

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Monday, March 12, 2012, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Sue Aguilar

Council Member Kenny Anderson Jr.

Council Member Vernon Brown

Council Member James Entenman

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rex Rolfing

Mayor Mike T. Huether

INVOCATION

Councilor Michelle Erpenbach

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PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Sioux Empire Water Festival Days, March 19 and 20, 2012

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CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

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

Vote to approve: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolfing, 8. Noes, 0.

Motion Passed.

COMMUNICATIONS

1. Approval of Contracts/Agreements on March 7, 2012 memo.

Sponsor: Mayor/Finance

2. Report of Request for Quotes for Fuel: February 21, 2012; Diesel (#1 and #2 blend); 650 gallons; Howes Oil (\$2248.19); Palisades Oil and Midway Service, both no bids. Bid awarded to: Howes Oil.

Sponsor: Mayor/Sioux Falls Fire Rescue

3. Report of Request for Quotes for Fuel: February 21, 2012; Unleaded; 500 gallons; Howes Oil (\$1608.75); Palisades Oil and Midway Service, both no bids. Bid awarded to: Howes Oil.

Sponsor: Mayor/Sioux Falls Fire Rescue

4. Report of Request for Quotes for Fuel: February 28, 2012; #1 and #2 Dyed Diesel Fuel; 7500 gallon (3750 gallons each #1 and #2); Howes Oil (#1 - \$3.4410/#2 - \$3.3675); CHS, Inc. (#1 - 3.4400/#2 - \$3.3900); Harms Oil (#1 - \$3.4680/#2 - \$3.4086); Midwest Oil (#1 - \$3.5100/#2 - \$3.4500); Olson Oil, no bid. Bid awarded to: Howes Oil.

Sponsor: Mayor/Fleet

5. Report of Request for Quotes for Fuel: February 29, 2012; Winter Mix 50/50 #1 and #2 Dyed Diesel; 250 gallons; Midway Service (887.50); Howes Oil (909.75); Midwest Oil, no bid. Bid awarded to: Midway Service.

Sponsor: Mayor/Parks and Recreation

6. Report of Request for Quotes for Fuel: March 1, 2012; #1 and #2 Dyed Diesel Fuel; 7500 gallons (3750 gallons each of #1 and #2); Harms Oil (#1 - \$3.3465/#2 - \$3.2846); Howes Oil (#1 - \$3.3715/#2 - \$3.2750); CHS, Inc. (#1 - \$3.3800/#2 - \$3.3300); Midwest Oil and Olson Oil, both no bids. Bid awarded to: Harms Oil.

Sponsor: Mayor/Fleet

7. Report of Request of Quotes for Fuel: March 2, 2012; #2 Clear Diesel; 7500 gallons; CHS, Inc. (3.35); Howes Oil, no bid; Harms Oil (3.5592); and Midwest Oil, no bid. Bid awarded to: CHS, Inc.

Sponsor: Mayor/Sioux Area Metro

8. A communication was received from the Children's Care Hospital & School stating their intent to sell raffle tickets from March 15, 2012, to April 28, 2012, for a Gunderson's Shopping Spree (approximate value \$1,000.00). Tickets will be sold for \$10.00 each. The proceeds will be used for the Children's Care Hospital & School Auxiliary.

Sponsor: SDCL 22-25-25

A communication was received from the Sioux Falls Regional USBC stating their intent to sell raffle tickets from March 30, 2012, to April 29, 2012 (weekends only), for a "Bowling" quilt (approximate value \$75.00). Tickets will be sold for \$1.00 each. The proceeds will be used for Susan B. Komen for the Cure (Bowling for the Cure).

Sponsor: SDCL 22-25-25

A communication was received from Sioux Falls Jazz and Blues stating their intent to sell raffle tickets on April 14, 2012, for 2012-2013 subscriptions to the Jazz and Blues Concert series and several gift certificates to restaurants in Downtown Sioux Falls (approximate value \$1,500.00). Tickets will be sold for \$5.00 each or 5 for \$20.00. The proceeds will be used for the Sioux Falls Jazz and Blues Education Fund.

Sponsor: SDCL 22-25-25

A communication was received from the Sioux Empire Community Theater stating their intent to sell 50/50 raffle tickets from May 4, 2012, to May 20, 2012. Tickets will be sold for \$1.00 each or 6 for \$5.00. The proceeds will be used for fundraising for the Sioux Empire Community Theater.

Sponsor: SDCL 22-25-25

A communication was received from Don Smith requesting permission to consume, but not sell, liquor, wine and malt beverages at The Old Courthouse Museum, 200 W. Sixth St., on Friday, April 6, 2012, from 5:00 p.m. - 9:00 p.m., for a wedding rehearsal dinner.

Sponsor: SDCL 35-1-5.3

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

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

Vote to approve: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolfing, 8. Noes, 0.

Motion Passed.

PUBLIC INPUT

Theresa Stehly invited all to attend the Council Working Session on Wednesday, March 14, 2012, at 4:30 p.m. to discuss public input.

I.L. Wiederman and Tim Stanga spoke about the recent Open Meeting Commission hearing.

Darrin Smith recognized Erica Beck for her almost seven years of service to the City.

INTRODUCTION AND ADOPTION OF ORDINANCES

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING
13. THE RELEASE OF A PORTION OF A PERMANENT UTILITY EASEMENT IN TRACT F OF
HIGHLAND PARK SUBDIVISION, MINNEHAHA COUNTY, SOUTH DAKOTA.

Sponsor: Mayor/Public Works

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Roling to adopt said Ordinance 18-12.

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

Motion Passed.

HEARINGS AND RESOLUTIONS

14. A RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON N. ELEANOR AVE. FROM E. 60TH ST. N. TO E. 57TH ST. N.

Sponsor: Mayor/Public Works

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to adopt said Resolution 10-12.

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

Motion Passed.

RESOLUTION NO. 10-12

A RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON [N. ELEANOR AVE. FROM E. 60TH ST. N. TO E. 57TH ST. N].

WHEREAS, a petition of the owners of:

[Tract F Highland Park Subdivision, Minnehaha County, SD; Lots 1, 5, and 6 Block 2 Sioux Empire Development Park Five Addition to the City of Sioux Falls, Minnehaha County, SD; Lots 17-20 and Lot 21 (except N 17') Block 7 Highland Park Subdivision, Minnehaha County, SD;]

to the City of Sioux Falls, [One of: Minnehaha/Lincoln] County, South Dakota, has been filed with the City Clerk, asking that the aforesaid be vacated. Pursuant to SDCL, notice of hearing has duly been given, and said notice was properly published; and

WHEREAS, the hearing was held on [March 12, 2012], and the petition has been duly examined and investigated by the City Council of the City of Sioux Falls. Testimony in support of said petition has been heard, and no opposition thereto was voiced. Said property, as shown upon the plats attached to and made a part of said petition, has not been used for public travel in the last 20 years.

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

That the public right-of-way on [N. Eleanor Ave. from E. 60th St. N. to E. 57th St. N]. to the City of Sioux Falls, [One of: Minnehaha/Lincoln] County, South Dakota, be and the same hereby is declared vacated, and that the City Clerk shall cause to be filed with the Register of Deeds, [One of: Minnehaha/Lincoln] County, South Dakota, a duly certified transcript of this resolution.

Date adopted: 03/12/12 .

Mike T. Huether

Mayor

ATTEST:

Jamie L. Palmer, CMC

Assistant City Clerk

A RESOLUTION ABATING AND REFUNDING FRONT FOOT ASSESSMENTS FOR STREET
15. MAINTENANCE FEES AT PARCEL NOS. 35194, 35196, 35197, 35198, 35200, AND
35201.

Sponsor: Mayor/Public Works

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Sue Aguilar to adopt said Resolution 11-12.

Vote to adopt: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, 6. Noes, Dean Karsky, Rex Roling, 2.

Motion Passed.

RESOLUTION NO. 11-12

A RESOLUTION ABATING AND REFUNDING FRONT FOOT ASSESSMENTS FOR STREET
MAINTENANCE FEES AT PARCEL NOS. 35194, 35196, 35197, 35198, 35200, AND 35201.

WHEREAS, Kon Fat Choi owns Lots 8, 9, 10, 11, 12, and 13 of Dunning's Subdivision of Lots 59 to 64, inclusive, of the Realty Co's. Subdivision of a part of Block 6 of Highland Addition to Sioux Falls, Minnehaha County, South Dakota, according to the recorded plat thereof (parcel Nos. 35194, 35196, 35197, 35198, 35200, and 35201); and

WHEREAS, the property consists of six separate parcels of land identified as parcel Nos. 35194, 35196, 35197, 35198, 35200, and 35201; and

WHEREAS, 44' of parcel No. 35194 fronts Pearl St., which is a City-maintained road; and

WHEREAS, 80' of parcel No. 35196 fronts Pearl St., which is a City-maintained road; and

WHEREAS, 80' of parcel No. 35197 fronts Pearl St., which is a City-maintained road; and

WHEREAS, 80' of parcel No. 35198 fronts Pearl St., which is a City-maintained road; and

WHEREAS, 70' of parcel No. 35200 fronts Pearl St., which is a City-maintained

road; and

WHEREAS, 47' of parcel No. 35201 fronts Pearl St., which is a City-maintained road; and

WHEREAS, the total of 401' of the six aforementioned parcels front Pearl St., which is a City-maintained road; and

WHEREAS, Section 38-31 of the Revised Ordinances of the City of Sioux Falls authorizes the City Council to annually levy for the purpose of maintaining or repairing street surfacing or pavement a special front foot assessment not to exceed \$1.00 per front foot upon the lots fronting and abutting the street; and

WHEREAS, at all relevant times herein, the City Council has levied a special front foot assessment of \$1.00 per front foot upon the lots fronting and abutting the streets; and

WHEREAS, Four Hundred One Dollars (\$401) total was assessed against parcel Nos. 35194, 35196, 35197, 35198, 35200, and 35201 for the 2010 taxes due in 2011 and the 2011 taxes due in 2012; and

WHEREAS, Section 39-160 of the Revised Ordinances of the City of Sioux Falls authorizes the City Council to abate or refund any part of a tax if the City Council is satisfied beyond a doubt that the assessment of real property described in the application for abatement or refund is invalid, inequitable, or unjust if the request is filed no later than the 1st day of November of the fourth year after which such assessment would have been delinquent;

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

The City Council is satisfied beyond a doubt that the front foot assessments imposed against current parcel Nos. 35194, 35196, 35197, 35198, 35200, and 35201 are inequitable or unjust; and

The total assessments of Four Hundred One Dollars (\$401) imposed against parcel Nos. 35194, 35196, 35197, 35198, 35200, and 35201 for the 2010 tax year due in 2011 are herein to be refunded to Kon Fat Choi; and

The City Council further abates the front foot assessments for street maintenance on parcel Nos. 35194, 35196, 35197, 35198, 35200, and 35201 for 2011 due in 2012.

Date adopted: 03/12/12 .

Mike T. Huether

Mayor

ATTEST:

Jamie L. Palmer, CMC

Assistant City Clerk

16. A RESOLUTION ABATING AND REFUNDING FRONT FOOT ASSESSMENTS FOR STREET MAINTENANCE FEES AT PARCEL NO. 53604.

Sponsor: Mayor/Public Works

See Item 17 for action taken.

17. A RESOLUTION ABATING AND REFUNDING STORM DRAINAGE FEE ASSESSMENTS AT PARCEL NO. 53604.

Sponsor: Mayor/Public Works

A motion was made by Council Member Greg Jamison and seconded by Council Member Kenny Anderson Jr. to defer Items 16 and 17 to the meeting on Monday, April 9, 2012, at 7:00 p.m.

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

Motion Passed.

18. A RESOLUTION ABATING AND REFUNDING STORM DRAINAGE FEE ASSESSMENTS AT PARCEL NOS. 10422, 10423, 10424, 10425, 10428, AND 55652.

Sponsor: Mayor/Public Works

A motion was made by Council Member Sue Aguilar and seconded by Council Member Dean Karsky to adopt said Resolution 12-12.

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

Motion Passed.

RESOLUTION NO. 12-12

A RESOLUTION ABATING AND REFUNDING STORM DRAINAGE FEE ASSESSMENTS AT PARCEL NOS. 10422, 10423, 10424, 10425, 10428, AND 55652.

WHEREAS, Thomas G. Hein owns the S1/2 of Government Lot 2 in the SW1/4 (except Oliver's Tracts and Hein's Addition and abandoned railroad right-of-way) in Section 18-T101N-R48W of the 5th P.M. and Tracts 1, 2, and 5 of Hein's Addition in the SW1/4 of the SW1/4, Section 18-T101-R48W of the 5th P.M. and Tract 1 and the North 150' of the West 300' of Tract 3 of Oliver's Tracts in the SW1/4 of the SW1/4, Section 18-T101N-R48W of the 5th P.M. and abandoned railroad right-of-way in Government Lot 2 in the SW1/4 of Section 18-T101N-R48W of the 5th P.M., Minnehaha County, South Dakota (previous parcel Nos. 10422, 10423, 10424, 10425, 10428, and 55652 that are currently all combined as parcel No. 10424); and

WHEREAS, the property consists of parcel Nos. 10422, 10423, 10424, 10425, 10428, and 55652 that have been combined and are currently all identified as parcel No. 10424; and

WHEREAS, Section 41-80 of the Revised Ordinances of the City of Sioux Falls authorizes the City of Sioux falls to establish a charge against real property within the city for the operation, maintenance, and capital expenses of the storm sewer and drainage system; and

WHEREAS, at all relevant times herein, the City has established and charged a fee against real property for the operation, maintenance, and capital expenses of the storm sewer and drainage system; and

WHEREAS, One Thousand Three Hundred Ninety-Seven Dollars and Twenty-Three Cents

(\$1,397.23) in storm drainage fees were assessed against the aforementioned parcel numbers for the 2007 taxes due in 2008; and

WHEREAS, One Thousand Two Hundred Eighty-Five Dollars and Thirty-Five Cents (\$1,285.35) in storm drainage fees were assessed against the aforementioned parcel numbers for the 2008 taxes due in 2009; and

WHEREAS, One Thousand Two Hundred Eighty-Five Dollars and Thirty-Five Cents (\$1,285.35) in storm drainage fees were assessed against the aforementioned parcel numbers for the 2009 taxes due in 2010; and

WHEREAS, One Thousand Two Hundred Eighty-Five Dollars and Thirty-Five Cents (\$1,285.35) in storm drainage fees were assessed against the aforementioned parcel numbers for the 2010 taxes due in 2011; and

WHEREAS, South Dakota Codified Law 46A-10B-20 exempts agricultural land as defined in South Dakota Codified Law 10-6-31.3 from being assessed storm drainage fees; and

WHEREAS, the aforementioned parcel numbers do now and at all times relevant herein qualified as agricultural land as defined in South Dakota Codified Law 10-6-31.3; and

WHEREAS, the error was corrected in 2011 and storm drainage fees are no longer being assessed against current parcel No. 10424 starting with the 2011 taxes due in 2012; and

WHEREAS, Section 39-160 of the Revised Ordinances of the City of Sioux Falls authorizes the City Council to abate or refund any part of a tax if the City Council is satisfied beyond a doubt that the assessment of real property described in the application for abatement or refund is invalid, inequitable, or unjust if the request is filed no later than the 1st day of November of the fourth year after which such assessment would have been delinquent;

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

The City Council is satisfied beyond a doubt that the storm drainage fees imposed against parcel Nos. 10422, 10423, 10424, 10425, 10428, and 55652 were invalid, inequitable, or unjust for the tax year 2007 due in 2008, 2008 due in 2009, 2009 due in 2010, and 2010 due in 2011; and

One Thousand Three Hundred Ninety-Seven Dollars and Twenty-Three Cents (\$1,397.23) in storm drainage fees paid for the aforementioned parcel numbers for the 2007 taxes due in 2008 are to be refunded to Thomas G. Hein; and

One Thousand Two Hundred Eighty-Five Dollars and Thirty-Five Cents (\$1,285.35) in storm drainage fees paid for the aforementioned parcel numbers for the 2008 taxes due in 2009 are to be refunded to Thomas G. Hein; and

One Thousand Two Hundred Eighty-Five Dollars and Thirty-Five Cents (\$1,285.35) in storm drainage fees paid for the aforementioned parcel numbers for the 2009 taxes due in 2010 are to be refunded to Thomas G. Hein; and

One Thousand Two Hundred Eighty-Five Dollars and Thirty-Five Cents (\$1,285.35) in storm drainage fees paid for the aforementioned parcel numbers for the 2010 taxes due in 2011 are to be refunded to Thomas G. Hein; and

A total refund of Five Thousand Two Hundred Fifty-Three Dollars and Twenty-Eight Cents (\$5,253.28) shall be refunded to Thomas G. Hein pursuant to Section 39-160 of the Revised Ordinances of the City of Sioux Falls because the

aforementioned assessments were invalid, inequitable, or unjust.

Date adopted: 03/12/12 .

Mike T. Huether

Mayor

ATTEST:

Jamie L. Palmer, CMC

Assistant City Clerk

19. A RESOLUTION OF INTENT TO ESTABLISH A LODGING ESTABLISHMENT OCCUPATION TAX AS AN ADDITIONAL MEANS OF FUNDING ELIGIBLE PROJECTS, IMPROVEMENTS, FACILITIES, AND ACTIVITIES WITHIN THE MAIN STREET BUSINESS IMPROVEMENT DISTRICT.

Sponsor: Mayor/Community Development

A motion was made by Council Member James Entenman and seconded by Council Member Dean Karsky to adopt said Resolution 13-12.

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

Motion Passed.

RESOLUTION NO. 13-12

A RESOLUTION OF INTENT TO ESTABLISH A LODGING ESTABLISHMENT OCCUPATION TAX AS AN ADDITIONAL MEANS OF FUNDING ELIGIBLE PROJECTS, IMPROVEMENTS, FACILITIES, AND ACTIVITIES WITHIN THE MAIN STREET BUSINESS IMPROVEMENT DISTRICT.

WHEREAS, on October 23, 1989, the City of Sioux Falls established the Main Street Business Improvement District and authorized the use of a special assessment pursuant to SDCL Ch. 9-55 for purposes authorized by said Chapter; and

WHEREAS, the City of Sioux Falls has determined the most fair and equitable method of funding eligible proposed projects, improvements, facilities, and activities in the Main Street Improvement District necessitates the implementation of both special assessments and a lodging establishment occupation tax; and

WHEREAS, pursuant to SDCL Ch. 9-55-2, the City of Sioux Falls is authorized to use both special assessment and occupation taxes for raising district funds; and

WHEREAS, pursuant to SDCL 9-55, this resolution proposes the implementation and collection of a lodging establishment occupation tax and will be codified in City ordinance on the date of hearing; and

WHEREAS, pursuant to SDCL 9-55-3, monies generated may be used for a variety of eligible purposes, including, but not limited to, the development, construction, and maintenance of improvements, facilities, and activities and promotion of events in the Main Street Improvement District whether capital or noncapital in nature; and

WHEREAS, the method for raising revenue through a lodging establishment occupation tax will be fair and equitable, and the actual use of funds shall be a primary factor in determining the fair and equitable application of any hotel/transient occupation tax.

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

1. Proposed Authorization of Lodging Establishment Occupation Taxing Method. The City Council hereby expresses its intent to authorize a lodging establishment occupation tax to raise funds within the Main Street Business Improvement District whose boundaries are set forth in Sec. 39-142 of the Revised Ordinances of Sioux Falls, SD.

2. Public Hearing. The City shall hold a public hearing on the proposed authorization of the lodging establishment occupation taxing method on Monday, April 16, 2012, at 7 p.m. in the Carnegie Town Hall, 235 W. Tenth St., Sioux Falls, SD. The City Clerk is hereby authorized and directed to (A) publish notice of the hearing in the official newspaper of the city not less than 30 days prior to the hearing date; and (B) mail a complete copy of the resolution of intent and the notice of hearing not less than 30 days prior to the hearing date to (i) each owner of taxable property as shown on the property tax roll for the proposed district; and (ii) the occupant of each address located in the proposed district. Such notice shall be substantially in the form attached hereto.

3. Proposed Collection and Use of Funds. In accordance with SDCL Ch. 9-55, it is proposed that a lodging establishment occupation tax be imposed on consenting lodging establishments within the district to the maximum allowed by SDCL Ch. 9-55 per night per rented room for all lodging rooms within the Main Street Business Improvement District, and that the proceeds of such occupation tax be used to pay for eligible projects, improvements, facilities, and activities approved in conjunction with the implementation of the tax.

This resolution of intent proposes an occupation tax on transient guests up to the maximum allowed by SDCL Ch. 9-55 to be applied per room per night at the proposed Hilton Garden Inn hotel at approximately 201 E. Eighth St., of which funds so collected may be used for expenses described specifically in paragraph 4. Any implementation and collection of a lodging establishment occupation tax will be by City ordinance and will establish the amount of the tax, the lodging establishments subject to this tax, the method of collection, any fines or punishment for failure to pay, and the allocation of funds to specific eligible projects, improvements, facilities, and activities allowed by SDCL Ch. 9-55, and approved by the City Council in this or a future notice of intent and the actual cost of such projects, improvements, facilities, and activities to a maximum of \$3,500,000.

4. Specific Improvements, Facilities, and Activities. The funds collected from the lodging establishment occupation tax shall be used to pay for the projected and estimated costs of the following projects, improvements, facilities, and activities:

Project Est. Amount

Demolition of River Ramp (201 E. Eighth St.) \$775,000

Site Development Preparation to Include Excavation, Earthwork and Fill, and \$1,500,000

Environmental Remediation (201-243 E. Eighth St.)

Public Greenway Access and Landscaping (201-243 E. Eighth St.)	\$200,000
Architectural, Engineering, Legal, and Other Fees (201-243 E. Eighth St.)	\$25,000
Off-Street Parking Facilities (201-243 E. Eighth St.)	\$500,000
Projects Allowed by City Ordinance Sec. 39-145 (Districtwide)	\$500,000
TOTAL	\$3,500,000

5.Excess Funds. After sufficient funds have been collected to fully pay for the actual costs of the specific eligible projects, improvements, facilities, and activities set forth in paragraph4 above, any excess lodging establishment occupation tax proceeds shall be paid over to Downtown Sioux Falls to be utilized to pay for other eligible projects, improvements, facilities, and activities within the district as authorized by current and future notices of intent, subject to Sioux Falls City Council approval, and applicable law.

Date adopted: 03/12/12 .

Mike T. Huether

Mayor

ATTEST:

Jamie L. Palmer, CMC

Assistant City Clerk

NOTICE OF HEARINGS FOR STREET VACATIONS

Set a hearing date for Monday, April 9, 2012, at 7:00 p.m. for Item 20:

A PROPOSED RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON N. NATIONAL AVE . FROM
 20. E. 54TH ST. N. TO THE SOUTH PROPERTY LINE OF TRACT 16 RALPH'S TRACTS AND
 E.
 52ND ST. N. FROM THE WEST PROPERTY LINE OF TRACT 16 RALPH'S TRACTS TO N.
 JESSICA AVE.

Sponsor: Mayor/Public Works

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Michelle Erpenbach to set a hearing date for Monday, April 9, 2012, at 7:00 p.m. for Item 20.

Vote to set a hearing: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolfling, 8. Noes, 0.

Motion Passed.

ADJOURNMENT

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member James Entenman to adjourn at 8:06 p.m.

Vote to adjourn: Roll Call: Yeses, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolfig, 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) 367-8080 (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 16: INFORMATIONAL MEETINGS AIR LIVE THE FIRST, SECOND, THIRD, AND LAST MONDAYS OF EACH MONTH AT 4:00 P.M. COUNCIL COMMITTEE MEETINGS AIR LIVE THE FIRST, SECOND, AND LAST MONDAYS OF EACH MONTH IMMEDIATELY FOLLOWING THE INFORMATIONAL MEETING. 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 5:30 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: INFORMATIONAL MEETINGS AT 9:00 A.M. ON WEDNESDAYS, 1:30 A.M ON THURSDAYS, AND 6:00 P.M. ON SATURDAYS. COUNCIL COMMITTEE MEETINGS AT 8:00 A.M. ON WEDNESDAYS, 12:30 A.M. ON THURSDAYS, AND 5:00 P.M. ON SATURDAYS. CITY COUNCIL MEETINGS AT 10:00 A.M. ON WEDNESDAYS, 2:30 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 1:00 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.