

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, February 21, 2012 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Sue Aguilar

Council Member Kenny Anderson Jr.

Council Member Vernon Brown

Council Member Jim Entenman

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rex Rolfing

Mayor Mike T. Huether

INVOCATION

● Pastor Al Peratt Sr., Volunteers of America, Dakotas

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● Multiple System Atrophy Awareness Month - March

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Monday, February 13, 2012, at 4:00 p.m.

● City Council Meeting of Monday, February 13, 2012, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on February 15, 2012 memo.
Sponsor: Mayor/Finance
2. Report of Request for Quotes for Fuel: February 2, 2012: #2 Clear Diesel; 7,500 gallons; CHS, Inc, 3.346; Howes Oil, 3.3025; Harms Oil, 3.293; Midwest Oil, no bid. Bid awarded to: Harms Oil.
Sponsor: Mayor/Planning & Building Services
3. Report of Request for Quotes for Fuel: February 2, 2012: Diesel (#1 & #2 blend); 600 gallons; Howes Oil, \$2,025.60; Palisades Oil, no bid; Midway Service, \$2,046.60. Bid awarded to: Howes Oil.
Sponsor: Mayor/Fire
4. Report of Request for Quotes for Fuel: February 8, 2012: Winter Mix 50/50 #1 & #2 Dyed Diesel; 400 gallons; Midway Service, 1,368.00; Howes Oil, 1,411.60; Midwest Oil, no bid. Bid awarded to: Midway Service.
Sponsor: Mayor/Parks & Recreation
5. Report of Request for Quotes for Fuel: February 9, 2012: Unleaded; 600 gallons; Howes Oil, \$1,838.70; Palisades Oil, no bid; Midway Service, \$1,856.70. Bid awarded to: Howes Oil.
Sponsor: Mayor/Fire
6. Report of Request for Quotes for Fuel: February 10, 2012: Diesel (#1 and #2 blend); 600 gallons; Howes Oil, \$2,084.25; Palisades Oil and Midway Service, no bids. Bid awarded to: Howes Oil.
Sponsor: Mayor/Fire
7. Report of Request for Quotes for Fuel: February 10, 2012: Unleaded Ethanol; 8,500 gallons; Harms Oil, \$3.1000; Howes Oil, \$3.1000, CHS, Inc., \$3.1760; Olson Oil, no bid. Bid awarded to: Harms Oil.
Sponsor: Mayor/Public Works
8. Report of Request for Quotes for Fuel: February 10, 2012: #1 & #2 Dyed Diesel; 7,500 gallons (3,750 gallons each #1 & #2); Harms Oil, #1- \$3.3280/#2- \$3.2200; Howes Oil, #1- \$3.3550/#2- \$3.2175; CHS, Inc., #1- \$3.3570/#2- \$3.2780; Midwest Oil, #1- \$3.4650/#2- \$3.3750; Olson Oil, no bid. Bid awarded to: Harms Oil.
Sponsor: Mayor/Public Works
9. A communication was received from the Fellowship of Christian Sportsmen Plus stating their intent to sell raffle tickets from March 15, 2012 to May 31, 2012 (or until all tickets are sold) for a Tikka Rifle, 270 Win Short Mag (valued at \$800.00). Tickets will be \$10.00 each. Proceeds will be used for general funding of the organization's needs.
Sponsor: SDCL 22-25-25
10. A communication was received from Dwane Muth requesting permission to consume, but not sell, liquor, wine and/or malt beverages at the Old Courthouse Museum, 200 West 6th Street, on Saturday, August 25, 2012, from

5:00 p.m. to 7:00 p.m. for a wedding reception.

Sponsor: SDCL 35-1-5.3

11. A communication was received from Great Plains Zoo and Delbridge Museum of Natural History requesting permission to consume, but not sell, liquor, wine and/or malt beverage at the Great Plains Zoo, 805 South Kiwanis Avenue on Thursday, March 8, 2012, from 4:00 p.m. to 6:00 p.m. for a "Drinks with the Dinosaurs" appreciation event for donors and friends of the Zoo.

Sponsor: SDCL 35-1-5.3

12. A communication was received from Children's Care Hospital and School stating their intent to sell raffle tickets from March 1, 2012 to March 30, 2012 for one of the following prizes: a \$5,000.00 shopping spree at SD Furniture Mart; a \$3,000.00 vacation stay at Naples, Florida; or a \$1,000.00 Gunderson's Gift Certificate. Tickets will be sold for \$25.00 each. Proceeds will benefit the Children's Care Hospital and School.

Sponsor: SDCL 22-25-25

13. A communication was received from Children's Care Hospital and School stating their intent to sell raffle tickets from March 1, 2012 to March 30, 2012 for a two year lease of an automobile (valued at \$15,000.00). Tickets will be sold for \$100.00 each. Proceeds will benefit the Children's Care Hospital and School.

Sponsor: SDCL 22-25-25

14. A communication was received from the South Dakota Dental Foundation stating their intent to sell raffle tickets from March 10, 2012 to May 18, 2012 for a cash prize of \$8000.00. Tickets will be \$125.00 each. The proceeds will be used for scholarships, oral health education and prevention.

Sponsor: SDCL 22-25-25

15. A memorandum dated February 13, 2012, declaring surplus on capital items that will be recycled.

Sponsor: Mayor/Finance

16. Notice of change orders on February 15, 2012 memo.

Sponsor: Mayor/Finance

APPLICATIONS

17. Special One-Day Liquor License requests for Ovations Food Services LP, Sioux Falls Pheasants Baseball Club, to be operated at 1001 North West Avenue, in the Tiki Bar and Suites, for the 2012 Home Season Games.

Sponsor: Mayor/Attorney

18. Special One-Day Liquor License for SMG, to be operated at the Orpheum Theater, 315 North Phillips Avenue, for the South Dakota ADDYS on March 10, 2012.

Sponsor: Mayor/Attorney

19. Special One-Day Liquor License requests for SMG to be operated at the Arena, 1201 North West Avenue, for the Sioux Falls Storm 2012 Home Season games, including possible playoff games from June 17 through July 31, 2012.
Sponsor: Mayor/Attorney

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:

Items 20-22: The amount requested is the difference between the elderly freeze and non elderly freeze.

20. Kurt Csordacsics, Parcel 28004, 1006 West 6th Street, for 2011 property taxes in the amount of \$773.69.
Sponsor: Attorney/SDCL 10-18-1
21. Raymond Jones, Parcel 60735, 2024 S. Oxford Ave., for 2011 property taxes in the amount of \$138.93.
Sponsor: Attorney/SDCL 10-18-1
22. Kenneth Kaufman, Parcel 41407, 1122 S. Norton Ave., for 2011 property taxes in the amount of \$676.67.
Sponsor: Attorney/SDCL 10-18-1
23. Sweetman Partners LLP, Parcel 53615, for 2008 property taxes in the amount of \$2,313.30; 2009, \$2,316.96; 2010, \$2,315.49; 2011, \$2,354.43 (for total of \$9,300.18). New building was placed on incorrect property when building permit was attached to wrong record number. Taxpayer is now requesting an abatement to correct the value difference.
Sponsor: Attorney/SDCL 10-18-1
24. American National Red Cross, Parcel 24677, for 2011 property taxes in the amount of \$8,124.28. Property qualified 100% tax exempt for 2011, taxes payable 2012 but the status code was not entered into the system. Taxpayer is now requesting an abatement for this difference.
Sponsor: Attorney/SDCL 10-18-1
25. Seth & Koni Sims, Parcel 50623, for 2011 property taxes in the amount of \$259.34. The portion of 28th Street which adjoins 2000 S. Grange Avenue was vacated and purchased by Augustana College. The land value was not reduced from parcel 50623 on the 2011 assessment and the taxpayers are now requesting an abatement for this value difference.
Sponsor: Attorney/SDCL 10-18-1
26. Michael Catalano, Parcel 53817, for 2011 property taxes in the amount of \$1,347.81. Property owner qualified for the property tax exemption under SDCL 10-4-40 beginning 2008. The status was removed in error for 2011, taxes payable 2012. Taxpayer is now requesting an abatement to correct this error.
Sponsor: Attorney/SDCL 10-18-1

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:

27. Pamela Pfeiffer Trust, Parcel 280.42.01.008, for 2011 property taxes in the amount of \$2,199.78. Two lots were split out of this 4 lot parcel and the value did not change. Taxpayer is requesting an abatement for the difference.
Sponsor: Attorney/SDCL 10-18-1

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

28. New 2012 Retail Liquor License for Icon Entertainment LLC, Icon Lounge & Event Hall, to be operated at 402 North Main Avenue, including Sunday Sales, with the Conditional Use Permit (2011-11-03) being approved on 12-07-11. Pending final inspections per Fire, Health, and Building Services.
Sponsor: Mayor/Attorney
29. New 2012 Retail Wine License for dFINE LLC, dFINE Private Fitness Club, to be operated at 421 West 69th Street, with the Special Use Permit (2011-12-04) being approved on 01-04-12, with the following stipulations: 1) Restricting the serving and consumption only during the staffing hours of 8 a.m. to 10 p.m. Monday through Friday and 10 a.m. to 6 p.m. on Saturday and 2) That no one under the age of 21 is allowed on the premises when alcohol is served or consumed.
Sponsor: Mayor/Attorney
30. New 2011-2012 Retail Malt Beverage License for dFINE LLC, dFINE Private Fitness Club, to be operated at 421 West 69th Street, with the Special Use Permit (2011-12-04) being approved on 01-04-12, with the following stipulations: 1) Restricting the serving and consumption only during the staffing hours of 8 a.m. to 10 p.m. Monday through Friday and 10 a.m. to 6 p.m. on Saturday and 2) That no one under the age of 21 is allowed on the premises when alcohol is served or consumed.
Sponsor: Mayor/Attorney
31. New 2012 Package Liquor License for Runco Inc., The Gas Stop, to be operated at 1200 East Tenth Street.
Sponsor: Mayor/Attorney
32. Special One-Day Wine License requests for Senior Citizens Services Inc., to be held at Active Generations, 2300 West 46th Street, for the Festival of Tables on March 22, 2012, and the Cocktails and Canvas Art Class on March 27, 2012.
Sponsor: Mayor/Attorney
33. Special One-Day Wine License for the Good Shepherd Ministry Center Inc., to

be held at the Avera Prairie Center, 1000 East 23rd Street, for a fundraiser on May 1, 2012.

Sponsor: Mayor/Attorney

34. Special One-Day Wine License requests for Downtown Sioux Falls Inc., for the First Friday Artwalk to be held on March 2, 2012, at the following locations: Great Outdoor Store, 201 East Tenth Street, Lillian s Shoppe, 311 South Phillips Avenue Suite 101, Young & Richards, 236 South Main Avenue, 8th & Railroad Center Lobby, 401 East 8th Street, Bead Co., 319 South Phillips Avenue, Zandbroz, 209 South Phillips Avenue, Sticks and Steel, 401 East 8th Street Suite 118, Rehfeld s Art & Framing, 210 South Phillips Avenue, Susanne s on Phillips, 216 South Phillips Avenue, Rug & Relic, 401 East 8th Street Suites 112/114, and Artisan House, 229 South Phillips Avenue.

Sponsor: Mayor/Attorney

35. Special One-Day Malt Beverage and Special One-Day Wine License requests for Downtown Sioux Falls Inc. for the Downtown Block Party on the East Bank at the 8th and Railroad parking lot, 401 East 8th Street, on June 1, July 6, and August 3, 2012.

Sponsor: Mayor/Attorney

36. Special One-Day Malt Beverage License for the Siouxland Heritage Museums to be operated at the Old Courthouse Museum, 200 West Sixth Street, on March 17, 2012, for the St. Patrick s Day Family Dance.

Sponsor: Mayor/Attorney

INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading on Monday, March 5, 2012, at 7:00 p.m. for Item 37:

37. Deferred Action (from the meeting of January 17, 2012) 1st Reading:AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1701 E. 54TH ST. N. FROM THE I-1, LIGHT INDUSTRIAL DISTRICT TO THE I-2, HEAVY INDUSTRIAL DISTRICT, PETITION NO. 2011-11-08, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

38. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. (Washington Pavilion, \$30,000.00)

Sponsor: City Council

39. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY CREATING AN OPERATIONS COMMITTEE OF THE CITY COUNCIL.

Sponsor: City Council

Set a date of hearing and 2nd Reading on Monday, March 5, 2012, at 7:00 p.m. for Item 40:

40. 1st Reading:AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY

AT E. ARROWHEAD PKWY. AND S. POWDER HOUSE RD. FROM THE AG, AGRICULTURAL DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT, PETITION NO. 2011-01-05, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading on Monday, March 5, 2012, at 7:00 p.m. for Item 41:

41. 1st Reading:AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. 10TH ST. AND SIX MILE ROAD FROM THE O, OFFICE DISTRICT AND RC, RECREATION/CONSERVATION DISTRICT TO THE O, OFFICE DISTRICT AND RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2011-01-11, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission Recommends approval.)

Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading on Monday, March 12, 2012, at 7:00 p.m. for Item 42:

42. 1st Reading:AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING 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

HEARINGS AND RESOLUTIONS

43. Deferred Action (from meetings of September 19, 2011, October 3, 2011, and January 17, 2012): A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE REVISED PRELIMINARY PLAN OF TIMBER OAK ESTATES ADDITION. (The Planning Commission recommends denial.)

Sponsor: Mayor/Planning and Building Services

44. A RESOLUTION AMENDING THE 2012-2016 CAPITAL PROGRAM TO ADD A NEW PROJECT, SOUTH DAKOTA BLACK HISTORY MUSEUM EXHIBIT, IN 2012.

Sponsor: City Council

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

Sponsor: Mayor

NOTICE OF HEARINGS FOR STREET VACATIONS

Set a hearing date on Monday, March 12, 2012, at 7:00 p.m. for Item 46:

46. A PROPOSED 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

NEW BUSINESS

ITEMS ADDED AFTER AGENDA DEADLINE

The City Council may include other such business as may come before this body.

ADJOURNMENT

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.