

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
REGULAR MEETING OF Tuesday, February 5, 2013 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

&#9679; Reverend David Edge, Zion Lutheran Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

&#9679; Congenital Heart Defect Awareness Week, February 7-14, 2013

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Tuesday, January 15, 2013, at 4:00 p.m.

&#9679; City Council Meeting of Tuesday, January 15, 2013, at 7:00 p.m.

&#9679; Informational Meeting of Tuesday, January 22, 2013, at 4:00 p.m.

&#9679; Joint City Council/Lincoln County Commission Meeting of Tuesday,  
January 22, 2013, at 7:00 p.m.

#### COMMUNICATIONS

1. Approval of Contracts/Agreements on the January 31, 2013 memo.  
Sponsor: Mayor/Finance
2. Notice of change orders on the January 31, 2013 memo.  
Sponsor: Mayor/Finance
3. Report of Requests for Quotes for Fuel dated: January 10, 2013; Unleaded Ethanol; 8,500 gallons; Harms Oil (\$2.7100); CHS, Inc. (\$2.72.00); Howes Oil and Olson Oil, both no bid. Bid awarded to: Harms Oil.  
Sponsor: Mayor/Public Works
4. Report of Requests for Quotes for Fuel dated: January 11, 2013; #1 & #2 Dyed Diesel Fuel; 3,000 gallons #1 & 4,500 gallons #2; Harms Oil (#1 = \$3.2670/#2 = \$3.1270); CHS, Inc. (#1 = \$3.3600/#2 = \$3.1600); Midwest Oil (#1 = \$3.4000/#2 = \$3.2300); Howes Oil and Olson Oil, both no bid. Bid awarded to: Harms Oil.  
Sponsor: Mayor/Public Works
5. Report of Requests for Quotes for Fuel dated: January 17, 2013; Unleaded Ethanol; 8,500 gallons; Harms Oil (\$2.7970); CHS, Inc., Howes Oil, and Olson Oil, all no bid. Bid awarded to: Harms Oil.  
Sponsor: Mayor/Public Works
6. Report of Requests for Quotes for Fuel dated: January 17, 2013; #2 Clear Diesel; 7,500 gallons; Harms Oil (\$3.296); Midwest Oil (\$3.42); CHS, Inc., and Howes Oil, both no bid. Bid awarded to: Harms Oil.  
Sponsor: Mayor/Planning and Building Services
7. Report of Requests for Quotes for Fuel dated: January 17, 2013; Diesel (#1 and #2 blend); 600 gallons; Howes Oil (\$2,036.70); Midway Service (\$2,055.30); Palisades Oil, no bid. Bid awarded to Howes Oil.  
Sponsor: Mayor/Fire Rescue
8. Report of Requests for Quotes for Fuel dated: January 22, 2013; #1 & #2 Dyed Diesel Fuel; 3,000 gallons #1 & 4,500 gallons #2; Harms Oil (#1 = \$3.3070/#2 = \$3.1480); CHS, Inc., Midwest Oil, Howes Oil, and Olson Oil, all no bid. Bid awarded to: Harms Oil.  
Sponsor: Mayor/Public Works
9. Report of Requests for Quotes for Fuel dated: January 24, 2013; Unleaded Ethanol & E85; 7,000 gallons Unleaded/1,000 gallons E85 (8,000 gallons total); Harms Oil (\$2.9240 Unleaded/\$2.6100 E85); CHS, Inc. (\$2.9630 Unleaded/\$2.6280 E85); Howes Oil and Olson Oil, both no bid. Bid awarded to Harms Oil.

Sponsor: Mayor/Public Works

10. Report of Requests for Quotes for Fuel dated: January 25, 2013; #1 & #2 Dyed Diesel Fuel; 6,000 gallons #1 & 9,000 gallons #2; Harms Oil (#1 = \$3.3320/#2 = \$3.1650); CHS, Inc. (#1 = \$3.3570/#2 = \$3.1780); Midwest Oil, Howes Oil and Olson Oil, all no bid. Bid awarded to Harms Oil.  
Sponsor: Mayor/Public Works
  
11. A communication was received from the Sioux Empire Community Theatre (SECT) stating their intent to sell raffle tickets from February 15, 2013, to March 3, 2013, for a 50/50 cash raffle. Tickets will be sold for \$1.00 each or six tickets for \$5.00. The proceeds will be used for fundraising for SECT.  
Sponsor: SDCL 22-25-25
  
12. A communication was received from the Edith Sanford Breast Cancer Foundation stating their intent to sell raffle tickets on February 19, 2013, for Vivaz services and products (medical spa products) valued at \$100.00-\$250.00. The tickets will be sold for two for \$5.00 or five tickets for \$10.00. The proceeds will be used for the Edith Sanford Breast Cancer Foundation.  
Sponsor: SDCL 22-25-25
  
13. A communication was received from Active Generations stating their intent to sell raffle tickets from March 1, 2013, to April 7, 2013, for a quilted table topper (valued at \$70.00) and a quilted wall hanging (valued at \$30.00). Tickets will be sold for \$2.00 each or three tickets for \$5.00. The proceeds will be used to benefit programs for Active Generations.  
Sponsor: SDCL 22-25-25
  
14. A communication was received from Canterbury Village stating their intent to sell raffle tickets from March 1, 2013, to March 22, 2013. The tickets will be sold for \$5.00, \$10.00 or \$25.00 (depending on the prize). The proceeds will be used as a fundraiser for the Edith Sanford Breast Cancer Foundation. The prizes are as follows: A Mark Anderson oil painting (valued between \$4,000.00-\$6,000.00); Six months of Climate Controlled Storage (valued at \$1,000.00); Health and Wellness Package - Sanford Wellness Center, Thrive Pilates, Sioux Falls Therapeutic Massage, Pomegranate Market, etc. (valued at \$500.00); Pamper Your Pooch - personalized pet photo shoot, original color-pencil sketch, pet massage, gourmet dog biscuits, gift card (valued at \$500.00); Hand-Crafted Pink Quilt (valued at \$350.00); Day of Beauty Package - Haircut and Color, Eyebrow wax, Manicure, massage, boutique gift card, etc. (valued at \$400.00); Taste of Cultures Package - various restaurant gift cards (valued at \$200.00); Sports Fan Package - Stampede and/or Pheasants tickets, restaurant gift card, sporting goods gift card, etc. (valued at \$200.00); Date Night Package - Clubhouse Inn and Suites, Handmade Cheese and Handmade Cupcakes, restaurant gift card, etc. (valued at \$200.00); Jewelry donation from Gunderson's (valued at \$1,000.00).  
Sponsor: SDCL 22-25-25
  
15. A communication was received from the Senior Companions of South Dakota stating their intent to sell raffle tickets from March 7, 2013, to April 21, 2013, for the following prizes: a handmade quilt (valued at \$300.00);

8-10 gift certificates from the Sioux Empire area (valued from \$20.00 - \$50.00); handmade jewelry (valued at \$25.00); two gift baskets (valued at \$50.00); and food coupons (valued at \$20.00). Tickets will be sold for \$2.00 each or three tickets for \$5.00. The proceeds will be used to support the work of the Senior Companion Program.  
Sponsor: SDCL 22-25-25

16. A communication was received from the Sioux Falls Storm stating their intent to sell raffle tickets from March 17, 2013, to June 8, 2013, for a Kinetico Water Softener System (valued at \$2,000.00). Tickets will be sold for \$2.00 each or three tickets for \$5.00. The proceeds will be used to benefit Make-A-Wish.  
Sponsor: SDCL 22-25-25

17. A communication was received from the Sioux Falls Area Humane Society requesting permission to consume, but not sell, wine and malt beverages at the Landscape Garden Center, 26971 South Minnesota Avenue, on June 22, 2013, from 5:00 p.m. until 11:00 p.m. for the purpose of a fundraising event.  
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 Minnehaha County; and the City Attorney for Sioux Falls:

18. Samuel C. Lassegard, Parcel #25983, E 80' 1 & E 80' N 4', 2 Block 20, Bennett's 1st Addn to City of Sioux Falls, for 2012 property taxes in the amount of \$558.95. 2012 board value was missed due to a clerical error.  
Sponsor: SDCL 10-18-1

19. Richard J. Tuley, Parcel #64648, Lot 13A, Block 7, Wildflower Estates to City of Sioux Falls, for 2012 property taxes in the amount of \$987.97. Owner Occupied Status dropped due to a clerical error.  
Sponsor: SDCL 10-18-1

20. Pat Stapleton, Parcel #80021, Lot 8, Block 15, Roosevelt Park Addn to City of Sioux Falls, for 2012 property taxes in the amount of \$1,680.68. Owner Occupied Status dropped due to a clerical error.  
Sponsor: SDCL 10-18-1

21. Paulette M. Larson, Parcel #56961, Laird's Sub 3, Block 49, Rowland's 4th Addn to City of Sioux Falls, for 2012 property taxes in the amount of \$2,934.59. House and garage removed on 6/20/12 after the assessment date.  
Sponsor: SDCL 10-18-1

22. City of Sioux Falls, for 2012 taxes for the following parcels and amounts. City of Sioux Falls purchased (9) properties with the City during the period of 2/21/12 12/13/12: Parcel #10645, SW ... (Ex Pt Oak Trails & Ex Pump Station 2nd Addn & Ex Barrington Heights South Addn & Ex H-1), 33-101-

48 Sioux Falls City Unplatted (\$57.94); Parcel #32365 (Ex Lots H-1 & H2 & Ex E49) Lots 5 & 6, Block 15, Gales Sioux Falls (\$103.42); Parcel #32366, (Ex Lot H2) E49 Lots 5 & 6, Block 15 Gales, Sioux Falls (\$59.76); Parcel #32367, (Ex W48 % & Lot H1) 7 Block 15 Gales, Sioux Falls (\$140.97); Parcel #32368, (Ex Lot H1) W48 % 7 Block 15 Gales, Sioux Falls (\$61.95); Parcel #53342, N600.9 S900 E904.2 (Ex Tracts 33 & 34 & Ex Dakotaland Addn & Ex Lots H-1 & P-1) SE ... SE ... 33-102-49, Sioux Falls City Unplatted, (\$518.06); Parcel #56975, S300 E262.6 (Ex Lots H1 & H3) SE ... 33-102-49, Sioux Falls City, Unplatted, (\$250.35); Parcel #85060, (Ex Lot P-1) 1 Block 1 Dakotaland Addition to the City of Sioux Falls (\$333.92); Parcel #54550, (Ex Lots H1, H-3, H-4, H-5 & H-6) 6 Sioux Falls Farmstead Resub Sec 25-101-50 in City of Sioux Falls (\$172.24).  
Sponsor: SDCL 10-18-1

23. City of Sioux Falls, for 2012 taxes for the following parcels and amounts. City of Sioux Falls purchased (6) properties with the City during the period of 4/4/12 - 12/11/12: Parcel #27517, Lot 14, Block 11, Brookings Addn to City of Sioux Falls (\$604.83); Parcel #78328, Lot 17, Block 12, Aspen Heights Addn to City of Sioux Falls (\$6.81); Parcel #78329, Lot 18, Block 12, Aspen Heights Addn to City of Sioux Falls (\$17.87); Parcel #79409, Tract 3 (Ex Aspen Heights Addn) Lalley Estates Addn to City of Sioux Falls (\$32.23); Parcel #83241, (Detention Pond) 1 Block 6, Sioux Empire Development Park 7, Addn to City of Sioux Falls (\$519.61); Parcel #83281, Lot 19, Block 12, Aspen Heights Addn to City of Sioux Falls (\$16.18).  
Sponsor: SDCL 10-18-1

Items 24-32: The amount requested is the difference between the elderly freeze and the non-elderly freeze.

24. Madonna Hicks, Parcel #27480, 925 N. Duluth Avenue, SF City Lot 16, Block 9, Brookings Addition to City of Sioux Falls (\$359.84).  
Sponsor: SDCL 10-18-1
25. Louis Determan, Parcel #27093, 126 S. Williams Avenue., Sioux Falls City N. 44' Lot 5, Block 7, Braley's 1st Addition to City of Sioux Falls (\$1,000.91).  
Sponsor: SDCL 10-18-1
26. John Dekam, Parcel #29733, 223 N. Franklin Avenue, Sioux Falls City Lot 14, Block 7, Dakota Improvement Co.'s 1st Addition to City of Sioux Falls (\$418.21).  
Sponsor: SDCL 10-18-1
27. Mary De Young, Parcel #32871, 3708 S. Terry Ave Apt. 103, Sioux Falls City Bldg 3708, Gateway Addition to City of Sioux Falls (\$195.82).  
Sponsor: SDCL 10-18-1
28. Elizabeth Jorn, Parcel #32932, 3552 S. Gateway Blvd. Apt. 201, Sioux Falls City S. 445', Lot 7A, Block 2, Gateway Addition to City of Sioux Falls (\$178.84).  
Sponsor: SDCL 10-18-1
29. Luella Mengenhansen, Parcel #38570, 2013 E. 1st Street, Sioux Falls City W

61', Lot 4, Block 1, Leader's Sunrise Addn City of Sioux Falls (\$800.81).  
Sponsor: SDCL 10-18-1

30. Beatrice Scott, Parcel #67940, 1108 N. Cheers Place, Sioux Falls City 1994 Medallion MN located in Country View MH Court, City of Sioux Falls (\$88.25).  
Sponsor: SDCL 10-18-1

31. Viola Nelson, Parcel #40606, 1217 E. Rice Street, Sioux Falls City Lot 12, Block 1 (Exc N 7' St.), Mostrum's 1st Addition to City of Sioux Falls (\$384.81).  
Sponsor: SDCL 10-18-1

32. Donald Reiners, Parcel #43580, 921 S. Paulton Avenue, Sioux Falls City Lot 11, Block 5, Prospect Park Addition to City of Sioux Falls (\$739.61).  
Sponsor: SDCL 10-18-1

Item 33: The following abatement was recommended for denial by the Director of Equalization and the State's Attorney's Office for Minnehaha County; and the City Attorney for Sioux Falls:

33. Ronald Barber, Parcel # 55889, 5809 W. Clay Street, Sioux Falls City Lot 4, Block 7, Silver Valley 3rd Addition to City of Sioux Falls (\$277.13).  
Sponsor: SDCL 10-18-1

34. Amendment to the Special One-Day Malt Beverage and Special One-Day Wine Licenses approved on 01-15-13 for the Multi-Cultural Center of Sioux Falls to be operated at the Multi-Cultural Center of Sioux Falls, 515 North Main Avenue, changing the date of a fundraiser from February 2, 2013 to February 9, 2013.  
Sponsor: Mayor/City Attorney

35. Special One-Day Liquor License request for YWCA of Sioux Falls, to be operated at YWCA Avera, 3501 South Ralph Rogers Road, for the YWCA Bunco Bash on February 22, 2013.  
Sponsor: Mayor/City Attorney

36. Special One-Day Liquor License request for Ovations Food Services LP, to be operated at the Sioux Falls Orpheum Theater, 315 North Phillips Avenue, for the Addy Awards Ceremony and Reception on March 15, 2013.  
Sponsor: Mayor/City Attorney

37. Special One-Day Malt Beverage License request for Siouxland Heritage Museums, to be operated at the Old Courthouse Museum, 200 West Sixth Street, for a St. Patrick's Day Family Dance on March 16, 2013.  
Sponsor: Mayor/City Attorney

38. Special One-Day Liquor License request for Washington Pavilion Management Inc., to be operated at the Washington Pavilion of Arts and Science, 301 South Main Avenue, for a wedding reception on March 23, 2013.  
Sponsor: Mayor/City Attorney

39. Special One-Day Liquor License request for Prairie Pasta Inc., to be operated at the Old Courthouse Museum, 200 West Sixth Street, for a wedding on April 27, 2013.  
Sponsor: Mayor/City Attorney
40. Special One-Day Liquor License request for Prairie Pasta Inc., to be operated at the Old Courthouse Museum, 200 West Sixth Street, for a wedding on June 22, 2013.  
Sponsor: Mayor/City Attorney
41. Special One-Day Liquor License requests for Ovations Food Services, LP to be operated at the Sioux Falls Pheasant Baseball Club, 1001 North West Avenue, in the Tiki Bar and Suites, for the 2013 Home Season Games.  
Sponsor: Mayor/City Attorney
42. Special One-Day Liquor License request for Sid s Liquor LLC, Sid s Liquor to be operated at 330 South First Avenue for a Realtors for Kids Mardi Gras Party on February 8, 2013.

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, February 19, 2013, at 7:00 p.m. on Items 43 through 50:

43. New 2012-2013 Retail Malt Beverage License for Paul Saxton, Bogtrotters Pub, Grub & Tap to be operated at 201 East 11th Street with the Conditional Use Permit (2012-11-15) being approved on January 9, 2013.  
Sponsor: Mayor/City Attorney
44. New 2013 Retail Wine License for Dollar Bill s Casino Inc., Dollar Bill s Casino to be operated at 4920 North Cliff Avenue with Conditional Use Permit (96-10-4) being approved on November 18, 1996.  
Sponsor: Mayor/City Attorney
45. Transfer of 2012-2013 Retail Malt Beverage License from Lucky Buck s Casino Inc., Lucky Buck s Casino to MG Oil Company, Happy Jacks Sioux Falls III to be operated at 3705 South Western Avenue (CUP not required; this is an existing license which predates the ordinance).  
Sponsor: Mayor/City Attorney
46. Transfer of 2013 Package Liquor License from Runco, Amoco Food Shop to JKB Enterprises LLC, J&K Kwik Stop to be operated at 1200 East 10th Street (CUP not required).  
Sponsor: Mayor/City Attorney
47. Transfer of 2013 Retail Liquor License from Cash Inn on Benson Inc., Cash Inn II, to Brett Erickson, Happy Jacks Sioux Falls IV to be operated at 1211 East Benson Road with Conditional Use Permit (2006-01-13) being approved on February 1, 2006.  
Sponsor: Mayor/City Attorney

48. Special One-Day Wine License request from Good Shepherd Ministry Center Inc., to be operated at the Avera Prairie Center, 1000 East 23rd Street, for a fundraiser on May 7, 2013.  
Sponsor: Mayor/City Attorney
49. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Sioux Falls Jazz & Blues Society, to be operated at Vern Eide Acura, 4030 South Grange Avenue, for a fundraiser on June 20, 2013.  
Sponsor: Mayor/City Attorney
50. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Sioux Falls Jazz & Blues Society, to be operated at Yankton Trail Park, 3901 South Minnesota Avenue, for the Jazz Fest on July 18-20, 2013.  
Sponsor: Mayor/City Attorney

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

#### PUBLIC INPUT

#### UNFINISHED BUSINESS

51. Deferred (from the City Council Meetings of November 6, 13, and December 4, 2012): Joint elections - agreement to share expenses.  
Sponsor: City Council

#### HEARINGS AND RESOLUTIONS

52. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SD. (ANNEXATION 2012-11-19 26THST. AND KATIE AVE., SOUTHWEST CORNER).  
Sponsor: Mayor/Planning and Building Services
53. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.  
Sponsor: Mayor

#### 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)

54. REPORT OF THE JANUARY 29, 2013, 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 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](http://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.