

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Tuesday, April 2, 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

● Reed DeVries, Adult Ministry Team Leader for Celebrate Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, March 19, 2013, at 4:00 p.m.

● City Council Meeting of Tuesday, March 19, 2013, at 7:00 p.m.

● Informational Meeting of Tuesday, March 26, 2013, at 4:00 p.m.

● Joint City Council/Minnehaha County Commission Meeting of Tuesday,
March 26, 2013, at 5:00 p.m.

COMMUNICATIONS

1. A memorandum dated February 26, 2013, declaring surplus capital items that were demolished as part of building upgrades.
Sponsor: Mayor/Finance
2. Approval of Contracts/Agreements on the March 28, 2013 memo.
Sponsor: Mayor/Finance
3. Notice of change orders on the March 28, 2013 memo.
Sponsor: Mayor/Finance
4. Statement of Claim for Mechanic's, Miner's, Laborer's or Materialman's Lien on Public Improvement Project from Sioux City Insulation, Inc. for work and materials furnished to Rick Plumbing & Heating, Inc. regarding a project at Sioux Falls City Hall.
Sponsor: SDCL 5-22-3
5. A communication was received from Paulsen Marketing requesting permission to consume, but not sell, wine and beer at the Sioux Falls Design Center, 108 West 11th Street, on Thursday, April 4th, 2013 from 3:00 p.m. to 5:00 p.m. for the purpose of an annual meeting.
Sponsor: SDCL 35-1-5.3
6. A communication was received from Jacob Versteeg requesting permission to consume, but not sell wine, liquor and/or malt beverages at the Old Courthouse Museum, 200 West Sixth Street, on Friday, June 7, 2013, from 5:00 p.m. to 10:00 p.m. for the purpose of a wedding reception.
Sponsor: SDCL 35-1-5.3
7. A communication was received from John Kehoe and Stacy Howard requesting permission to consume, but not sell, beer, wine and liquor at the Old Courthouse Museum 200 West Sixth Street on Saturday, August 24, 2013, from 3:30 p.m. to 11:30 p.m. for the purpose of a wedding reception.
Sponsor: SDCL 35-1-5.3
8. Report of Requests for Quotes for Fuel dated: March 18, 2013; Unleaded Ethanol; 8,500 gallons; Howes Oil (\$3.1935); Harms Oil (\$3.2161); CHS, Inc. (\$3.2460); and Olson Oil (\$3.3200). Bid awarded to: Howes Oil.
Sponsor: Mayor/Public Works
9. Report of Request for Quotes for Fuel: March 21, 2013; Diesel (#1 and #2 blend); 550 gallons; Howes Oil (\$1,891.44); Midway Service (\$1,913.45); Palisades Oil, no bid. Bid awarded to: Howes Oil.
Sponsor: Mayor/Fire Rescue
10. Report of Request for Quotes for Fuel: March 21, 2013; Unleaded; 650 gallons; Howes Oil (\$2,119.97); Midway Service (\$2,152.47); Palisades Oil, no bid. Bid awarded to: Howes Oil.
Sponsor: Mayor/Fire Rescue

11. Report of Request for Quotes for Fuel: March 25, 2013; Unleaded Ethanol; 8,500 gallons; Howes Oil (\$3.2005); Harms Oil (\$3.2015); CHS, Inc. (\$3.2440); Olson Oil, no bid. Bid awarded to: Howes Oil.
Sponsor: Mayor/Public Works

APPLICATIONS

12. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sisters of the Presentation of the Blessed Virgin Mary to be operated at Falls Park, Falls Park Drive, for the Cinco de Mayo Fiesta, on May 11, 2013.
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. The amounts requested are the differences between the elderly freeze and the non-elderly freeze:

13. Patricia J. Clifford, 633 N. Menlo Avenue., for 2012 property taxes in the amount of \$333.24.
Sponsor: SDCL 10-18-1
14. Lyle E. Hanson, 4009 E. 36th Street, for 2012 property taxes in the amount of \$581.84.
Sponsor: SDCL 10-18-1
15. Martha A. Kniep, 1100 N. Elmwood Avenue, for 2012 property taxes in the amount of \$1,182.44.
Sponsor: SDCL 10-18-1
16. Carol Zakrzewski, 3105 E. 23rd Street, for 2012 property taxes in the amount of \$463.04.
Sponsor: SDCL 10-18-1
17. Joyce D. Questad, 921 S. Stephen Avenue, for 2012 property taxes in the amount of \$388.53.
Sponsor: SDCL 10-18-1
18. Donald Kiszner, 1611 S. Campbell Trail, for 2012 property taxes in the amount of \$265.50.
Sponsor: SDCL 10-18-1

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, April 16, 2013, at 7:00 p.m. for Items 19 through 26:

19. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Almost

Home Canine Rescue to be operated at the 8th and Railroad Parking Lot, 401 East 8th Street, for the 605 Summer Classic to be held on June 21-22, 2013.
Sponsor: Mayor/City Attorney

20. Special One-Day Liquor License for South Dakota National Guard Enlisted Association to be operated at Farmer s Market at Falls Park, 309 East Falls Park Drive, for the 2013 Enlisted Association of the National Guard of the United States 42nd Annual Conference welcome event on August 18, 2013.
Sponsor: Mayor/City Attorney
21. Special One-Day Liquor License for South Dakota National Guard Enlisted Association to be operated at J & L Harley Davidson, 2601 West 60th Street North, for the 2013 Enlisted Association of the National Guard of the United States 42nd Annual Conference Awards and Recognition Banquet on August 21, 2013.
Sponsor: Mayor/City Attorney
22. Special One-Day Wine Licenses for Downtown Sioux Falls Inc., to be operated at the following locations: 8th & Railroad Center lobby, 401 East 8th Street, Amanda s Imagery/Julie Prairie Photography, 311 South Phillips Avenue #201, Artisan House, 229 South Phillips Avenue, Bead Co., 319 South Phillips Avenue, Book Shop, 223 South Phillips Avenue, CH Patisserie, 309 South Phillips Avenue, Chelsea s Boutique, 321 South Phillips Avenue, Cookie Jar, 230 South Phillips Avenue, Exposure Sioux Falls, 333 South Phillips Avenue, Great Outdoor Store, 201 East 10th Street, Lillian s Shoppe, 311 South Phillips Avenue #101, NV Salon Studio, 106 West 11th Street, Rehfeld s Art & Framing, 210 South Phillips Avenue, Rug & Relic, 401 East 8th Street #112/114, Say Anything Jewelry, 524 North Main Avenue #104, Sticks and Steel, 401 East 8th Street #118, Young & Richards, 236 South Main Avenue, Zambroz, 209 South Phillips Avenue, for First Friday on May 3, 2013.
Sponsor: Mayor/City Attorney
23. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls Inc., to be operated at 8th & Railroad Parking Lot, 401 East 8th Street, for Downtown Block Parties on the East Bank on June 7, July 5, and August 2, 2013.
Sponsor: Mayor/City Attorney
24. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls, Inc., to be operated on Phillips Avenue from 9th to 14th Streets; Main Avenue from 10th to 13th Streets, 13th Street from Main to 1st Avenue, 12th Street from Main to Phillips Avenues, 11th Street from Dakota to Mall Avenues, 10th Street from Main to Mall Avenues, Parking Ramp by Main & 12th, Surface lot behind Diner, and Plaza by 12th & Phillips for Hot Summer Nites on July 17, 2013.
Sponsor: Mayor/City Attorney
25. Special One-day Malt Beverage and Special One-Day Wine Licenses for Hy-Vee Inc., All Occasions by Hy-Vee to be operated at The Point is to Serve Church, 506 North Kiwanis Avenue for weddings on May 4 and September 14, 2013.
Sponsor: Mayor/City Attorney

26. Special One-Day Liquor Licenses for Hy-Vee Inc., All Occasions by Hy-Vee to be operated at The Point is to Serve Church, 506 North Kiwanis Avenue for weddings on May 25 and September 21, 2013.
Sponsor: Mayor/City Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

PETITIONS

27. Conditional Use Permit Appeal (2013-02-01): Southwest corner of W. 26th Street and S. Mary Beth Avenue, Lots 2 & 3, Block 7, Westridge II Addition, Minnehaha County. The Conditional Use Permit in the RS-2, Residential District was to allow the construction of twin homes on the subject property. (Approved at the March 6, 2013 Planning Commission meeting with a vote of 5-yes, 0-no).
Sponsor: Mayor/Planning and Building Services

UNFINISHED BUSINESS

28. Transfer of 2012-2013 Retail Malt Beverage License from Stag LLC, Grand Casino, 4211 West 12th Street to Isava Inc., Sneaky s Chicken, 4211 West 12th Street (full service restaurant; CUP not required).
Sponsor: Mayor/City Attorney

INTRODUCTION AND ADOPTION OF ORDINANCES

29. 2nd 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
30. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 37 TAXATION OF THE ORDINANCE. Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services
31. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 7100 W. SONGBIRD ST. FROM THE RS-2, RESIDENTIAL DISTRICT TO THE RD-1, RESIDENTIAL DISTRICT, PETITION NO. 2013-02-03, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

32. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE NW CORNER OF W. 12TH ST. AND N. ELLIS RD. FROM THE A-1, AGRICULTURAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT AND RC, RECREATION CONSERVATION DISTRICT, PETITION NO. 2013-02-06, 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, April 9, 2013, at 7:00 p.m. for Item 33:

33. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY EXPANDING CHAPTER 30: CITY COUNCIL, SUBCHAPTER NAMING FACILITIES.

Sponsor: City Council

HEARINGS AND RESOLUTIONS

34. A RESOLUTION ADVISING AND GIVING CONSENT TO THE TEMPORARY APPOINTMENT OF A MEMBER TO THE CIVIL SERVICE BOARD.

Sponsor: Mayor

35. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. ANNEXATION 2013-01-03 - W. 85TH ST. AND S. MINNESOTA AVE., SOUTHWEST CORNER.

Sponsor: Mayor/Planning and Building Services

36. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, CORRECTING THE LEGAL DESCRIPTION OF ANNEXATION RESOLUTION NO. 12-13. ANNEXATION 2012-12-05 LEGAL DESCRIPTION CORRECTION - W. 12TH ST. AND N. ELLIS RD.

Sponsor: Mayor/Planning and Building Services

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)

37. REPORT OF THE MARCH 26, 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. 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.