

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
REGULAR MEETING OF Tuesday, October 2, 2012 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Sue Aguilar

Council Member Kenny Anderson Jr.

Council Member Jim Entenman

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rex Rolfing

Council Member Kermit L. Staggers

Mayor Mike T. Huether

INVOCATION

&#9679; Pastor Natanael Lizarazo, First Lutheran Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

&#9679; Domestic Violence Awareness Month, October 2012

RECOGNITION/AWARDS

&#9679; 2012 Sioux Falls Mayoral Beautification Awards for Residential

&#9679; 2012 Sioux Falls Mayoral Beautification Awards for Non-Residential -  
Public Space

&#9679; 2012 Sioux Falls Beautification Awards for Community Leadership

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

## MINUTES

&#9679; Informational Meeting of Tuesday, September 18, 2012, at 4:00 p.m.

&#9679; City Council Meeting of Tuesday, September 18, 2012, at 7:00 p.m.

&#9679; Informational Meeting of Tuesday, September 25, 2012, at 4:00 p.m.

## COMMUNICATIONS

1. Approval of contracts/agreements on the September 27, 2012 memo.  
Sponsor: Mayor/Finance
2. Notice of change orders on the September 27, 2012 memo.  
Sponsor: Mayor/Finance
3. Report of Requests for Quotes for Fuel dated: September 17, 2012; Unleaded; 700 gallons; Midway Service (\$2,562.35); Howes Oil and Palisades Oil, both no bids. Bid awarded to: Midway Service.  
Sponsor: Mayor/Fire Rescue
4. Report of Requests for Quotes for Fuel dated: September 17, 2012; Diesel (#1 and #2 blend); 500 gallons; Midway Service (\$1,879.62); Howes Oil and Palisades Oil, both no bids. Bid awarded to: Midway Service.  
Sponsor: Mayor/Fire Rescue
5. Report of Requests for Quotes for Fuel dated: September 18, 2012; #2 Clear Diesel; 8,500 gallons; CHS, Inc. (\$3.57); Harms Oil (\$3.542); Howes Oil and Midwest Oil, both no bids. Bid awarded to: Harms Oil.  
Sponsor: Mayor/Planning and Building Services
6. Report of Requests for Quotes for Fuel dated: September 19, 2012; Diesel (#1 and #2 blend); 500 gallons; Midway Service (\$1,829.87); Howes Oil and Palisades Oil, both no bids. Bid awarded to: Midway Service.  
Sponsor: Mayor/Fire Rescue
7. Report of Requests for Quotes for Fuel dated: September 25, 2012; #2 Dyed Diesel; 1,000 gallons; Midway Service (\$3.4065); Howes Oil (\$3.5500); Midwest Oil (\$3.6190). Bid awarded to: Midway Service.  
Sponsor: Mayor/Public Works
8. A communication was received from Avera McKennan Hospital and University Health Center requesting permission to consume, but not sell, wine and malt beverages at Avera Medical Group McGreevy, Dawley Farm, 1035 South Highline Place on October 11, 2012, from 4:30 p.m. to 7:00 p.m. for the purpose of a ribbon cutting ceremony.

Sponsor: SDCL 35-1-5.3

9. A communication was received from the Sioux Falls Area Community Foundation requesting permission to consume, but not sell, beer and wine at the Sioux Falls Design Center, 108 W. 11th Street, on October 17, 2012 from 3:30 p.m. to 5:30 p.m. for the purpose of an informational meeting for volunteers concerning an upcoming fundraising campaign.

Sponsor: SDCL 35-1-5.3

10. A communication was received from Cole A. Turner requesting permission to consume, but not sell, liquor, wine, and beer at the Old Courthouse Museum, 200 W. 6th Street, on December 8, 2012, from 5:30 p.m. to 12:00 a.m. for the purpose of a wedding reception.

Sponsor: SDCL 35-1-5.3

11. A communication was received from the Washington High School Band Boosters stating their intent to sell raffle tickets from October 16, 2012, to October 22, 2012, for the following prizes: Seven baskets with assorted items (valued at \$100.00 each); a Dorm Room Buddy - shelving unit (valued at \$750.00); two handmade Memory Quilts (valued at \$100.00 each); an art print (valued at \$150.00); and miscellaneous small items (valued at less than \$20.00 each). The tickets will be sold for \$5.00 for one ticket and \$10.00 for three tickets. The proceeds will be used to support the Washington High School Marching Band Program.

Sponsor: SDCL 22-25-25

#### APPLICATIONS

12. Special One-Day Liquor License request for SMG, to be operated at Howard Wood Field, 2001 West Russell Street, for the USD versus NDSU game on October 20, 2012.

Sponsor: Mayor/City Attorney

13. Special One-Day Liquor License requests for Washington Pavilion Management Inc., to be operated at Washington Pavilion of Arts & Science, 301 South Main Avenue, for the South Dakota Symphony Orchestra Gala on November 3, 2012; an Avera Heart Hospital holiday party on December 1, 2012, and a Woods, Fuller, Schultz & Smith holiday party on December 14, 2012.

Sponsor: Mayor/City 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:

14. Midcontinent Communications, Parcel 32331, Tracts 1 & 2, Co Aud Sub Lot 9 & Lots 4-9, Blk 11 Gales Addition, for 2011 property taxes in the amount of \$5,523.73. Three properties were combined for 2011 payable in 2012; a clerical error was made in the building values combined.

Sponsor: Attorney/SDCL10-18-1

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, October 16, 2012, at 7:00 p.m. for Items 15 through 23:

15. New 2012-13 Retail Malt Beverage License for Asia LLC, Asia Sushi Bar and Chinese Bistro, 108 South Minnesota Avenue (full service restaurant; CUP not required).  
Sponsor: Mayor/City Attorney
16. New 2012 Retail Wine License for Asia LLC, Asia Sushi Bar and Chinese Bistro, 108 South Minnesota Avenue (full service restaurant; CUP not required).  
Sponsor: Mayor/City Attorney
17. New 2012-13 Retail Malt Beverage License for PJAX LLC, Pepperjax Grill, 2009 West 41st Street, Suites 1 and 2, with Conditional Use Permit (2012-08-01) being approved on September 5, 2012.  
Sponsor: Mayor/City Attorney
18. New 2012-13 Retail Malt Beverage License for Golf Addiction LLC, Golf Addiction, 1220 West 41st Street, including video lottery terminals with Conditional Use Permit (2012-08-06) being approved on September 5, 2012.  
Sponsor: Mayor/City Attorney
19. New 2013 Retail Wine License for Golf Addiction LLC, Golf Addiction, 1220 West 41st Street, with Conditional Use Permit (2012-08-06) being approved on September 5, 2012.  
Sponsor: Mayor/City Attorney
20. New 2012-2013 Package Malt Beverage License for Dolgen Midwest LLC, Dollar General Store #10862, to be operated at 7214 West 41st Street.  
Sponsor: Mayor/City Attorney
21. New 2012-2013 Package Malt Beverage License for Dolgen Midwest LLC, Dollar General Store #11018, to be operated at 316 South Kiwanis Avenue.  
Sponsor: Mayor/City Attorney
22. Transfer of 2012-13 Retail Malt Beverage License from MJM LLC, Kay s Casino, 1508 West 41st Street to MG Oil Company, Happy Jacks-Sioux Falls II, 1508 West 41st Street.  
Sponsor: Mayor/City Attorney
23. Transfer of 2012-13 Retail Malt Beverage License from D & K Enterprises LLC, JJ s Billiards, 309 South Elmwood Avenue to J & G Enterprises, JJ s Billiards, 309 South Elmwood Avenue, with the Conditional Use Permit (2010-11-08) being approved on December 1, 2010.  
Sponsor: Mayor/City Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

24. Transfer of a 2012 Retail Liquor License from Soft Egg Inc., Whisk & Chop, 108 S. Minnesota Avenue, to WR Golf Management Inc., Willow Run Golf Course, 8000 East Highway 42, including Sunday Sales (CUP not required; this is an addition to an existing license which was grandfathered in due to annexation of property).  
Sponsor: Mayor/City Attorney
25. Rescind 2012-13 Retail Malt Beverage License issued to Willow Run Golf Management Inc, Willow Run Golf Course, 8000 East Highway 42.  
Sponsor: Mayor/City Attorney
26. New 2012 Retail Liquor License for Ballard Building Restaurant Co., Parkers, 210 South Main Avenue, including Sunday Sales, with the Conditional Use Permit (2009-03-18) being approved on April 1, 2009.  
Sponsor: Mayor/City Attorney
27. Special One-Day Liquor License requests for SMG, to be operated at the Sioux Falls Arena, 1201 North West Avenue, all 2012-13 Home Season Games for the Stampede, all 2012-13 Home Season Games for the Skyforce between October 5 and December 30, 2012.  
Sponsor: Mayor/City Attorney
28. Special One-Day Beer and Wine Licenses for Avera McKennan Foundation, to be operated at Avera Behavioral Health Center, 4400 West 69th Street, for a fundraising event on January 26, 2013.  
Sponsor: Mayor/City Attorney

INTRODUCTION AND ADOPTION OF ORDINANCES

29. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS TO FUND THE 2012 COLA ADJUSTMENTS (\$680,942.00).  
Sponsor: Mayor/Human Resources
30. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING SECTION 15 1/2-5, FEES FOR PARKING.  
Sponsor: Mayor/Community Development and Public Parking

HEARINGS AND RESOLUTIONS

31. A RESOLUTION APPROVING THE SIOUX FALLS CONVENTION AND VISITORS BUREAU (CVB)

BUSINESS IMPROVEMENT DISTRICT BUDGET. (\$1,614,907.00).  
Sponsor: Mayor/Finance

REPORT OF OFFICERS/BOARDS/COMMITTEES/TRANSFERS OF UNENCUMBERED APPROPRIATION  
BALANCES AMONG PROGRAMS WITHIN A DEPARTMENT OR ORGANIZATIONAL UNIT AS PROVIDED  
IN THE SIOUX FALLS CITY CHARTER SECTION 5.07(d)

32. REPORT OF THE SEPTEMBER 25, 2012, NOTICE OF TRANSFERS OF APPROPRIATIONS  
WITHIN MAJOR ORGANIZATIONAL UNITS.  
Sponsor: Mayor/Finance

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: INFORMATIONAL MEETINGS AIR  
LIVE ON 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 5:30  
P.M. REGULAR MEETINGS OF THE CITY COUNCIL ARE ALSO ARCHIVED AND AVAILABLE FOR  
VIEWING ON DEMAND AT [WWW.SIOUXFALLS.ORG](http://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.