

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, November 20, 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 Rolwing

Council Member Kermit L. Staggers

Mayor Mike T. Huether

INVOCATION

● Pastor Bill Mitchell, Abiding Savior Free Lutheran Church

PLEDGE OF ALLEGIANCE

VISITOR RECOGNITION

- Cub Scout Pack 260 from Harvey Dunn Elementary School
- Boy Scout Troop 346 from St. Michael s School

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, November 13, 2012, at 4:00 p.m.

● City Council Meeting of Tuesday, November 13, 2012, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on November 15, 2012 memo.
Sponsor: Mayor/Finance
2. Notice of change orders on November 15, 2012 memo.
Sponsor: Mayor/Finance
3. Report of Request for Quotes for Fuel: November 7, 2012; Unleaded Ethanol; 8500 Gallons; Harms Oil (\$2.9470); Howes Oil (\$2.9735); CHS Inc. (\$2.9808); Olson Oil, no bid. Bid awarded to: Harms Oil.
Sponsor: Mayor/Public Works
4. Report of Request for Quotes for Fuel: November 8, 2012; #1 and #2 Dyed Diesel Fuel; 3500 Gallons #1 and 4000 Gallons #2; Harms Oil (#1, \$3.3330/#2, \$3.0980); Howes Oil (#1, \$3.3625/#2, \$3.0950); CHS Inc., Midwest Oil, Olson Oil, no bids. Bid awarded to: Harms Oil.
Sponsor: Mayor/Public Works
5. Report of Request for Quotes for Fuel: November 13, 2012; #1 and #2 Dyed Diesel Fuel; 2500 Gallons #1 and 5000 Gallons #2; Harms Oil (#1, \$3.3484/#2, \$3.0983); Howes Oil (#1, \$3.3525/#2, \$3.1025); CHS Inc. (#1, \$3.4010/#2, \$3.1360); Midwest Oil and Olson Oil, no bids. Bid awarded to: Harms Oil.
Sponsor: Mayor/Public Works
6. Report of Request for Quotes for Fuel: November 14, 2012; Unleaded Ethanol & E85; 6500 Gallons Unleaded/1500 Gallons E85 (8000 total); Harms Oil (\$2.8460 Unleaded/\$2.5735 E85); CHS Oil, Howes Oil, and Olson Oil, no bids. Bid awarded to: Harms Oil.
Sponsor: Mayor/Public Works
7. Report of Request for Quotes for Fuel: November 14, 2012; #2 Clear Diesel; 7500 Gallons; Harms Oil (\$3.308); Midwest Oil (\$3.47); CHS Inc. and Howes Oil, no bids. Bid awarded to: Harms Oil.
Sponsor: Mayor/Sioux Area Metro
8. A communication was received from Serendipitous Events LLC requesting permission to consume, but not sell, wine and malt beverage, at The Old Courthouse Museum, 200 West Sixth Street, on Saturday, December 15, 2012 from 4:00 p.m. to 11:00 p.m. for a birthday party.
Sponsor: Sponsor: SDCL 35-1-5.3

APPLICATIONS

9. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Chef Jeni & Company Inc. to be operated at Falls Park Overlook Cafø, 825 North Weber Ave, for a wedding on November 23, 2012.
Sponsor: Mayor/City Attorney
10. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Great Bear Recreation Park Inc. to be operated at Falls Park Overlook Cafø , 825 North Weber Ave, for a wedding on November 24, 2012.

Sponsor: Mayor/City Attorney

11. 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 B.

Sponsor: Mayor/City Attorney

The following abatement was 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:

12. Barry Hermanson, Parcel 25876, Lot 6, Block 11, Bennett's 1st Addn to City of Sioux Falls, for 2011 property taxes in the amount of \$690.11 (230 days). Fire destroyed the home on 05/16/11. Property owner is now requesting an abatement for the amount of time the structure was gone in 2011 according to SDCL 10-18-2 (4).

Sponsor: Attorney/SDCL 10-18-1

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, December 4, 2012, at 7:00 p.m. for Items 13 through 17:

13. New 2013 Package Liquor License for Peter Wol, Gas Deals & Foods, to be operated at 1329 North Main Avenue.

Sponsor: Mayor/City Attorney

14. New 2013 Retail Wine License for Boys & Girls Club of the Sioux Empire, Burnside Game Place to be operated at 1605 West Burnside Street with the Conditional Use Permit (2002-03-03) being approved on June 10, 2002.

Sponsor: Mayor/City Attorney

15. Transfer of the 2012-13 Retail Malt Beverage License from Francisco Resendiz, Tacos Lupe #3, 802 East Tenth Street, to Maria Crespín, Los Paisanos, 802 East Tenth Street (full service restaurant, CUP not required).

Sponsor: Mayor/City Attorney

16. Transfer of the 2012-13 Retail Malt Beverage License from Best Batter Inc., The Keg, 5301 West 57th Street to Golf Addiction LLC, Golf Addiction, 5301 West 57th Street, including video lottery terminals (full service restaurant, CUP not required).

Sponsor: Mayor/City Attorney

17. Transfer of the 2012 Retail Wine License from Best Batter Inc., The Keg, 5301 West 57th Street to Golf Addiction LLC, Golf Addiction, 5301 West 57th Street (full service restaurant, CUP not required).

Sponsor: Mayor/City Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

18. New 2012-13 Retail Malt Beverage License for Effayco Inc, Vishnu Bunny Tattoo, 202 South Phillips Avenue, with Conditional Use Permit (2012-09-10) being approved on October 3, 2012.
Sponsor: Mayor/City Attorney
19. New 2013 Package Liquor License for Wang Enterprises Inc., King s Mart, to be operated at 4200 West 41st Street.
Sponsor: Mayor/City Attorney
20. New 2012-13 Package Malt Beverage South Dakota Farm Winery License for Jaime Reiff, Traveling Wines by CJ, to be operated at 1603 West 12th Street.
Sponsor: Mayor/City Attorney
21. Request to add Video Lottery Terminals to the Retail Malt Beverage License for Stanton Inc., The Log Cabin, to be operated at 1515 West Burnside Street.
Sponsor: Mayor/City Attorney
22. Special One-Day Liquor License for Ovations Food Services L.P., to be operated at the Avera Central Office, 3900 West Avera Drive, for an Avera Health Annual Holiday Party on December 7, 2012.
Sponsor: Mayor/City Attorney
23. Special One-Day Wine License for Senior Citizens Services Inc., to be held at Active Generations, 2300 West 46th Street, for the Cocktails and Canvas Art Class on December 4, 2012.
Sponsor: Mayor/City Attorney
24. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Senior Citizens Services Inc., to be operated at Active Generations, 2300 West 46th Street, for the Gourmet Guys Fundraiser, on April 21, 2013.
Sponsor: Mayor/City Attorney

INTRODUCTION AND ADOPTION OF ORDINANCES

25. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY TO UPDATE AND FURTHER DEFINE RESTRICTED CONCEALED WEAPONS.
Sponsor: Mayor/Police

26. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING CHAPTER 1, GENERAL PROVISIONS AND CHAPTER 27, PARKS AND RECREATION, OF THE REVISED ORDINANCES OF THE CITY BY REMOVING SPECIFIC PENALTY, RESTRICTING USE OF REMOTE CONTROL AIRCRAFT, AMENDING EXCEPTIONS TO PARK HOURS, AND REMOVING REFERENCES TO BOARD.
Sponsor: Mayor/Parks and Recreation

27. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. (Engineering, \$550,000.00)
Sponsor: Mayor/Public Works

28. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING A JOINT POWERS AGREEMENT BETWEEN LINCOLN COUNTY AND THE CITY OF SIOUX FALLS REGARDING THE CITY S CONTRIBUTION TOWARD THE NONFEDERAL COST SHARE REQUIREMENT OF A HAZARD MITIGATION GRANT AWARD.
Sponsor: Mayor/Public Works

Set a date of hearing and 2nd Reading for Tuesday, December 4, 2012, at 7:00 p.m. on Item 29:

29. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2012-10-10 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT NORTHEAST CORNER OF W. BENSON RD. AND S. WESTPORT AVE. AMENDING THE SANFORD SPORTS COMPLEX PLANNED DEVELOPMENT DISTRICT. Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, December 4, 2012, at 7:00 p.m. on Item 30:

30. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD REZONING PROPERTY AT 2201 W. 95TH ST. FROM THE RC, RECREATION/CONSERVATION DISTRICT TO THE S, INSTITUTIONAL DISTRICT, PETITION NO. 2012-10-06 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, December 4, 2012, at 7:00 p.m. on Item 31:

31. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY PERMITTING CLUBHOUSES. Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, December 4, 2012, at 7:00 p.m. on Item 32:

32. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING APPENDIX A SUBDIVISION ORDINANCE. Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, December 4, 2012, at 7:00 p.m. on Item 33:

33. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REVISING, AMENDING, RESTATING, CODIFYING, AND COMPILING CERTAIN EXISTING GENERAL ORDINANCES OF SIOUX FALLS, SOUTH DAKOTA; PROVIDING FOR THE REPEAL OF CERTAIN ORDINANCES NOT INCLUDED THEREIN; PROVIDING A PENALTY FOR THE VIOLATION THEREOF; AND PROVIDING FOR THE MANNER OF AMENDING THE CODE.
Sponsor: City Council/Attorney

Set a date of hearing and 2nd Reading for Tuesday, December 4, 2012, at 7:00 p.m. on Item 34:

34. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS TO FUND RETRO PAY WAGES AND HEALTH INSURANCE PREMIUMS FOR TRANSIT.
Sponsor: Mayor/Finance

Set a date of hearing and 2nd Reading for Tuesday, December 4, 2012, at 7:00 p.m. on Item 35:

35. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY TO FURTHER DEFINE WHERE WHEN AN ANIMAL CAN BE DECLARED VICIOUS AND TO PROVIDE CERTAIN REQUIREMENTS AFTER AN ANIMAL BITE INCIDENT.
Sponsor: Mayor/Police

HEARINGS AND RESOLUTIONS

36. A RESOLUTION APPROVING A FRAUD CONTROL POLICY FOR THE CITY.
Sponsor: City Council

37. A RESOLUTION AMENDING THE 2012 2016 CAPITAL PROGRAM.
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 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.