

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, December 18, 2012, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rex Roling

Council Member Kermit L. Staggers

Council Member Sue Aguilar

Council Member Kenny Anderson Jr.

Council Member James Entenman

Mayor Mike T. Huether

INVOCATION

Dr. Ron Tottingham, Empire Baptist Temple

*

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

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

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

Motion Passed.

MINUTES

Informational Meeting of Tuesday, December 11, 2012, at 4:00 p.m.

*

City Council Meeting of Tuesday, December 11, 2012, at 7:00 p.m.

*

COMMUNICATIONS

1. Approval of Contracts/Agreements on December 13, 2012 memo.

Sponsor: Mayor/Finance

2. Notice of change orders on December 13, 2012 memo.

Sponsor: Mayor/Finance

3. Report of Request for Quotes for Fuel: December 5, 2012; #1 & #2 Dyed Diesel Fuel; 3750 Gallons #1 & 3750 Gallons #2; Harms Oil (\$2.9470); Howes Oil (#1, \$3.3520/#2, \$3,1550); CHS Inc. (#1, \$3.4400/#2, \$3.1700); Midwest Oil, (#1, \$3.5900/#2, \$3.3400. Howes Oil and Midwest Oil, no bids. Bid awarded to: Harms Oil.

Sponsor: Mayor/Public Works

4. Report of Request for Quotes for Fuel: December 6, 2012; Unleaded; 670 Gallons; Howes Oil (\$1906.15); Midway Service (\$1959.75); Palisades Oil, no bid. Bid awarded to: Howes Oil.

Sponsor: Mayor/Fire Rescue

5. Report of Request for Quotes for Fuel: December 7, 2012; Unleaded Ethanol; 8500 Gallons; Harms Oil (\$2.8160); CHS Inc., Howes Oil, and Olson Oil, no bids. Bid awarded to: Harms Oil.

Sponsor: Mayor/Public Works

6. Report of Request for Quotes for Fuel: December 11, 2012; #2 Clear Diesel; 7500 Gallons; Harms Oil (\$3.3032); CHS Inc., Howes Oil, Midwest Oil, no bids. Bid awarded to: Harms Oil.

Sponsor: Mayor/Sioux Area Metro

7. Report of Request for Quotes for Fuel: December 12, 2012; #1 and #2 Dyed Diesel Fuel; 3750 Gallons #1 and 3750 Gallons #2; CHS Inc. (#1, \$3.3400/#2, \$3.1000); Harms Oil (#1, \$3.3630/#2, \$3.1430); Midwest Oil (#1, \$3.4600/#2, \$3.2000), Howes Oil, Olson Oil, no bids. Bid awarded to: CHS Inc.

Sponsor: Mayor/Public Works

8. A memorandum dated December 10, 2012, declaring surplus capital items that were demolished as part of infrastructure upgrades.

Sponsor: Mayor/Finance

9. Statement of Claim for Mechanic's, Miner's, Laborer's or Materialman's Lien on Public Improvement Project from Southern Dakota Contracting Inc. for work and materials furnished to Westmar regarding a project at the Sioux Falls Regional Sanitary Landfill.

Sponsor: SDCL 5-22-3

- Amend a communication received from Peggy L. Anderson requesting permission to consume, but not sell, wine and beer at the Old Courthouse Museum, 200 W. Sixth Street, on December 30, 2013, from 6:00 p.m. to 11:00 p.m. for the purpose of a wedding on the Council Meeting of 12/04/12 to the date of December 30, 2012.
- 10.

Sponsor: SDCL 35-1-5.3

- A communication was received from the Sioux Falls Catholic Schools stating their intent to conduct a raffle from January 26, 2013 to February 3, 2013 for several themed gift baskets. Tickets will be sold for \$1.00 each. The proceeds will go toward the purchase of equipment for St. Lambert School, 1000 South Bahnson Avenue.
- 11.

Sponsor: Sponsor: SDCL 22-25-25

- A communication was received from the Presentation Sisters of Aberdeen, SD, stating their intent to conduct a raffle from February 1, 2013 to May 11, 2013 for a 50/50 raffle with the winner to receive half of the cash prize. Tickets will be sold for \$5.00 for one ticket and \$10.00 for three tickets. The proceeds will go toward Caminando Juntos, the Presentation Sisters Latino Ministry in Sioux Falls.
- 12.

Sponsor: SDCL 22-25-25

APPLICATIONS

- Various Retail Liquor, Package Liquor, and Retail Wine License renewals for 2013 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit D.
- 13.

Sponsor: Mayor/City Attorney

NOTICE OF HEARINGS

Set a date of hearing for Wednesday, January 2, 2013 at 7:00 p.m. on Items 14 through 17:

14. New 2012-2013 Package Malt Beverage License for Dolgen Midwest LLC, Dollar General Store #10699, to be operated at 1609 East Rice Street.

Sponsor: Mayor/City Attorney

- New 2013 Retail Liquor License for W&P of Sioux Falls LLC, name to be determined, to be operated on Lot 9B, Block 17, Dawley Farm Village Addition (general location 600 South Highland Place), including Sunday Sales and video lottery terminals (full service restaurant, CUP not required).
- 15.

Sponsor: Mayor/City Attorney

- Transfer of a 2012 Retail Wine License from Zing Inc, Zing, 524 North Main Avenue, Suite 110 to Zing, Inc., Zing, 301 South Minnesota Avenue with the Conditional Use Permit (2012-09-02) being approved on October 3, 2012.
- 16.

Sponsor: Mayor/City Attorney

Various Retail Liquor, Package Liquor, and Retail Wine License renewals

17. for 2013 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit E.

Sponsor: Mayor/City Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

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

A motion was made by Council Member Kermit L. Staggers and seconded by Council Member Dean Karsky to amend the Regular Agenda by moving Item 31 after Item 21 on the agenda.

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

Motion Passed.

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

Motion Passed.

PUBLIC INPUT

Charlie Roberts spoke on the Spellerberg Park Pool Indoor Aquatics Center and gave the Council members a handout.

Tim Stanga also spoke on the Spellerberg Park pool, the railroad relocation project, tree trimming, the condition of the Arena, maintenance of City-owned facilities, and the potential purchase of Lowell Elementary School.

UNFINISHED BUSINESS

18. New 2013 Retail Wine License for Waterhole 2400 LLC, The Garage, to be operated at 2400 West Madison Street (CUP not required; this is an addition to an existing license which predates the ordinance). Pending final inspections per Health.

Sponsor: Mayor/City Attorney

19. New 2013 Retail Wine License for Ovations Food Services, LP, Ovations Food Services at the Orpheum Theater to be operated at 315 North Phillips Avenue (CUP not required; this is an addition to an existing license which predates the ordinance).

Sponsor: Mayor/City Attorney

20. Transfer of a 2012-2013 Retail Malt Beverage License from SMG, Orpheum Theater Center, 315 North Phillips Avenue to Ovations Food Services, LP, Ovations Food Services at the Orpheum Theater, 315 North Phillips Avenue (CUP not required; this is a change to an existing license which predates the ordinance).

Sponsor: Mayor/City Attorney

21. Rescind Retail Malt Beverage License for SMG, Sioux Falls Arena, 1201 North West Avenue, effective December 31, 2012.

Sponsor: Mayor/City Attorney

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member James Entenman to approve Items 18 through 21.

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

Motion Passed.

Item 31 was considered at this time. See item for action taken.

INTRODUCTION AND ADOPTION OF ORDINANCES

22. 2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY ADOPTING THE 2012 INTERNATIONAL BUILDING CODE AND AMENDMENTS THERETO.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Greg Jamison and seconded by Council Member Michelle Erpenbach to adopt said Ordinance No. 99-12.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Michelle Erpenbach to amend the ordinance as follows:

- * Amend section [F] 903.2.8 Group R to read as follows: "An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R-1 and R-4 fire areas. An automatic fire-extinguishing system shall be provided throughout all buildings with a Group R-2 fire area more than two stories in height, including basements, or having more than 16 dwelling units."
- * The "Exception section" previously added has been deleted.
- * The section regarding the sprinkler units will go to the Public Services Committee.

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

Motion Passed.

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

Motion Passed.

23. 2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY ADOPTING THE 2012 INTERNATIONAL FIRE CODE AND AMENDMENTS THERETO.

Sponsor: Mayor/Sioux Falls Fire Rescue

A motion was made by Council Member Greg Jamison and seconded by Council Member Kenny Anderson Jr. to adopt said Ordinance No. 100-12.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Michelle Erpenbach to amend the ordinance as follows:

- * Amend section [F] 903.2.8 Group R to read as follows: "An automatic sprinkler system installed in accordance with Section 903.3 shall be provided throughout all buildings with a Group R-1 and R-4 fire areas. An automatic fire-extinguishing system shall be provided throughout all buildings with a Group R-2 fire area more than two stories in height, including basements, or having more than 16 dwelling units."
- * The "Exception section" previously added has been deleted.
- * The section regarding the sprinkler units will go to the Public Services Committee.

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

Motion Passed.

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

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING
24. THE REVISED ORDINANCES OF THE CITY BY ADOPTING THE 2012 INTERNATIONAL RESIDENTIAL CODE AND AMENDMENTS THERETO.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Dean Karsky and seconded by Council Member James Entenman to adopt said Ordinance No. 101-12.

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

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING
25. THE REVISED ORDINANCES OF THE CITY BY ADOPTING THE 2012 INTERNATIONAL EXISTING BUILDING CODE AND AMENDMENTS THERETO.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Michelle Erpenbach to adopt said Ordinance No. 102-12.

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

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING
26. THE REVISED ORDINANCES OF THE CITY BY ADOPTING THE 2012 INTERNATIONAL

MECHANICAL CODE AND THE 2012 INTERNATIONAL FUEL GAS CODE AND AMENDMENTS
THERE TO.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to adopt said Ordinance No. 103-12.

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

Motion Passed.

27. 2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING
THE REVISED ORDINANCES OF THE CITY BY ADOPTING THE 2012 INTERNATIONAL
PROPERTY MAINTENANCE CODE AND AMENDMENTS THERE TO.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member James Entenman to adopt said Ordinance No. 104-12.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Wednesday, January 2, 2013 at 7:00 p.m. on Item 28:

28. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
PROPERTY AT 2821 W. 69TH ST. FROM THE RC, RECREATION/CONSERVATION
DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2012-11-01, AND
AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.
Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Sue Aguilar and seconded by Council Member James Entenman to set a date of hearing and 2nd Reading for Wednesday, January 2, 2013, at 7:00 p.m. on Item 28.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Wednesday, January 2, 2013 at 7:00 p.m. on Item 29:

29. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
PROPERTY AT 322 E. 8TH ST. FROM THE I-2, HEAVY INDUSTRIAL DISTRICT TO
THE C-3, CENTRAL BUSINESS DISTRICT, PETITION NO. 2012-11-14, AND
AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.
Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to set a date of hearing and 2nd Reading for Wednesday, January 2, 2013, at 7:00 p.m. on Item 29.

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

Motion Passed.

HEARINGS AND RESOLUTIONS

30. A RESOLUTION APPROVING THE 2013 AUDIT PLAN.

Sponsor: City Council

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rex Roling to adopt said Resolution No. 92-12.

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

Motion Passed.

RESOLUTION NO. 92-12

A RESOLUTION [APPROVING THE 2013 AUDIT PLAN].

WHEREAS, [The audit committee shall develop and submit to the City Council for approval an annual audit plan pursuant to Ordinance No. 120-05]; and

WHEREAS, the audit committee has developed and approved such a plan for 2013;

If there aren't any "WHEREAS" phrases, skip "NOW, THEREFORE" and begin with just "BE IT RESOLVED..."NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That [the document attached to and part of this resolution entitled 2013 Audit Plan, City of Sioux Falls is hereby approved.That the Lead Internal Auditor is authorized to carry out the audits and other projects as described in the 2013 Audit Plan].

Date adopted: 12/18/12 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

31. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, CALLING FOR A SPECIAL CITY ELECTION.

Sponsor: City Council

A motion was made by Council Member Greg Jamison and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Kermit L. Staggers, Kenny Anderson Jr., 3. Noes, Michelle Erpenbach, Dean Karsky, Rex Rolfling, Sue Aguilar, James Entenman, 5.

Motion Failed.

A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. (ANNEXATION 2012-11-18: SUNDOWNER AVE. BETWEEN 69TH ST. AND 85TH ST.)

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution No. 93-12.

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

Motion Passed.

RESOLUTION NO. 93-12

ANNEXATION 2012-11-18: SUNDOWNER AVE. BETWEEN 69TH ST. AND 85TH ST.

A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

WHEREAS, there has been presented to the City Council of the City of Sioux Falls and filed with the City Clerk, a Petition in writing signed by the owners and otherwise in compliance with the provisions of SDCL Chapter 9-4, requesting that the territory hereinafter described be included within the municipality;

WHEREAS, there has been an analysis completed in regard to the territory hereinafter described and it has been found that:

1. The property has been properly described and is contiguous to the current city limits.
2. The proposed land uses and densities are generally consistent with the Shape Sioux Falls 2035 Comprehensive Plan.
3. There is adequate provision for municipal utilities and access to the major street network except for the following:
 - a. Sewer, water, and street improvements will not be available in the next five years. The owner acknowledges that sewer, water, and street improvements are not available at this time. The proposed electrical substation does not require sewer or water.

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

That the following described properties be and the same hereby are included within the corporate limits of the city of Sioux Falls, Lincoln County, and the boundary of the city is hereby extended to include such territory.

Tract 1 of Sundowner Substation in the SE1/4 of Section 13-T100-R51, Lincoln

County, South Dakota

And that the City Clerk shall cause to be filed with the Register of Deeds, Lincoln County, South Dakota, a duly certified transcript of this resolution.

Date adopted: 12/18/12 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

33. A RESOLUTION CREATING TAX INCREMENTAL DISTRICT NUMBER EIGHTEEN, CITY OF SIOUX FALLS. Planning Commission recommends approval.

Sponsor: Mayor/Community Development

A motion was made by Council Member James Entenman and seconded by Council Member Rex Roling to adopt said Resolution No. 94-12.

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

Motion Passed.

RESOLUTION NO. 94-12

A RESOLUTION [CREATING TAX INCREMENTAL DISTRICT NUMBER EIGHTEEN, CITY OF SIOUX FALLS.WHEREAS, the City Planning Commission has recommended the creation of Tax Incremental District Number Eighteen and has submitted a proposed project plan for Tax Incremental District Number Eighteen, City of Sioux Falls; andWHEREAS, the City of Sioux Falls has the authority, pursuant to SDCL Section/Chapter11-9-2(1), to create Tax Incremental District Nu

mber Eighteen, City of Sioux Falls, and define its boundaries; andWHEREAS, the property within Tax Incremental District Number Eighteen, City of Sioux Falls, meets the qualifications and criteria set forth in SDCL 11-9; andWHEREAS, the District shall be created upon the effective date of the resolution;NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:That: 1. Declaration of Necessity and Enhancement. The City Council declares the necessity for the creation of the Tax Incremental District Number Eighteen, City of Sioux Falls, pursuant to SDCL Chapter 11-9. Further, the City finds that the improvement of the area is likely to enhance significantly the value of substantially all of the other real property in the District and is necessary for economic development within the city. Improvements to the District will likely add millions of dollars in assessed valuation to the District and will significantly and substantially enhance the value of all property in the District.2. Findings of Blight. The City Council finds that more than twenty-five percent (25%) of the property in the District is a blighted area as defined in SDCL 11-9.3. Findings of Maximum Percentage of Tax Incremental Districts. The

aggregate assessed value of the taxable property in the District, plus all other tax incremental districts, does not exceed ten percent (10%) of the total

assessed valuation of the city. 4. Creation of District. There is hereby created, pursuant to SDCL Chapter 11-9, the Tax Incremental District Number Eighteen, City of Sioux Falls (the "District"). The District is hereby created on the day this resolution becomes effective, which shall be 20 days after publication.5. Designation of District Boundaries. The District shall have boundaries as shown and described on Exhibit A.6. Projects within the District must comply with the City's adopted 2035 Growth Management Plan [Comprehensive Plan] and all other appropriate plans and regulations.]

Date adopted: 12/18/12 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

34. A RESOLUTION APPROVING THE PROJECT PLAN FOR SIOUX FALLS TAX INCREMENTAL DISTRICT NUMBER EIGHTEEN. Planning Commission recommends approval.

Sponsor: Mayor/Community Development

A motion was made by Council Member Rex Rolwing and seconded by Council Member James Entenman to adopt said Resolution No. 95-12.

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

Motion Passed.

RESOLUTION NO. 95-12

A RESOLUTION [APPROVING THE PROJECT PLAN FOR SIOUX FALLS TAX INCREMENTAL DISTRICT NUMBER EIGHTEEN].

WHEREAS, [the City Planning Commission recommended approval of the project plan for Tax Incremental District Number Eighteen, which identifies certain development activities and public improvements to be undertaken by the City or private developers and paid for, in whole or in part, from the collection of tax increment revenues derived from the District]; and

WHEREAS, [the tax increment project plan is both economically feasible and in conformity with the adopted 2015 Downtown Plan and the adopted Sioux Falls 2035 Growth Management Plan; and WHEREAS, the District will be created upon the effective date of this resolution; andWHEREAS, it is anticipated that project costs, less the finance costs, in the plan will be expended prior to January 11, 2018];

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

That [the project plan for Tax Incremental District Number Eighteen is hereby approved.BE IT FURTHER RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That the City of Sioux Falls is provided approval through this resolution to enter into all necessary agreements for the implementation of the Tax Incremental District Number Eighteen project plan].

Date adopted: 12/18/12 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

35. A RESOLUTION ESTABLISHING THE CITY OF SIOUX FALLS LEGISLATIVE PRIORITIES FOR THE 2013 STATE LEGISLATIVE SESSION.

Sponsor: City Council

A motion was made by Council Member Rex Roling and seconded by Council Member Michelle Erpenbach to adopt said Resolution No. 96-12.

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

Motion Passed.

RESOLUTION NO. 96-12

A RESOLUTION [ESTABLISHING THE CITY OF SIOUX FALLS' LEGISLATIVE PRIORITIES FOR THE 2013 STATE LEGISLATIVE SESSION.]

WHEREAS, [the City Charter states that the Sioux Falls City Council is the policy making and legislative body of the City of Sioux Falls]; and

WHEREAS, [the Sioux Falls City Council serves on the South Dakota Municipal League's policy committees and supports the League's 2013 Statements of Policy];

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

That the Sioux Falls City Council, in conjunction with the South Dakota Municipal League, opposes any legislation which would inhibit municipalities from providing services requested by citizens in whatever form the citizens approve and opposes any legislation that restricts local control over taxation and spending.

The Sioux Falls City Council supports legislation increasing the number of months an underage alcohol violation can be counted from 24 to 36 months when considering suspension or revocation.

The Sioux Falls City Council supports legislation giving municipalities the authority to restrict the possession of firearms or any dangerous weapon in any building occupied as official offices of municipal officials or any building where the municipal governing body officially meets on a regular basis.

The Sioux Falls City Council supports legislation to allow future employees to

become members of the South Dakota Retirement System.

The Sioux Falls City Council supports legislation giving any municipality, sanitary sewer district, other government subdivision, or combination thereof the ability to charge customers for past and future capital costs for new capacity.

The Sioux Falls City Council supports legislation making the half-cent tourism tax permanent.

Date adopted: 12/18/12 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

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

Sponsor: Mayor

A motion was made by Council Member Sue Aguilar and seconded by Council Member Dean Karsky to adopt said Resolution No. 97-12.

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

Motion Passed.

RESOLUTION NO. 97-12

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
Dixie Hieb	Board of Historic Preservation	Reappointed for a term from January 2013 to January 2016.
Virgil Andersen	Board of Museum Trustees	Reappointed for a term from January 2013 to January 2016.
Robert Kolbe	Board of Museum Trustees	Appointed for a term from January 2013 to January 2016 (to replace Patrick McGreevy).

Tim Galbraith Infrastructure Review Advisory Board Reappointed for a term from January 2013 to January 2016 (local utility co. rep.).

Baron Wolfgang Orpheum Theater Advisory Board of Directors Reappointed for a term from January 2013 to January 2016.

Cindy Neuroth Solid Waste Planning Board Appointed for a term from January 2013 to January 2016 (to replace Greg Dix/hauling industry rep.).

Merle Wollman Solid Waste Planning Board Reappointed for a term from January 2013 to January 2016 (SD Multi-Housing rep.).

Date adopted: 12/18/12 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

ADJOURNMENT

A motion was made by Council Member James Entenman and seconded by Council Member Greg Jamison to adjourn at 10:16 p.m.

The Mayor called for a voice vote. All members presented voted yes.

Lorie Hogstad, CMC

City Clerk

MEETING ASSISTANCE: UPON REQUEST, ACCOMMODATIONS FOR MEETINGS WILL BE PROVIDED FOR PERSONS WITH DISABILITIES. PLEASE CONTACT THE CITY CLERK'S OFFICE, CARNEGIE TOWN HALL, AT (605) 367-8080 (VOICE) OR (605) 367-7039 (TDD) 24 HOURS IN ADVANCE OF THE MEETING.

ADDRESSING THE COUNCIL: PERSONS ADDRESSING THE COUNCIL SHALL USE THE MICROPHONE AT THE PODIUM. PLEASE STATE YOUR NAME. PRESENTATIONS ARE LIMITED TO FIVE MINUTES.

LIVE BROADCASTS OF COUNCIL MEETINGS ON CITYLINK: INFORMATIONAL MEETINGS AIR LIVE ON TUESDAYS EACH MONTH AT 4:00 P.M. COUNCIL COMMITTEE MEETINGS AIR LIVE THE FIRST, SECOND, AND THIRD TUESDAYS OF EACH MONTH IMMEDIATELY FOLLOWING THE INFORMATIONAL MEETING. CITY COUNCIL MEETINGS AIR LIVE THE FIRST, SECOND, AND THIRD TUESDAYS OF EACH MONTH AT 7:00 P.M. THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AIR LIVE THE FOURTH TUESDAY OF EACH MONTH AT 5:00 P.M. REGULAR MEETINGS OF THE CITY COUNCIL ARE ALSO ARCHIVED AND AVAILABLE FOR VIEWING ON DEMAND AT WWW.SIOUXFALLS.ORG. LINKS TO EACH MEETING'S VIDEO ARE POSTED ON THE MEETING MINUTES AND AGENDAS PAGE.

CLOSED CAPTIONING: CITY COUNCIL MEETINGS ARE CLOSE CAPTIONED ON CITYLINK.

CITYLINK REBROADCAST: INFORMATIONAL MEETINGS AT 1:30 A.M. AND 9:00 A.M. ON THURSDAYS, AND 6:00 P.M. ON SATURDAYS. COUNCIL COMMITTEE MEETINGS AT 12:30 A.M. AND 8:00 A.M. ON THURSDAYS, AND 5:00 P.M. ON SATURDAYS. CITY COUNCIL MEETINGS AT 2:30 AM AND 10:00 A.M. ON THURSDAYS, AND 7:00 P.M. ON SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 8:00 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1:00 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.