DISTRICT, PETITION NO. 2013-10-09 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.

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 Ordinance No. 1-14.

Vote to adopt: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolwing, Kermit L. Staggers, 7. Noes, 0.

Motion Passed.

29. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3216 S. O'GORMAN DR. FROM THE RD, RESIDENTIAL DISTRICT TO THE O, OFFICE DISTRICT, PETITION NO. 2013-11-01 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Sue Aguilar and seconded by Council Member Kenny Anderson Jr. to adopt said Ordinance No. 2-14.

Vote to adopt: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolwing, Kermit L. Staggers, 7. Noes, 0.

Motion Passed.

30. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT SIX MILE RD. AND E. TENTH ST. FROM THE AG, AGRICULTURAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2013-11-05 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The 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 Sue Aguilar to adopt said Ordinance No. 3-14.

Vote to adopt: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolwing, Kermit L. Staggers, 7. Noes, 0.

Motion Passed.

31. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE NE CORNER OF E. 41ST. AND S. SYCAMORE AVE. FROM SUBAREA C AND D OF MANIFOLD ACRES PD DISTRICT TO THE RA-1, RESIDENTIAL DISTRICT, PETITION NO.

2013-11-11 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.
The Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Sue Aguilar and seconded by Council Member Michelle Erpenbach to adopt said Ordinance No. 4-14.

Vote to adopt: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, 7.
Noes, 0.
Motion Passed.

32. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT N. REID ST. UNDER E. TENTH ST. FROM THE UNZONED AND RC, RECREATION CONSERVATION DISTRICT TO THE RC, RECREATION CONSERVATION AND C-3, CENTRAL BUSINESS DISTRICT, PETITION NO. 2013-11-13 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Rex Roling and seconded by Council Member Michelle Erpenbach to adopt said Ordinance No. 5-14.

Vote to adopt: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, 7.
Noes, 0.
Motion Passed.

7:36 p.m. Mayor Huether exited the meeting and turned the gavel and control of the meeting over to Council Vice Chair Dean Karsky.

33. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 85TH ST. BETWEEN TALLGRASS AVE. AND LOUISE AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE RS-2, RD, RA-1, Residential and O, OFFICE DISTRICT, PETITION NO. 2013-11-14 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Rex Roling and seconded by Council Member Michelle Erpenbach to adopt said Ordinance No. 6-14.

Vote to adopt: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, 7.
Noes, 0.
Motion Passed.

34. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE NW CORNER OF E. 14TH ST. AND S. SECOND AVE. FROM THE C-2, GENERAL COMMERCIAL DISTRICT TO C-3 CENTRAL BUSINESS DISTRICT, PETITION NO. 2013-11-15 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The

Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Greg Jamison and seconded by Council Member Rex Rolwing to adopt said Ordinance No. 7-14.

Vote to adopt: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolwing, Kermit L. Staggers, 7.
Noes, 0.
Motion Passed.

35. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 310 S. WESTERN AVE. FROM THE RS-2, RESIDENTIAL DISTRICT TO THE C-2, GENERAL COMMERCIAL DISTRICT, PETITION NO. 2013-11-16 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The 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 Rex Rolwing to adopt said Ordinance No. 8-14.

Vote to adopt: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolwing, Kermit L. Staggers, 7.
Noes, 0.
Motion Passed.

36. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. OF HIGHWAY 11 AND S. OF E. 26TH ST. FROM THE AG, AGRICULTURAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2013-11-17 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Greg Jamison and seconded by Council Member Kenny Anderson Jr. to adopt said Ordinance No. 9-14.

Vote to adopt: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolwing, Kermit L. Staggers, 7.
Noes, 0.
Motion Passed.

37. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY N. OF 5760 E. RED OAK DR. FROM THE RS-2, RESIDENTIAL AND DAWLEY FARM VILLAGE PLANNED DEVELOPMENT DISTRICT TO THE RA-1, MULTIFAMILY RESIDENTIAL DISTRICT, PETITION NO. 2013-11-20 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Rex Rolwing and seconded by Council Member Greg Jamison to adopt said Ordinance No. 10-14.

Vote to adopt: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, 7. Noes, 0.
Motion Passed.

HEARINGS AND RESOLUTIONS

38. A RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SIDEWALK ON W. 41ST ST., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.
Sponsor: Mayor/Public Works

A motion was made by Council Member Rex Roling and seconded by Council Member Michelle Erpenbach to adopt said Resolution No. 1-14.

Vote to adopt: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, 6. Noes, Kermit L. Staggers, 1.
Motion Passed.

RESOLUTION NO. 01-14

A RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SIDEWALK ON W. 41ST ST., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

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

Section 1. It is necessary to CONSTRUCT SIDEWALK in accordance with specifications prepared by the Office of the City Engineer and on file in the Office of the City Engineer on the following streets in the city of Sioux Falls, SD, in front of and abutting upon the following described property to be assessed:

W. 41st St. from S. Sertoma Ave. to S. Ellis Rd

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Lot 1A Tract 2 Roosevelt South Addn., City of Sioux Falls, Minnehaha County, SD
Lot 2 Tract 2 Roosevelt South Addn., City of Sioux Falls, Minnehaha County, SD
Tract D Block 1 Roosevelt South 2nd Addn., City of Sioux Falls, Minnehaha County, SD
Tract 1 R. B. Flowerfields Addn., City of Sioux Falls, Minnehaha County, SD
SW1/4 SE1/4 (ex R-1 and ex R. B. Flowerfields Addn.) Sec. 27-101-50, Minnehaha County, SD
Lot 14A Block 4 Elrod s Addn., City of Sioux Falls, Minnehaha County, SD
Lot 14B Block 4 Elrod s Addn., City of Sioux Falls, Minnehaha County, SD
SE1/4 SW1/4 (ex R-1 and ex Elrod s Addn.), Minnehaha County, SD
SW1/4 SW1/4 (ex Lot H-2 and ex Elrod s Addn.), Minnehaha County, SD
NE1/4 (ex R-1) Sec. 34-T101N-R50W, Minnehaha County
Tract 12 N1/2 NW1/4 Sec. 34-T101N-R50W, Minnehaha County, SD
Tract 11 N1/2 NW1/4 Sec. 34-T101N-R50W, Minnehaha County, SD
Tract 10 N1/2 NW1/4 Sec. 34-T101N-R50W, Minnehaha County, SD
Tract 9 N1/2 NW1/4 Sec. 34-T101N-R50W, Minnehaha County, SD
Tract 8 (ex R-1) N1/2 NW1/4 Sec. 34-T101N-R50W, Minnehaha County, SD
Tract 7 (ex R-1) N1/2 NW1/4 Sec. 34-T101N-R50W, Minnehaha County, SD
Tract 3 (ex R-1) N1/2 NW1/4 Sec. 34-T101N-R50W, Minnehaha County, SD
Tract 2 (ex R-1) N1/2 NW1/4 Sec. 34-T101N-R50W, Minnehaha County, SD
Tract 1 (ex R-1) N1/2 NW1/4 Sec. 34-T101N-R50W, Minnehaha County, SD

Lot 1 Block 1 (ex N25' E15') Klein s Subd., Sec. 34-T101N-R50W, Minnehaha County, SD
Lot 7 Block 1 Klein s Subd., Sec. 34-T101N-R50W, Sec. 34-T101N-R50W, Minnehaha County, SD
Lot 8 Block 1 Klein s Subd., Sec. 34-T101N-R50W, Sec. 34-T101N-R50W, Minnehaha County, SD
Lot 9 Block 1 Klein s Subd., City of Sioux Falls, Minnehaha County, SD

Section 2. The cost and expense of the improvements shall be levied by special assessment upon the above-described property in accordance with Section 96.035 of the Code of Ordinances of Sioux Falls, SD, and SDCL Chapter 9-46. Subject to exceptions described in City ordinance, the improvements shall be assessed upon the above-described property abutting upon the same in proportion to the number of front feet fronting or abutting, as provided by law.

Section 3. Notice. The City may waive or reduce special assessments levied against owner-occupied single-family dwellings where the head of the household is 65 years of age or older, or is disabled, or where the annual household income is less than \$10,000. In order to qualify and be eligible for the waiving or reduction of such special assessments, you must make application on forms provided at the City of Sioux Falls Community Development, 224 W. 9th St., or call 367-7125, prior to the date of the Final Levy of the Assessment Roll before the Sioux Falls City Council. Failure to make proper written application prior to this date will disqualify you from being eligible for waiving or reduction of the special assessment.

Section 4. The assessment may be paid in five (5) equal annual installments. If not paid within 30 days after the assessment roll has been filed in the City Accounting Office, the assessment or any installment shall be collected with interest in accordance with the procedure provided by SDCL 9-43-89.

Interest on the assessment or installment will be charged and collected in accordance with law. The rate to be charged will be set by the City Council in the year of assessment.

Section 5. The estimated cost of the above-named improvements is as follows:
Construct 4" Thick Sidewalk..... \$25.00 Per
Front Foot

Date adopted: 01/07/14 .

Tracy Turbak for

Mayor Mike T. Huether

ATTEST:

Lorie Hogstad

City Clerk

39. A RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SANITARY SEWER ON W. 41ST ST. FROM S. SERTOMA AVE. TO S. ELLIS ROAD, AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

Sponsor: Mayor/Public Works

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution No. 2-14.

Vote to adopt: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, 7.
Noes, 0.

Motion Passed.

RESOLUTION NO. 02-14

A RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SANITARY SEWER ON W. 41ST ST. FROM S. SERTOMA AVE. TO S. ELLIS ROAD, AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

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

Section 1. It is necessary to CONSTRUCT SANITARY SEWER in accordance with specifications prepared by the Office of the City Engineer and on file in the Office of the City Engineer on the following streets in the City of Sioux Falls, SD, fronting or abutting upon the following described property to be assessed:

FOR NO. 3, TYPE SPECIFIC LOCATION OF LEGAL. IF IT APPEARS AS A TITLE BEFORE THE LEGAL DESCRIPTION(s), TYPE IT IN TITLE CASE AND UNDERLINED. THE DETAIL OF LEGALS THAT WOULD FOLLOW A SPECIFIC LEGAL LOCATION SHOULD BE TYPED IN TITLE CASE AND SPACING OF 1.5.

W. 41st St. from S. Sertoma Ave. to S. Ellis Rd.

Tract 1 R. B. Flowerfields Addn.

SW1/4 SE1/4 (ex. R-1 & ex. R. B. Flowerfields Addn.) Sec. 27-101-50, Minnehaha County, SD

NE1/4 (ex. R-1) Sec. 34-T101N-R50W, Minnehaha County, SD

Section 2. The cost and expense of the improvements shall be levied by cost recovery upon the above-described property. The improvements shall be assessed upon the above-described property abutting upon the same in proportion to the number of front feet fronting or abutting, or benefits derived as provided by law.

Section 3. The costs allocated to said property shall be delayed without interest until such time as the property requests connection to said utility, at which time all costs will become payable in full.

Section 4. The estimated cost of the above-named improvements is as follows: Type in upper and lower case.

Sanitary Sewer..... \$50.00 Per Front Foot

Sanitary Sewer Service..... \$1,000.00 Per Service

Date adopted: 01/07/14 .

Tracy Turbak for

Mayor Mike T. Huether

ATTEST:

Lorie Hogstad

City Clerk

40. A RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT WATER MAIN ON W. 41ST ST. FROM S. SERTOMA AVE. TO S. ELLIS ROAD, AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

Sponsor: Mayor/Public Works

A motion was made by Council Member Greg Jamison and seconded by Council Member Michelle Erpenbach to adopt said Resolution No. 3-14.

Vote to adopt: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 03-14

A RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT WATER MAIN ON W. 41ST ST. FROM S. SERTOMA AVE. TO S. ELLIS ROAD, AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

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

Section 1. It is necessary to CONSTRUCT WATER MAIN in accordance with specifications prepared by the Office of the City Engineer and on file in the Office of the City Engineer on the following streets in the City of Sioux Falls, SD, fronting or abutting upon the following described property to be assessed:

FOR NO. 3, TYPE SPECIFIC LOCATION OF LEGAL. IF IT APPEARS AS A TITLE BEFORE THE LEGAL DESCRIPTION(S), TYPE IT IN TITLE CASE AND UNDERLINED. THE DETAIL OF LEGALS THAT WOULD FOLLOW A SPECIFIC LEGAL LOCATION SHOULD BE TYPED IN TITLE CASE AND SPACING OF 1.5.

W. 41st St. from S. Sertoma Ave. to S. Ellis Rd.

- Tract 12 N1/2 NW1/4 Sec. 34-T101N-R50W, Minnehaha County, SD
- Tract 11 N1/2 NW1/4 Sec. 34-T101N-R50W, Minnehaha County, SD
- Tract 10 N1/2 NW1/4 Sec. 34-T101N-R50W, Minnehaha County, SD
- Tract 9 N1/2 NW1/4 Sec. 34-T101N-R50W, Minnehaha County, SD
- Tract 8 (ex. R-1) N1/2 NW1/4) Sec. 34-T101N-R50W, Minnehaha County, SD
- Tract 7 (ex. R-1) N1/2 NW1/4) Sec. 34-T101N-R50W, Minnehaha County, SD
- Tract 3 (ex. R-1) N1/2 NW1/4) Sec. 34-T101N-R50W, Minnehaha County, SD
- Tract 2 (ex. R-1) N1/2 NW1/4) Sec. 34-T101N-R50W, Minnehaha County, SD
- Tract 1 (ex. R-1) N1/2 NW1/4) Sec. 34-T101N-R50W, Minnehaha County, SD
- Lot 1 Blk. 1 (ex. N25ꞌ E15ꞌ) Kleins Subd. in N1/2 NW1/4, Sec. 34-T101N-R50W, Minnehaha County, SD
- Lot 7 Blk. 1 Kleins Subd. in N1/2 NW1/4, Sec. 34-T101N-R50W, Minnehaha County, SD
- Lot 8 Blk. 1 Kleins Subd. in N1/2 NW1/4, Sec. 34-T101N-R50W, Minnehaha County, SD
- Lot 9 Blk. 1 Kleins Subd. in N1/2 NW1/4, Sec. 34-T101N-R50W, Minnehaha County, SD

Section 2. The cost and expense of the improvements shall be levied by cost recovery upon the above-described property. The improvements shall be assessed upon the above-described property abutting upon the same in proportion to the number of front feet fronting or abutting, or benefits derived as provided by law.

Section 3. The costs allocated to said property shall be delayed without interest until such time as the property requests connection to said utility, at which time all costs will become payable in full.

Section 4. The estimated cost of the above-named improvements is as follows: Type in upper and lower case.

Water Main.....	\$50.00 Per Front Foot
Water Service.....	\$1,000.00 Per Service

Date adopted: 01/07/14 .

Tracy Turbak for

Mayor Mike T. Huether
ATTEST:

Lorie Hogstad
City Clerk

41. A RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SIDEWALK ON E. 10TH ST., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.
Sponsor: Mayor/Public Works

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution No. 4-14.

Vote to adopt: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, 6. Noes, Kermit L. Staggers, 1.
Motion Passed.

RESOLUTION NO. 04-14

A RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SIDEWALK ON E. 10TH ST., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

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

Section 1. It is necessary to CONSTRUCT SIDEWALK in accordance with specifications prepared by the Office of the City Engineer and on file in the Office of the City Engineer on the following streets in the city of Sioux Falls, SD, in front of and abutting upon the following described property to be assessed:

FOR NO. 3, TYPE SPECIFIC LOCATION OF LEGAL. IF IT APPEARS AS A TITLE BEFORE THE LEGAL DESCRIPTION(s), TYPE IT IN TITLE CASE AND UNDERLINED. THE DETAIL OF LEGALS THAT WOULD FOLLOW A SPECIFIC LEGAL LOCATION SHOULD BE TYPED IN TITLE CASE AND SPACING OF 1.5..

E. 10th St. from S. Bahnson Ave. to S. Sycamore Ave.

Tract 1 Boom s 2nd Addn.

Lot 1 Boom s Addn.

Lot 2 Boom s Addn.

Tract 1 Branaugh s Addn.

Tract 2 Branaugh s Addn.

Tracts 49 & 50 (ex. S52.75ꞌ) of County Auditor s

Subd.,

SW1/4 Sec. 14-T101N-R49W, Minnehaha County, SD

Tract 1 East Park Square Addn.

Tracts 2 & 3 (ex. E132ꞌ S300ꞌ Tract 3) East

Park Square Addn.

Tract 4 East Park Square Addn.

Tracts 5, 6, 7 (ex. E71.7ꞌ) & 8 (ex. E71.7ꞌ)

East Park Square Addn.

W140ꞌ E235ꞌ Lot 4 Subd. of Blk. 53 Linwood

Park Addn.

Lot 4 (ex. E235ꞌ) Subd. of Blk. 53 Linwood Park

Addn. & E. 71.7ꞌ Tracts 7 & 8

East Park Square Addn.

E95ꞌ Lot 4 Subd. of Blk. 53 Linwood Park Addn.

Lot 1 Subd. of Blk. 53 Linwood Park Addn.

Lot 2 Subd. of Blk. 53 Linwood Park Addn.

Lot 3 Subd. of Blk. 53 Linwood Park Addn.

Section 2. Property owners have the option of constructing the sidewalk adjacent to their properties. The deadline by which the sidewalk must be constructed is July 1, 2014. If not constructed by July 1, 2014, the City will award a contract to construct the sidewalk, and the cost and expense of the

improvements shall be levied by special assessment upon the above-described property in accordance with Section 96.035 of the Code of Ordinances of Sioux Falls, SD, and SDCL Chapter 9-46. Subject to exceptions described in City ordinance, the improvements shall be assessed upon the above-described property abutting upon the same in proportion to the number of front feet fronting or abutting, as provided by law.

Section 3. Notice. The City may waive or reduce special assessments levied against

owner-occupied single-family dwellings where the head of the household is 65 years of age or older, or is disabled, or where the annual household income is less than \$10,000. In order to qualify and be eligible for the waiving or reduction of such special assessments, you must make application on forms provided at the City of Sioux Falls Community Development, 224 W. 9th St., or call 367-7125, prior to the date of the Final Levy of the Assessment Roll before the Sioux Falls City Council. Failure to make proper written application prior to this date will disqualify you from being eligible for waiving or reduction of the special assessment.

Section 4. The assessment may be paid in five (5) equal annual installments. If not paid within 30 days after the assessment roll has been filed in the City Accounting Office, the assessment or any installment shall be collected with interest in accordance with the procedure provided by SDCL 9-43-89.

Interest on the assessment or installment will be charged and collected in accordance with law. The rate to be charged will be set by the City Council in the year of assessment.

Section 5. The estimated cost of the above-named improvements is as follows:
(Type in upper and lower case.)

Construct 4" Thick Sidewalk..... \$25.00 Per
Front Foot

Date adopted: 01/07/14 .

Tracy Turbak for

Mayor Mike T. Huether

ATTEST:

Lorie Hogstad

City Clerk

42. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF COPPER CREEK SECOND ADDITION.

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 No. 5-14.

Vote to adopt: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, 7.
Noes, 0.

Motion Passed.

RESOLUTION NO. 05-14

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF COPPER CREEK SECOND ADDITION.

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

That the preliminary plan of Copper Creek Second 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: 01/07/14 .

Tracy Turbak for

Mayor Mike T. Huether

ATTEST:

Lorie Hogstad

City Clerk

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

Sponsor: Mayor

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Michelle Erpenbach to adopt said Resolution No. 6-14.

Vote to adopt: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolwing, Kermit L. Staggers, 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 06-14

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
William Earley	Sioux Falls Housing and Redevelopment Commission	Reappointed for a term from January 2014 to January 2019.
John Peckham	Sioux Falls Housing and Redevelopment Commission	Reappointed for a term from January 2014 to January 2019.
Chad Olson	Sioux Falls Regional Emergency Medical Services Authority (REMSA)	Reappointed for a term from January 2014 to January 2019.

Date adopted: 01/07/14 .

Tracy Turbak for

Mayor Mike T. Huether

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)

44. REPORT OF THE JANUARY 2, 2014, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN
MAJOR ORGANIZATIONAL UNITS.

Sponsor: Mayor/Finance

ADJOURNMENT

A motion was made by Council Member Michelle Erpenbach and seconded by Council
Member Kenny Anderson Jr. to adjourn the meeting at 8:38 p.m.

Vote to adjourn: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Michelle
Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, 7.

Noes, 0.

Motion Passed.

Tamara Jorgensen, 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.