

|| City of Sioux Falls Council Meeting Minutes ||
|| Carnegie Town Hall, 235 West 10th Street ||
|| MEETING OF Monday, December 20, 2010, at 7:00 PM ||

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Council Member Greg Jamison
Council Member Bob Litz
Council Member Rex Roling
Council Member Sue Aguilar
Council Member Kenny Anderson Jr.
Council Member Vernon Brown
Council Member James Entenman
Council Member Michelle Erpenbach
Mayor Mike T. Huether

INVOCATION

- Randy Rasmussen, Emmanuel Baptist

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

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

Vote to approve: Roll Call: Yeses, Greg Jamison, Bob Litz, Rex Roling, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, 8. Noes, 0.
Motion Passed.

MINUTES

- Informational Meeting of Monday, December 13, 2010, at 4:00 p.m.
- City Council Meeting of Monday, December 13, 2010, at 7:00 p.m.

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:

1. Valley Investors, LLC, Parcel 80169, for property taxes in 2007 for the

amount of \$668.05; in 2008 for the amount of \$667.60; and in 2009 for the amount of \$621.65. The parcel was replatted prior to 2007 assessment and is now part of outlot A, Diamond Field Estates. Taxpayer is now requesting an abatement for the double assessment.

2. City of Sioux Falls, 23835 S. Western Ave., for 2009 property taxes in the amount of \$90.06. City of Sioux Falls received a portion of land on September 18, 2009 and is now requesting an abatement for the 105 days owned in 2009.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

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

Vote to approve: Roll Call: Yeses, Greg Jamison, Bob Litz, Rex Roling, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, 8. Noes, 0.
Motion Passed.

PUBLIC INPUT

There was none.

UNFINISHED BUSINESS

A motion was made by Council Member James Entenman and seconded by Council Member Rex Roling to approve Items 3 through 7, with one vote.

Vote to approve: Roll Call: Yeses, Greg Jamison, Bob Litz, Rex Roling, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, 8. Noes, 0.
Motion Passed.

3. New 2010-11 Package Malt Beverage License for SARP LLC, BP Shop, to be operated at 900 North Sycamore Avenue, with the Conditional Use Permit (2010-07-07) being approved on 08-04-10.
4. New 2011 Retail Wine License for Overtime Inc., Overtime Sports Grill & Bar, to be operated at 4529 East 26th Street, effective January 1, 2011, including video lottery terminals (full service restaurant; CUP not required). Pending final inspections per Health and Building Services.
5. Transfer of a 2010-11 Retail Malt Beverage License from Neil's Inc., Keg Beer Lounge, 4529 East 26th Street, to Overtime Inc., Overtime Sports Grill

& Bar, to be operated at 4529 East 26th Street, including video lottery terminals (full service restaurant; CUP not required). Pending final inspections per Health and Building Services.

6. Transfer of a 2010-11 Retail Malt Beverage License from Maura Minero, Taqueria Los Cantaritos, 802 East Tenth Street, to Francisco Resendiz, Tacos Lupe #3, to be operated at 802 East Tenth Street (full service restaurant; CUP not required).
7. Various Retail Liquor, Package Liquor, and Retail Wine License renewals for 2011 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit C.

INTRODUCTION AND ADOPTION OF ORDINANCES

8. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA, AUTHORIZING THE ISSUANCE OF ITS WATER SYSTEM REVENUE BOND TO THE SOUTH DAKOTA CONSERVANCY DISTRICT, AUTHORIZING THE USE OF THE PROCEEDS THEREOF FOR CAPITAL IMPROVEMENTS, PLEDGING A PORTION OF THE DRINKING WATER SYSTEM REVENUE OF THE CITY TO THE PAYMENT OF SAID WATER SYSTEM REVENUE BOND, FIXING THE TERMS OF SUCH WATER SYSTEM REVENUE BOND, AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE CITY AND THE SOUTH DAKOTA CONSERVANCY DISTRICT, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH WATER SYSTEM REVENUE BOND TO THE SOUTH DAKOTA CONSERVANCY DISTRICT NOT TO EXCEED \$4,000,000.

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to adopt said Ordinance for Item 8.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Bob Litz, Rex Roling, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, 8. Noes, 0.
Motion Passed.

9. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA, AUTHORIZING THE ISSUANCE OF ITS WASTEWATER SYSTEM REVENUE BONDS, IN ONE OR MORE SERIES, TO THE SOUTH DAKOTA CONSERVANCY DISTRICT, AUTHORIZING THE USE OF THE PROCEEDS THEREOF FOR CAPITAL IMPROVEMENTS, PLEDGING A PORTION OF THE WASTEWATER SYSTEM REVENUE OF THE CITY TO THE PAYMENT OF SAID WASTEWATER SYSTEM REVENUE BONDS, FIXING THE TERMS OF SUCH WASTEWATER SYSTEM REVENUE BONDS, AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE CITY AND THE SOUTH DAKOTA CONSERVANCY DISTRICT, AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH WASTEWATER SYSTEM REVENUE BONDS TO THE SOUTH DAKOTA CONSERVANCY DISTRICT NOT TO EXCEED \$24,589,400.

A motion was made by Council Member Bob Litz and seconded by Council Member Michelle Erpenbach to Adopt said Ordinance for Item 9.

Vote: Roll Call: Yeses, Greg Jamison, Bob Litz, Rex Roling, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, 8. Noes, 0.
Motion Passed.

Set a date of hearing and 2nd Reading for Monday, January 3, 2010 for Item 10:

10. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 4200S. SYCAMORE AVENUE FROM THE RA-1, RESIDENTIAL DISTRICT AND THE O, OFFICE DISTRICT TO THE EASTERN HILLS PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2010-11-04 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (Planning Commission recommends approval.)

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Michelle Erpenbach to set a date of hearing and 2nd Reading for Monday, January 3, 2010 for Item 10.

Vote to set a date: Roll Call: Yeses, Greg Jamison, Bob Litz, Rex Rolwing, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, 8. Noes, 0.

Motion Passed

HEARINGS AND RESOLUTIONS

11. A RESOLUTION AMENDING THE 2011 2015 CAPITAL PROGRAM (Water Reclamation, \$21,231,000; Storm Drainage, \$1,189,400).

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Kenny Anderson Jr. to Adopt said Resolution for Item 11.

Vote: Roll Call: Yeses, Greg Jamison, Bob Litz, Rex Rolwing, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, 8. Noes, 0.

Motion Passed

A RESOLUTION AMENDING THE 2011 2015 CAPITAL PROGRAM.

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

That the 2011 2015 Capital Program shall be amended as follows:

Public Works Water Reclamation

Amend Capital Improvements Program Project No. 001077, Central Main Interceptor Replacement, by moving the project from 2012 2013 to 2011. The estimated cost is \$1,658,000 for design/inspection and \$19,573,000 for construction, totaling \$21,231,000. This project will not require an increase in appropriations and will be funded by State Revolving Loan Funds.

Public Works Storm Drainage

Amend the Capital Improvements Program by adding Capital Improvements Program Project No. 214072, Non-Point Source Bank Stabilization, in 2011. The estimated cost is \$100,000 for design/inspection, \$50,000 for geotechnical testing, and \$1,039,400 for construction, totaling \$1,189,400. The project will require an increase in appropriations and will be funded by State Revolving Loan Funds.

Date adopted: 12/20/10.

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

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

Member Bob Litz to adopt said Resolution for Item 12.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Bob Litz, Rex Roling, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, 8. Noes, 0.

Motion Passed

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 |
|---------------------------|---|--|
| Richard D. Tupper | Veterans Memorial Park Advisory Board | Appointed for a term from December 2010 to December 2015 (to replace Dave Nordlund) |
| Mike Hurley | Board of Health Falls Community Health Center Board | Reappointed for a term from December 2010 to December 2013 |
| Gwendolyn Martin-Fletcher | Board of Health Falls Community Health Center Board | Reappointed for a term from December 2010 to December 2013 |
| David Nadolski | Employee s Retirement System Board of Trustees | Reappointed for a term from December 2010 to December 2014 |
| Angeline Lavin | Employee s Retirement System Board of Trustees | Appointed for a term from December 2010 to December 2014 (to replace Mark Sivertson) |
| Mark Sivertson | Firefighter s Pension Fund Board of Trustees | Appointed for a term from December 2010 to December 2014 (to replace Angeline Lavin) |
| Ceca Cooper | Visual Arts Commission | Reappointed for a term from December 2010 to December 2013 |
| Ann Marie Davis | Visual Arts Commission | Reappointed for a term from December 2010 to December 2013 |
| Glenda Schmid | Siouxland Heritage Museums Board | Reappointed for a term from December 2010 to December 2013 |
| Michelle Erpenbach | Siouxland Heritage Museums Board | Per joint City/County agreement replacing Kermit Staggers |

Date adopted: 12/20/10.

ADJOURNMENT

A motion was made by Council Member James Entenman and seconded by Council Member Bob Litz to adjourn at 7:26 p.m.

Vote to adjourn: Roll Call: Yeses, Greg Jamison, Bob Litz, Rex Roling, Sue

Aguilar, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach,
8. Noes, 0.
Motion Passed

Jamie L. Palmer, 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) 367-8081 (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 16: CITY COUNCIL MEETINGS AIR LIVE THE FIRST, SECOND, AND THIRD MONDAYS OF EACH MONTH AT 7:00 P.M. THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AIR LIVE THE THIRD MONDAY 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 MEETINGS S VIDEO ARE POSTED ON THE MEETING MINUTES AND AGENDAS PAGE.

CLOSED CAPTIONING: CITY COUNCIL MEETINGS ARE CLOSE CAPTIONED ON CITYLINK 16. CITYLINK 16 REBROADCAST: CITY COUNCILMEETINGS AT 10:00 A.M. ON WEDNESDAYS, 1:00 A.M. ON THURSDAYS, AND 7:00 P.M. ON SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 10:00 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.