

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, March 12, 2013, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Kermit L. Staggers

Council Member Sue Aguilar

Council Member Kenny Anderson Jr.

Council Member James Entenman

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rex Roling

Mayor Mike T. Huether

INVOCATION

Pastor Sara McManus, First United Methodist Church

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PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

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

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

Motion Passed.

MINUTES

Informational Meeting of Tuesday, March 5, 2013, at 4:00 p.m.

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Regular City Council Meeting of Tuesday, March 5, 2013, at 7:00 p.m.

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COMMUNICATIONS

1. Approval of Contracts/Agreements on March 7, 2013 memo.

Sponsor: Mayor/Finance

2. Notice of change orders on March 7, 2013 memo.

Sponsor: Mayor/Finance

3. Report of Request for Quotes for Fuel: February 28, 2013; Diesel (#1 and #2 blend); 550 gallons; Howes Oil (\$1,903.00); Midway Service (\$1,916.75); Palisades Oil, no bid. Bid awarded to: Howes Oil.

Sponsor: Mayor/Sioux Falls Fire Rescue

4. Report of Request for Quotes for Fuel: February 28, 2013; Unleaded; 650 gallons; Howes Oil (\$2,128.42); Midway Service (\$2,147.93); Palisades Oil, no bid. Bid awarded to: Howes Oil.

Sponsor: Mayor/Sioux Falls Fire Rescue

5. A communication was received from Cody Raterman requesting permission to consume, but not sell, wine, beer and champagne at the Old Courthouse Museum, 200 W. Sixth St., on Saturday, August 31, 2013 from 5:00 p.m. until 11:00 p.m., for a wedding reception.

Sponsor: SDCL 35-1-5.3

APPLICATIONS

The following abatements were recommended for approval by the Director of Equalization and the State's Attorney's Office for Lincoln County; and the City Attorney for Sioux Falls:

Items 6-10: The property is exempt from the tax.

6. Platinum Valley LLP, Parcel 280.97.07.001A, Platinum Valley III Addition Lot 1A - Block 7, Sioux Falls, Lincoln County, for 2012 property taxes in the amount of \$8.46. The City of Sioux Falls purchased 805 square feet.

Sponsor: SDCL 10-18-1

7. Platinum Valley LLP, Parcel 280.97.06.015, Platinum Valley III Addition Lot 15 Block 6, Sioux Falls, Lincoln County, for 2012 property taxes in the amount of \$42.38. The City of Sioux Falls purchased 2,968 square feet.

Sponsor: SDCL 10-18-1

8. Emmett Guthmiller, Parcel 280.97.06.014, Platinum Valley III Lot 14 - Block 6, Sioux Falls, Lincoln County, for 2012 property taxes in the amount of \$2.98. The

City of Sioux Falls purchased 84 square feet.

Sponsor: SDCL 10-18-1

Rolling Green Estates LLC, Parcel 281.33.01.002, Cinnamon Ridge Addition
Lot 2
9. - Block 1, Sioux Falls, Lincoln County, for 2012 property taxes in the amount
of \$18.36. The City of Sioux Falls purchased 518 square feet.

Sponsor: SDCL 10-18-1

Rolling Green Estates LLC, Parcel 281.33.01.001, Cinnamon Ridge Addition Lot
1
- Block 1, Sioux Falls, Lincoln County, for 2012 property taxes in the amount
of \$45.16. The City of Sioux Falls purchased 1,544 square feet.

10.

Sponsor: SDCL 10-18-1

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:

11. Douglas Beltman, Parcel #78010, Lot 2 Block 6 Manifold Acres Addition to
City of Sioux Falls, for 2011 property taxes in the amount of \$803.04.
The owner occupied status was removed in error for 2011 payable 2012.

Sponsor: SDCL 10-18-1

Items 12-15: The amount requested is the difference
between the elderly freeze and the
non-elderly freeze.

12. Morris Moon, 2017 S. Covell Ave., City of Sioux Falls, for 2012 property
taxes in the amount of \$816.82.

Sponsor: SDCL 10-18-1

13. Marlene Slendy, 3130 N. Cliff Ave., City of Sioux Falls, for 2012
property taxes in the amount of \$603.86.

Sponsor: SDCL 10-18-1

14. John Olinger, 2512 S. Blauvelt Ave., City of Sioux Falls, for 2012
property taxes in the amount of \$1,176.22.

Sponsor: SDCL 10-18-1

15. Caroline Anawski, 620 N. Franklin Ave., City of Sioux Falls, for 2012
property taxes in the amount of \$327.22.

Sponsor: SDCL 10-18-1

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.

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

Motion Passed.

PUBLIC INPUT

There was none.

VISITOR RECOGNITION

Mayor Mike Huether gave recognition to the members of Boy Scout Troop 216 from Peace

Lutheran Church.

INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Tuesday, April 2, 2013, at 7:00 p.m. for Item 16:

16. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CERTAIN PROVISIONS OF CHAPTER 90 RELATING TO ANIMALS AND FOWL AND CHAPTER 92, HEALTH AND SANITATION.

Sponsor: City Council

A motion was made by Council Member Rex Rolwing and seconded by Council Member James Entenman to set a date of hearing and 2nd Reading for Tuesday, April 2, 2013, at 7:00 p.m. for Item 16.

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

Motion Passed.

HEARINGS AND RESOLUTIONS

17. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF SCULPTURES ON PUBLIC PROPERTY FOR AN INTERNATIONALLY RECOGNIZED VISUAL ARTS PROGRAM KNOWN AS SCULPTUREWALK SIOUX FALLS 2013.

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 Resolution No. 16-13.

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

Motion Passed.

RESOLUTION NO. 16-13

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF SCULPTURES ON PUBLIC PROPERTY FOR AN INTERNATIONALLY RECOGNIZED VISUAL ARTS PROGRAM KNOWN AS SCULPTUREWALK SIOUX FALLS 2013.

WHEREAS, the 2013 SculptureWalk program will bring a large number of sculptures to the central business district for outdoor display; and

WHEREAS, the SculptureWalk program enhances the beauty and culture of the downtown area for all citizens and visitors to enjoy; and

WHEREAS, 55 of the proposed sculptures will be placed on public right-of-way or other publicly owned property; and

WHEREAS, the exhibition of public art in the central business district is recommended and encouraged by the City of Sioux Falls' 2015 Downtown Plan; and

WHEREAS, the SculptureWalk program represents a broad collaboration of individuals and entities, both public and private, including Main Street Sioux Falls, the Sioux Falls Arts Council, the Chamber of Commerce, and the City of Sioux Falls; and

WHEREAS, the Sioux Falls Visual Arts Commission and various City department staff have reviewed the proposed 2013 sculptures and their placements and recommend approval to the City Council;

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

That it approves the placement in public right-of-way and on public property of 55 sculptures, as described by the following:

Sculptures and Artists

The Point-Golliher

Mother's Cherished Moments-Hammond

Real Thing-Badger

Whoa-Salge

Robot Face-P. Frazee

Da Fans-Leuning/Treeby

Three Cubs in a Tree-Thorsen

Twilight-Maeck

Whisperer-Gonzalez

Ant-Venture-Belleveau

Energy-Junk

Time Stretch & Glitch Girl-Nienaber

Crush-Harris

Polar Bear-Shelledy
Sioux Falls-Powell
Getting the Net-Osamede
Sentinel-McMahon
Don't Play with Your Food-Jones
Madonna & Child-Haugen
Dream of Flight-Maher
The Journey-Bjorge
Dreamer-Beuselinck
Breaking Waves-Velez
Lakota Sun-Morin
Europa-Koffman
Grackle Mania-D. Pettigrew
Next Generation-Altman
Rising Up-Miller
Slapshot-J. Nelson
Burrito-M. Pettigrew
Ancient Warrior-Clements
Percussion III-C. Anderson
Eye the Wind-Clements
Going Deep-Bruce
Radiance-Johnson
Wild on the Thule-Ghosh
Mid Summer Night's Dream-Choi
Look and You Will Find It-Christopher
Benediction-Carlyle
The Thinker-Mozhnevsky
Puffin Pie-Zimmerman
Farmer-Starck
Twisted Perch-Zelenak

Butterfly-Frazee

Seats Taken-Mendez

Otter Woman-McKellar

Gorgeous Gertie Grouper-Stone

Threading the Needle-Domenico

Brimstone-Eichinger

Anywhere But Here-Pierce

Vermont Winter Pastoral-Clear

From the Waters-Kobald

Agitated Avians-Snyder

Crescendo-Spiczka

Wind Swept-Ten Cate

Cupid and Psyche-Swanson

Locations

South plaza at the Pavilion.

On northwest corner of 11th Street and Main Avenue.

On southeast corner of 11th Street and Main Avenue.

On northwest corner of 11th Street and Phillips Avenue.

Midblock, west side between Tenth Street and 11th Street on Phillips Avenue.

Midblock, west side between Tenth Street and 11th Street on Phillips Avenue.

Midblock, west side between Tenth Street and 11th Street on Phillips Avenue-Mrs. Murphy's Irish Gifts.

In front of Prairie Star Gallery.

On southwest corner of Tenth Street and Phillips Avenue.

On northwest corner of Tenth Street and Phillips Avenue.

South of the Diner.

South of the Diner.

In front of the Diner.

Midblock, west side between Ninth Street and Tenth Street on Phillips Avenue.

Between Diner and fountain in Fountain Square along Phillips Avenue.

Near fountain in Fountain Square along Phillips Avenue.

Midblock, west side between Ninth Street and Tenth Street on Phillips Avenue.

Midblock, west side between Ninth Street and Tenth Street on Phillips Avenue.

Midblock, west side between Ninth Street and Tenth Street on Phillips Avenue.

On southwest corner of Ninth Street and Phillips Avenue.

On northwest corner of Ninth Street and Main Avenue.

On northwest corner of Ninth Street and Phillips Avenue-Wells Fargo Bank.

On southwest corner of Eighth Street and Main Avenue-U.S. Bank.

In front of Fresh Produce at Sixth Street and Main Avenue.

On northeast corner at Fifth Street and Main Avenue by Museum of Visual Materials.

East side of Main Avenue near Fourth Street and Main Avenue in front of ADW^«rks.

Midblock, east side between Fifth Street and Sixth Street on Phillips Avenue.

Midblock, east side between Seventh Street and Eighth Street on Phillips Avenue.

On northwest corner of Eighth Street and Phillips Avenue.

At entrance into Cherapa Place and walkway to bridge.

By R & L Supply on East Eighth Street.

On southeast corner of Eighth Street and Reid Street.

On southeast corner of Ninth Street and Phillips Avenue.

In front of First Financial Center.

In large planter in front of First Financial Center.

Midblock, east side between Ninth Street and Tenth Street on Phillips Avenue.

Midblock, east side between Ninth Street and Tenth Street on Phillips Avenue.

Midblock, east side between Ninth Street and Tenth Street on Phillips Avenue.

Midblock, east side between Ninth Street and Tenth Street on Phillips Avenue.

In front of Skelly's on Phillips Avenue.

On southeast corner of Tenth Street and Phillips Avenue.

Midblock, east side between Tenth Street and 11th Street on Phillips Avenue.

Midblock, east side between Tenth Street and 11th Street on Phillips Avenue in front of Susanne's.

Shriver Square, in front of Chef Dominique's on Phillips Avenue.

On northeast corner of 11th Street and Phillips Avenue.

On southeast corner of 11th Street and Phillips Avenue.

In front of Dacotah Bank on Phillips Avenue.

Midblock, east side between 11th Street and 12th Street on Phillips Avenue.

On northeast corner of 12th Street and Phillips Avenue.

On southeast corner of 12th Street and Phillips Avenue in front of Federal Courthouse.

On northwest corner of 13th Street and Phillips Avenue in front of Midcontinent.

On northwest corner of 13th Street and Phillips Avenue.

On northwest corner of 12th Street and Phillips Avenue.

Midblock, east side between 11th Street and 12th Street on Phillips Avenue.

In front of Meierhenry's Law Office on Phillips Avenue.

In front of Minerva's on Phillips Avenue.

Alternates (16)

Cross my Heart-Eichinger

Great Blue-Green

New Dancing Moon VI-Swanson

The Power of Running Horses-Kennedy

Zodiac Totem-Park

Tashunka Topa II-Sturner

Helios Rising-Spiczka

Recoil-Harris

Where We Are-Miller

Book of Life-Swanson

Mother & Child-Obazee

Taking Off-J. Frazee

Dance of the Flower Field-Choi

Walrus-Shelledy

As They Ran-Carleton

Mother Earth-Nelson

Date adopted: 03/12/13

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

18. A RESOLUTION APPROVING SCULPTURES ON CITY PROPERTY. (Orpheum Theater courtyard)

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Rex Rolwing and seconded by Council Member Dean Karsky to adopt said Resolution 17-13.

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

Motion Passed.

RESOLUTION NO. 17-13

A RESOLUTION APPROVING SCULPTURES ON CITY PROPERTY.

WHEREAS, the Orpheum Theater Board unanimously proposed placement of six sculptures reflecting cultural art themes on public property within the Orpheum Theater courtyard area; and

WHEREAS, six sculptures would be leased for one year and are not intended to be gifts to the City; and

WHEREAS, the Sioux Falls Orpheum Theater Board of Directors and Visual Arts Commission and various City department staff have reviewed the proposed 2013 sculptures and their placements and recommend approval to the City Council;

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

That it approves the placement of four sculptures, and two alternate sculptures, for placement in the Orpheum Theater Center courtyard as described by the following:

Sculptures and Artists

1. Gandhi-Velez; and
1. Mixed Emotions-Schafer; and
1. Circus Trick III-Maeck; and
1. Crescendo-Johnson; and

Alternates:

1. Black and Red-Skora; and

1. Friendship Knot #2-Yupin.

Date adopted: 03/12/13

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

ADJOURNMENT

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to adjourn at 7:24 p.m.

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

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. 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.