

City of Sioux Falls Council Meeting  
Minutes  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Tuesday, April 15, 2014, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

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

ABSENT

INVOCATION

- Care Pastor Mike Peterson, Celebrate Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

- Purple Up! For Military Kids Day - April 15, 2014
- Congenital Diaphragmatic Hernia Awareness Day - April 19, 2014
- Volunteers of America, Dakotas' Day - May 1, 2014

Mayor Huether recognized Boy Scout Troop 46 from Hope Lutheran Church.

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

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

Council Member Kermit L. Staggars asked to move the following items from Item 1 (Contracts and Agreements) to the Regular Agenda for discussion purposes:

Convention Center To award a bid, Convention Center Kitchen Flooring

Replacement (\$109,715.00); Parks/Rec Agreement for Engineering Services, River Greenway Improvements/Canoe Access (\$11,950.00); Facilities Management Agreement for Engineering Services, City Hall & Annex Improvements/City Hall Window Replacement (\$48,700.00); Water Reclamation To award a bid, Sewage Lagoon Sludge Removal (\$399,982.00).

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

#### MINUTES

- Informational Meeting of Tuesday, April 1, 2014, at 4:00 p.m.
- City Council Meeting of Tuesday, April 1, 2014 at 7:00 p.m.

#### COMMUNICATIONS

1. Approval of Contracts/Agreements on the April 10, 2014 memo.

A motion was made by Council Member James Entenman and seconded by Council Member Rex Roling to approve Convention Center To award a bid, Convention Center Kitchen Flooring Replacement (\$109,715.00).

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

Motion Passed.

A motion was made by Council Member James Entenman and seconded by Council Member Dean Karsky to approve Parks/Rec Agreement for Engineering Services, River Greenway Improvements/Canoe Access (\$11,950.00).

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

Motion Passed.

A motion was made by Council Member James Entenman and seconded by Council Member Dean Karsky to approve Facilities Management Agreement for Engineering Services, City Hall & Annex Improvements/City Hall Window Replacement (\$48,700.00).

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

Motion Passed.

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to approve Water Reclamation To award a bid, Sewage Lagoon Sludge Removal (\$399,982.00).

Vote to approve: Roll Call: Yeses, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., 7. Noes.

Kermit L. Staggers, 1.  
Motion Passed.

2. Notice of change orders on the April 10, 2014 memo.
3. A communication was received from Michelle Henderson requesting permission to consume, but not sell, liquor, beer and wine at The History Club of Sioux Falls, 758 S. Phillips Avenue, on Saturday, August 9, 2014, from 12:00 p.m. to 5:00 p.m. for a family reunion.
4. Report of Requests for Quotes for Fuel dated: March 31, 2014; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Howes Oil (\$3.1090); Harms Oil (\$3.1230); CHS, Inc. (\$3.1317); Olson Oil, no bid. Bid awarded to: Howes Oil.
5. Report of Requests for Quotes for Fuel dated: April 1, 2014; #2 Clear Diesel; 7,500 gallons; CHS, Inc. (\$3.399); Howes Oil (\$3.3460 - bid received after deadline); Harms Oil (\$3.6059); Petroleum Traders Cor. and Midwest Oil, both no bid. Bid awarded to: CHS.
6. Report of Requests for Quotes for Fuel dated: April 3, 2014; Unleaded; 690 gallons; Howes Oil (\$2,265.62); Midway Service (\$2,292.53); and Palisades Oil, no bid. Bid awarded to: Howes.

#### APPLICATIONS

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:

Items 7-11: The amount requested is the difference between the elderly freeze and the Non-elderly freeze.

7. Junice E. Herschberger, 1509 E. 33rd St., for 2013 taxes in the amount of \$15.14.
8. Della Pulford, 943 S. Cloudas Avenue, for 2013 taxes in the amount of \$727.75.
9. Theresa Takhar, 6900 W. 9th Street, for 2013 taxes in the amount of \$1,097.71.
10. Emily K. Ramirez, 521 N. Franklin Avenue for 2013 taxes in the amount of \$17.47.
11. Hermine Csordacsics, 1006 W. 6th Street, for 2013 taxes in the amount of \$726.80.
12. John R. Schultze, 3200 S. 1st Ave., for 2013 taxes in the amount of

\$1,030.18. The abatement is difference between owner occupied and non-owner occupied taxes.

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, May 6, 2014, at 7:00 p.m. for Items 13 through 19:

13. New 2014 Package Liquor License for Wal-Mart Stores, Inc., Walmart, to be operated at 5200 West 60th Street North.
14. New 2014 Retail Wine License for Pure Bliss, LLC, A Perfect 10 Nail & Beauty Bar, 2312 West 69th Street, Suite 140, with Conditional Use Permit (2014-03-03) being approved on April 2, 2014.
15. New 2014-15 Retail Malt Beverage License for Pure Bliss, LLC, A Perfect 10 Nail & Beauty Bar, 2312 West 69th Street, Suite 140, with Conditional Use Permit (2014-03-03) being approved on April 2, 2014.
16. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering, to be operated at 2300 East 54th Street North, Suite 3, for a Chamber Mixer on May 13, 2014.
17. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Almost Home Canine Rescue to be operated in the east parking lot of 300 North Cherapa Place, for the 605 Summer Classic on June 20 & 21, 2014.
18. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Almost Home Canine Rescue to be operated at the Multi-Cultural Center, 515 North Main Avenue, to be used as an alternate location in the event of inclement weather, for the 605 Summer Classic on June 20 & 21, 2014.
19. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sioux Falls Sister Cities to be operated at Falls Park West, Falls Park Drive, for the Germanfest to be held on September 6, 2014.

Set a date of hearing for Tuesday, May 6, 2014, at 7:00 p.m. for Item 20:

20. A PROPOSED RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SIDEWALK ON S. SOLBERG AVE., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

Set a date of hearing for Tuesday, May 6, 2014, at 7:00 p.m. for Item 21:

21. A PROPOSED RESOLUTION DECLARING THE NECESSITY TO GRADE, GRAVEL, CONSTRUCT CURB AND GUTTER WITH DRIVEWAY APPROACHES, STORM SEWER, ASPHALT SURFACING, STREETLIGHTS, SANITARY SEWER, AND WATER MAIN ON N. VALLEY VIEW RD. AND ON N. EAGLES NEST AVE., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

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

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

PUBLIC INPUT

There was none.

Item 1 was heard at this time. See Item for action taken.

UNFINISHED BUSINESS

22. Transfer of a 2014 Retail Liquor License, including Sunday Sales, from Lone Star Steakhouse & Saloon of SD Inc., Lone Star Steakhouse & Saloon, 1801 West 41st Street to LSF5 Cowboy Holdings, LLC, Lone Star Steakhouse & Saloon, 1801 West 41st Street (full service restaurant; CUP not required).
23. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sioux Falls Arts Council to be operated at TSP, 1112 North West Avenue for a fundraiser on April 24, 2014.
24. Special One-Day Malt Beverage License for Sioux Falls Roller Dollz to be operated at the Multicultural Center, 515 North Main Avenue for a Baconfest fundraiser on April 26, 2014.
25. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sertoma Butterfly House and Marine Cove, 4320 South Oxbow Avenue, for a fundraiser on May 1, 2014.
26. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Sioux Falls Area Community Foundation to be operated at Vance Thompson Vision, 3101 West 57th Street, for a fundraiser on May 1, 2014.
27. Special One-Day Liquor License for Museum of Visual Materials, 500 North Main Avenue, for a special event on May 2, 2014.
28. Special One-Day Wine License requests for Downtown Sioux Falls Inc., to be operated at the following locations: 8th & Railroad Center Lobby, 401 East 8th Street, Bead Co., 319 South Phillips Avenue, CH Patisserie, 309 South Phillips Avenue, Chelsea s Boutique, 321 South Phillips Avenue, Cliff Hangers Gallery, 126 South Phillips Avenue, Cookie Jar, 230 South Phillips

Ave, Great Outdoor Store, 201 East Tenth Street, Home Porch, 217 South Phillips Avenue, Lillians, 311 South Phillips Avenue, NV Salon Studio, 106 West 11th Street, Rehfeld s Art & Framing, 210 South Phillips Avenue, Say Anything Jewelry, 524 N. Main Avenue, #104, Simply Perfect, 401 East 8th Street #108, Sioux Falls Design Center, 108 West 11th Street, Sticks and Steel, 401 East 8th Street Suite 118, Young & Richard s, 222 South Phillips Avenue, Zandbroz, 209 South Phillips Avenue, and Zing 301 South Minnesota Avenue, for the First Friday Wine Walk on May 2, 2014.

29. 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 in 2014 on June 6, July 11, August 1, and September 5.
30. 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 16, 2014.
31. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls Inc., to be operated within Phases 1 and 2 of Downtown Riverfront (from 6th Street to South of 8th Street) including Raven Industries riverfront and parking lot located at 205 East 6th Street for Downtown Riverfest on August 16, 2014.
32. 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, 305 East Falls Park Drive, for the Cinco de Mayo Fiesta, on May 10, 2014.
33. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s, to be operated at Avera Prairie Center, 1000 East 23rd Street for a Chamber event on May 15, 2014.
34. Special One-Day Wine License for the Democratic Forum of Sioux Falls to be operated at The History Club, 758 South Phillips Avenue for a fundraiser on May 17, 2014.
35. 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 in 2014 on May 3, June 7, June 14, June 28 and July 26.
36. 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 in 2014 on June 21 and July 12.
37. Special One-Day Malt Beverage and Special One-Day Wine Licenses for South

Dakota Achieve, 4100 South Western Avenue for a Chamber event on September 9, 2014.

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to approve Items 22 through 37.

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

#### INTRODUCTION AND ADOPTION OF ORDINANCES

38. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING THE MAXIMUM NUMBER OF OFF-SALE DEALERS.

A motion was made by Council Member Greg Jamison and seconded by Council Member James Entenman to adopt said Ordinance No. 23-14.

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

39. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING CHAPTER124: VEHICLES FOR HIRE.

A motion was made by Council Member Rex Roling and seconded by Council Member Michelle Erpenbach to adopt said Ordinance No. 24-14.

A motion was made by Council Member Rex Roling and seconded by Council Member Michelle Erpenbach to amend the third sentence in Section 2 by removing "on an annual basis" between "mechanic" and "before".

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

A motion was made by Council Member Rex Roling and seconded by Council Member Michelle Erpenbach to amend Section 22(c) by deleting "residence," and inserting "residences during the last 10 years" between "name" and "length."

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

A motion was made by Council Member Dean Karsky and seconded by Council Member Michelle Erpenbach to amend Section 24 by removing "and the signature."

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

Vote to adopt, as amended: Roll Call: Yeses, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., 7. Noes, Kermit L. Staggers, 1.  
Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, May 6, 2014, at 7:00 p.m. for Item 40:

40. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 4800 S. TENNIS LANE FROM THE RA-1, RESIDENTIAL DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT, PETITION NO. 2014-03-09 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval).

A motion was made by Council Member James Entenman and seconded by Council Member Michelle Erpenbach to withdraw Item 40.

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

Set a date of hearing and 2nd Reading for Tuesday, May 6, 2014, at 7:00 p.m. for Item 41:

41. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2014-03-07 TO CHAPTER 160.446, PLANNED DEVELOPMENT DISTRICTS, AT 196 E. 6TH STREET, AMENDING THE RAVEN INDUSTRIES PLANNED DEVELOPMENT DISTRICT REGULATIONS. (The Planning Commission recommends approval).

A motion was made by Council Member James Entenman and seconded by Council Member Rex Roling to withdraw Item 41.

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

Set a date of hearing and 2nd Reading for Tuesday, May 13, 2014, at 7:00 p.m. for Item 42:

42. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING CHAPTER 50: UTILITIES GENERALLY.



A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to set a date of hearing and 2nd Reading for Tuesday, May 13, 2014, at 7:00 p.m. for Item 42.

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

Set a date of hearing and 2nd Reading for Tuesday, May 13, 2014, at 7:00 p.m. for Item 43:

43. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, CONVEYING TRACT A OF LOT 1 OF CARLSEN S ADDITION TO THE CITY OF SIOUX FALLS, LINCOLN COUNTY, SOUTH DAKOTA, EXCEPT LOT H1 CONTAINED THEREIN.

A motion was made by Council Member Dean Karsky and seconded by Council Member Rex Rolwing to set a date of hearing and 2nd Reading for Tuesday, May 13, 2014, at 7:00 p.m. for Item 43.

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

#### HEARINGS AND RESOLUTIONS

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

A motion was made by Council Member Sue Aguilar and seconded by Council Member James Entenman to adopt said Resolution No. 31-14.

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

#### RESOLUTION NO. 31-14

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
Lon Tiggelaar	Employee s Retirement System Board of Trustees	Appointed for a term from April 2014 to December 2014 (to fill the unexpired term of David Nadolski).

Stephanie Bolman	Multi-Cultural Center Board of Directors	Appointed for a term from April 2014 to April 2017 (to replace Daniel Obaka).
Steven Gaspar	Planning Commission	Reappointed for a term from April 2014 to April 2019.
Kurt Johnson	Planning Commission	Reappointed for a term from April 2014 to April 2019.
Nicholas Sershen	Planning Commission	Reappointed for a term from April 2014 to April 2019.
David Zimbeck	Sioux Falls Sports Authority	Reappointed for a term from April 2014 to April 2017.

Date adopted: 04/15/14 .

Mike T. Huether

Mayor  
 ATTEST:  
 Lorie Hogstad  
 City Clerk

45. A RESOLUTION APPROVING THE RELEASE OF PERMANENT WATER MAIN EASEMENT LOCATED IN TRACT 3 OF LUNDSTROM S SECOND ADDITION IN THE CITY OF SIOUX FALLS, LINCOLN COUNTY, SD.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Dean Karsky to adopt said Resolution No. 32-14.

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

RESOLUTION NO. 32-14

A RESOLUTION APPROVING THE RELEASE OF PERMANENT WATER MAIN EASEMENT LOCATED IN TRACT 3 OF LUNDSTROM S SECOND ADDITION IN THE CITY OF SIOUX FALLS, LINCOLN COUNTY, SD.

WHEREAS, the City of Sioux Falls, SD, no longer needs the permanent easement area across the above-described real property, as shown on Exhibit A. Signed approvals from the utility are on file with the office of the City Engineer; and

WHEREAS, the permanent utility easement was established by grant of easement to the City of Sioux Falls, Lincoln County, and recorded in Book 5 of Miscellaneous on page 275 in the office of the Register of Deeds in Lincoln County, SD, on August 28, 1995;

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

That it approves the release of the permanent easement area, as shown on attached Exhibit A, and affecting the real property described as Tract 3 of Lundstrom s Second Addition to Sioux Falls, Lincoln County, SD, and that the City Clerk shall cause to be recorded with the Register of Deeds, Lincoln County, SD, a duly certified transcript of this resolution.

Date adopted: 04/15/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

46. A RESOLUTION APPROVING THE RELEASE OF PERMANENT EASEMENTS LOCATED IN LOT 1A, BLOCK 2 OF THELIN BUSINESS CENTER ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.

A motion was made by Council Member Dean Karsky and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution No. 33-14.

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

Motion Passed.

RESOLUTION NO. 33-14

A RESOLUTION APPROVING THE RELEASE OF PERMANENT EASEMENTS LOCATED IN LOT 1A, BLOCK 2 OF THELIN BUSINESS CENTER ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.

WHEREAS, the City of Sioux Falls, South Dakota, no longer needs the permanent sanitary sewer, water main, and storm sewer easement area across the above-described real property, as shown on Exhibit A. Signed approvals from all public and private utilities are on file with the office of the City Engineer.

WHEREAS, the permanent sanitary sewer, water main, and storm sewer easement was established by plat and filed in Book 69 of Plats on Page 153 in the Office of the Register of Deeds for Minnehaha County, SD, on June 29, 2007.

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

That it approves the release of the permanent sanitary sewer, water main, and storm sewer easement area, as shown on attached Exhibit A, and affecting the real property described as Lot 1A, Block 2 of Thelin Business Center Addition to the City of Sioux Falls, Minnehaha County, SD, and that the City Clerk shall cause to be recorded with the Register of Deeds, Minnehaha County, South Dakota, a duly certified transcript of this resolution.

Date adopted: 04/15/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

47. A RESOLUTION ADOPTING THE CITY COUNCIL TRAVEL POLICY AS AMENDED.

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution 34-14.

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

RESOLUTION NO. 34-14

A RESOLUTION ADOPTING THE CITY COUNCIL TRAVEL POLICY AS AMENDED.  
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 document attached to and part of this resolution entitled City Council Travel Policy is hereby approved as amended.

Date adopted: 04/15/14 .

Mike T. Huether

Mayor  
ATTEST:  
Lorie Hogstad  
City Clerk

48. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF BRANDE PARK ADDITION. (The Planning Commission recommends approval).

A motion was made by Council Member James Entenman and seconded by Council Member Rex Roling to adopt said Resolution 35-14.

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

RESOLUTION NO. 35-14

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF BRANDE PARK ADDITION.  
BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:  
That the preliminary plan of Brande Park Addition to the City of Sioux Falls, Lincoln 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: 04/15/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad  
City Clerk

49. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF LAKE LORRAINE ADDITION. (The Planning Commission recommends approval).

A motion was made by Council Member Dean Karsky and seconded by Council Member Sue Aguilar to adopt said Resolution No. 36-14.

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

RESOLUTION NO. 36-14

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF LAKE LORRAINE ADDITION.

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

That the preliminary plan of Lake Lorraine 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: 04/15/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad  
City Clerk

50. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. ANNEXATION 2014-02-14 - CANTERBURY HEIGHTS.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to adopt said Resolution No. 38-14.

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

RESOLUTION NO. 38-14

ANNEXATION 2014-02-14 CANTERBURY HEIGHTS

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 access to the major street network and adequate provision for municipal utilities when the following occur:

- a. The sanitary sewer and water main are extended from the south, running north within the N. Marlow Ave. right-of-way.
- b. Post construction BMPs are constructed.

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, Minnehaha County, and the boundary of the city is hereby extended to include such territory:

Tract 1 of Knochenmus Addition in the NW1/4 of the NE1/4 of Section 12-T101N-R49W, 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: 04/15/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

51. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. ANNEXATION 2014-02-13 - CACTUS HEIGHTS.

A motion was made by Council Member James Entenman and seconded by Council Member Michelle Erpenbach to adopt said Resolution No. 37-14.

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

Motion Passed.

RESOLUTION NO. 37-14

ANNEXATION 2014-02-13 CACTUS HEIGHTS

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 access to the major street network and adequate provision for municipal utilities when the following occur:

- a. The sanitary sewer is extended from the south.
- b. The water main is extended from the north within a recently created 30' wide utility easement.
- c. Interim BMPs are constructed until Regional BMP 22 is complete.

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, Minnehaha County, and the boundary of the city is hereby extended to include such territory:

A portion of Tract 8 and a portion of Cactus Dr. in Cactus Heights Townsite in the S1/2 of the NW1/4 of Section 12-T101N-R49W, 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: 04/15/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

#### NOTICE OF HEARINGS FOR STREET VACATIONS

Set a hearing date for Tuesday, May 13, 2014, at 7:00 p.m., for Item 52:

52. A PROPOSED RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON W. 19TH ST. FROM S. MENLO AVE. TO S. WALTS AVE. AS SHOWN ON EXHIBIT A.

A motion was made by Council Member Sue Aguilar and seconded by Council Member Rex Roling to set a hearing date for Tuesday, May 13, 2014, at 7:00 p.m. for Item 52.

Vote to set a date: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr., 7. Noes, 0. Council Member James Entenman was excused from the meeting and the vote on this item.

Motion Passed.

Council Member James Entenman returned to the meeting at this time.

#### NEW BUSINESS

53. MOTION TO CONVASS THE APRIL 8, 2014, ELECTION RETURNS PURSUANT TO SDCL 9-13-24, DECLARE THE RESULT, AND ENTER THE RESULT IN THE JOURNAL (MINUTES).

A motion was made by Council Member James Entenman and seconded by Council

Member Michelle Erpenbach to canvass the April 8, 2014, election returns pursuant to SDCL 9-13-24, declare the result, and enter the result in the Journal (minutes).

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

#### ADJOURNMENT

A motion was made by Council Member Sue Aguilar and seconded by Council Member Dean Karsky to adjourn the meeting at 8:52 p.m.

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