

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, September 11, 2012, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Kenny Anderson Jr.

Council Member James Entenman

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rex Rolwing

Council Member Kermit L. Staggers

Council Member Sue Aguilar

Mayor Mike T. Huether

INVOCATION

Pastor Carman Van Schaick, Celebrate Community Church

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PLEDGE OF ALLEGIANCE

Council Rex Rolwing asked for a moment of silence in remembrance of 9/11.

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

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

Vote to approve: Roll Call: Yeses, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolwing, Kermit L. Staggers, 7. Noes, 0. Councilor Sue Aguilar was inadvertently left out of the vote.

Motion Passed.

MINUTES

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

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City Council Meeting of Tuesday, September 4, 2012, at 7:00 p.m.

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COMMUNICATIONS

1. Approval of Contracts/Agreements on September 6, 2012 memo.

Sponsor: Mayor/Finance

2. Notice of change orders on September 6, 2012 memo.

Sponsor: Mayor/Finance

3. Report of Request for Quotes for Fuel: August 29, 2012; Unleaded Ethanol; 8500 Gallons; Harms Oil (\$3.3770); Howes Oil (\$3.3820); CHS, Inc. (\$3.4090); Olson Oil, no bids. Bid awarded to: Harms Oil.

Sponsor: Mayor/Fleet

4. A memorandum dated August 31, 2012, declaring surplus a capital item that will be traded in for another asset.

Sponsor: Mayor/Finance

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, October 9, 2012, at 7:00 p.m. for Item 5:

5. A PROPOSED RESOLUTION DECLARING THE NECESSITY TO ADOPT THE COST RECOVERY ROLL FOR SANITARY SEWER IMPROVEMENTS CONSTRUCTED IN SECTION 12, T101N, R49W, MINNEHAHA COUNTY, SD, AND ASSESSING THE COST FOR THE IMPROVEMENTS TO EACH LOT OR TRACT OF LAND BENEFITTING THEREBY.

Sponsor: Mayor/Public Works

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Kenny Anderson Jr. to approve the Regular Agenda.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to amend the Regular Agenda, by placing Item 8 before Item 7.

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

Motion Passed.

Vote to approve, the Regular Agenda, as amended: Roll Call: Yeses, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky,

Rex Rolwing, Kermit L. Staggers, Sue Aguilar, 8. Noes, 0.

Motion None.

PUBLIC INPUT

Victoria Brooks, Wanda Hariri, Shelby Brooks, Daniel Brooks, and Debbie Brooks, all representing Granny's Golden Oven, spoke about how they were evicted from the Multi-Cultural Center and mistreated by the director and staff.

INTRODUCTION AND ADOPTION OF ORDINANCES

- 2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD,
6. APPROVING THE RELEASE OF PORTIONS OF A PERMANENT UTILITY EASEMENT LOCATED IN VACATED E. NINTH ST. BETWEEN N. MABLE AVE. AND N. BLAUVELT AVE., IN THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.

Sponsor: Mayor/Public Works

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to adopt said Ordinance 74-12.

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

Motion Passed.

Item 8 was heard at this time. See item for action taken.

- 2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD,
7. PROVIDING APPROPRIATIONS AND THE MEANS OF FINANCING FOR THE FISCAL YEAR ENDING DECEMBER 31, 2013.

Sponsor: Mayor/Finance

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member James Entenman to adopt said Ordinance 75-12.

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

Motion Passed.

HEARINGS AND RESOLUTIONS

8. A RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2013, AND THE 2013-2017 CAPITAL PROGRAM.

Sponsor: Mayor/Finance

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Sue Aguilar to adopt said Resolution 73-12.

Amendment 1

A motion was made by Council Member Kermit L. Staggers and seconded by Council Member Kenny Anderson Jr. to amend the main motion, by amending "The 2013 General Fund Revenue Budget by deleting \$1,388,274 of property tax increase

(3.0% CPI adjustment pursuant to SDCL 10-13-35)."

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

Motion Failed.

Amendment 2

A motion was made by Council Member Kermit L. Staggers and seconded by Council Member Kenny Anderson Jr. to amend the main motion, by amending the "Capital Improvement Plan, Project No. 105060, Core Façade Revitalization Program, by deleting \$200,000 in 2013; \$200,000 in 2014; \$200,000 in 2015; \$250,000 in 2016; and \$250,000 in 2017 for the Core Façade Revitalization Program." (Pg. 95).

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

Motion Failed.

Council Member Kermit L. Staggers withdrew proposed Amendment 3.

Amendment 4

A motion was made by Council Member Kermit L. Staggers to amend the main motion by amending "Aquatic Facilities Development CIP: Project Justification and Relationship to Other Projects Narrative." Add a sentence that says the following: "This funding shall not be used to fund a year-round indoor aquatic facility at Spellerberg Park." Delete the sentence that says the following: "In addition, this funding would be sufficient to fund construction of an outdoor seasonal aquatic center. However, as an alternative, a year-round indoor aquatic facility is also under consideration and the public has been engaged to provide input toward the ultimate decision. The year-round facility is contingent upon community support and private contributions funding a portion of the project. Program funding as outlined on page two contains debt service on a quality of life bond issue to fund the cost differential if the year-round aquatic facility is selected. Prior to moving forward with design and construction of a year-round aquatic facility, the City Council would need to approve a bond ordinance to secure the remaining funding necessary." (Pg. 98).

Since there is no second, the motion is not before the meeting.

Council Member Kenny Anderson Jr. withdrew proposed Amendment 5.

Amendment 6

A motion was made by Council Member Kermit L. Staggers and seconded by Council Member Kenny Anderson Jr. to amend the main motion, by amending the "Capital Improvement Plan, Project No. 228064 Indoor Tennis Facility"; by adding a sentence to the Project Justification and Relationship to Other Projects to read as follows: "The \$500,000 programmed expenditures are contingent upon \$2.5 million in private funds immediately available to support an indoor tennis facility." (Pg. 102).

Vote to amend: Roll Call: Yeses, Kenny Anderson Jr., Kermit L. Staggers, 2. Noes, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolfling, Sue Aguilar, 6.

Motion Failed.

Amendment 7

A motion was made by Council Member Kermit L. Staggers to amend the main motion by amending the "Capital Improvement Plan, Project No. 229064 Indoor Ice Facility"; by adding a sentence to the Project Justification and Relationship to Other Projects to read as follows: "The \$1,500,000 programmed expenditures are contingent upon \$6.2 million in private funds immediately available to support an indoor ice facility." (Pg. 103).

Since there is no second, the motion is not before the meeting.

Amendment 8

A was made by Council Member James Entenman and seconded by Council Member Michelle Erpenbach to amend the main motion, by amending the "Aquatic Facilities Development CIP: Project Justification and Relationship to Other Projects Narrative." Add a sentence at the end of the paragraph that says the following: "Funding would also be used for the development of a city-wide aquatic facilities master plan." (Pg. 98).

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

Motion Passed.

Amendment 9

A motion was made by Council Member Kermit L. Staggers to amend the main motion by amending the "Capital Improvement Plan, Project No. 038069, Escalators", by "deleting \$160,000 in 2016 for escalators at the Washington Pavilion." (Pg. 160).

Since there is no second, the motion is not before the meeting.

Amendment 10

A was made by Council Member Greg Jamison and seconded by Council Member Sue Aguilar to amend the main motion, by amending "The 2013 Transit System Fund" by "adding \$14,000 to the Sioux Area Metro (SAM) budget for marketing. The Contract Maintenance line item will be reduced by \$14,000."

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

Motion Passed.

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

Motion Passed.

RESOLUTION NO. 73-12

A RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2013,

AND THE 2013-2017 CAPITAL PROGRAM.

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

That the Mayor's 2013 Budget and 2013-2017 Capital Program as submitted to the City Council are hereby approved.

Date adopted: 09/11/12 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

9. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR REMOVAL AND REPLACEMENT OF CONCRETE SIDEWALK AT VARIOUS LOCATIONS.

Sponsor: Mayor/Finance

A motion was made by Council Member James Entenman and seconded by Council Member Dean Karsky to adopt said Resolution 74-12.

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

Motion Passed.

RESOLUTION NO. 74-12

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR [REMOVAL AND REPLACEMENT OF CONCRETE SIDEWALK AT VARIOUS LOCATIONS].

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

SECTION 1. That the special assessment roll for the assessment of the property assessable for [removal and replacement of concrete sidewalk at various locations] pursuant to a contract entered into with [Quality First Concrete] on the [30th] day of [June], 20[11], be and the same is hereby approved and the assessment as set out in the special assessment roll approved this date is hereby levied against the property described therein and becomes a lien against such property upon filing of the special assessment roll in the City Finance Office.

SECTION 2. The assessment may be paid in [five] annual installments and shall be collected under Plan One-Collection by County Treasurer as provided in SDCL 9-43.

Date adopted: 09/11/12 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

NOTICE TO PROPERTY OWNERS

Notice is hereby given that assessments levied under the above resolution will become due and payable at the office of the County Treasurer in [five] installments, together with interest at [4.25]percent per annum in accordance with SDCL 9-43. The first installment, with interest, will become due with general taxes and will be payable at the County Treasurer's Office on January 1, 20[13]; the remaining installments, with interest, will become due and payable annually at the County Treasurer's Office on January 1 of each following year until total assessment, with interest, is paid in full.

Notice is further given that the special assessment roll approved in the above resolution was filed with the City Clerk's Office on the [11th] day of [September], 20[12], and that the whole of said assessment, or any installment thereof, may be paid without interest to the City Finance Office on or before 30 days after said filing.

Lorie Hogstad

City Clerk

ADJOURNMENT

A motion was made by Council Member Rex Rolwing and seconded by Council Member Greg Jamison to adjourn the meeting at 9:42 p.m.

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

Denise D. Tucker, 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 THE FIRST, SECOND, THIRD, AND LAST TUESDAYS OF 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 THIRD 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 MEETINGS' 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.