

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Tuesday, September 3, 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

● Pastor Jason Mueller, The Ransom Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● Suicide Prevention Week in Sioux Falls, September 8-14, 2013

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Budget Hearing Meeting of Tuesday, August 20, 2013, at 4:00 p.m.

● City Council Meeting of Tuesday, August 20, 2013, at 7:00 p.m.

● Informational Meeting of Tuesday, August 27, 2013, at 4:00 p.m.

● Joint City Council/Minnehaha County Commission Meeting of Tuesday,
August 27, 2013, at 5:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on August 29, 2013 memo.
Sponsor: Mayor/Finance
2. Notice of change orders on August 29, 2013 memo.
Sponsor: Mayor/Finance
3. A communication was received from Avera Health requesting permission to consume, but not sell, wine and malt beverage at the Avera McKennan Prairie Center at 1000 East 23rd Street, on Wednesday, September 18, 2013, from 4:30 p.m. to 9:30 p.m. for the purpose of a reception hosting the South Dakota Biotech Association pre-conference gathering.
Sponsor: SDCL 35-1-5.3
4. Report of Requests for Quotes for Fuel dated: August 15, 2013; #2 Dyed Diesel Fuel; 4,000 gallons; Harms Oil (\$3.1895); CHS, Inc. (\$3.2070); 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: August 15, 2013; Unleaded Ethanol; 4,000 gallons; Harms Oil (\$3.1085); CHS, Inc. (\$3.1100); Howes Oil and Olson Oil, both no bid. Bid awarded to: Harms Oil.
Sponsor: Mayor/Public Works
6. Report of Requests for Quotes for Fuel dated: August 22, 2013; Unleaded Ethanol; 8,500 gallons; Howes Oil (\$3.1075); CHS, Inc. (\$3.1110); Harms Oil (\$3.1197); Olson Oil, no bid. Bid awarded to: Howes Oil
Sponsor: Mayor/Public Works
7. Report of Requests for Quotes for Fuel dated: August 22, 2013; #2 Clear Diesel; 7,500 gallons; CHS, Inc (\$3.4700); Howes Oil, Harms Oil and Midwest Oil, all no bid. Bid awarded to: CHS, Inc.
Sponsor: Mayor/Planning and Building Services

APPLICATIONS

8. Special One-Day Liquor License requests for Ovations Food Services LP, to be operated at the Sioux Falls Orpheum Theater, 315 North Phillips Avenue, for wedding receptions on September 7 and 20, 2013.
Sponsor: Mayor/City Attorney
9. Special One-Day Malt Beverage License request for Sports Zone Inc., Rookies Sports Bar & Grill to be operated at Falls Park West, Falls Park Drive for a free Soulcrate concert on September 14, 2013.

Sponsor: Mayor/City Attorney

10. 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 Great Plains Zoo and Delbridge Museum, 805 South Kiwanis Avenue, for a Howalt-McDowell company party on September 24, 2013.
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:

11. Melvin W. Zimmer, 5612 W. 16th Street, for 2012 taxes in the amount of \$1,504.77.
Sponsor: SDCL 10-18-1

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, September 10, 2013 at 7:00 p.m. for Item 12:

12. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s, to be operated at Sioux Falls Surgical Specialty Hospital, 910 East 20th Street for an employee social on September 16, 2013, and authorize publication of notice on 08-30-13 to set the hearing date.
Sponsor: Mayor/City Attorney

Set a date of hearing for Tuesday, September 17, 2013 at 7:00 p.m. for Items 13 and 14:

13. Special One-Day Liquor License request for the Avera Health to be operated at the Avera Prairie Center, 1000 East 23rd Street for a National Institutes of Health social event on October 29, 2013.
Sponsor: Mayor/City Attorney

14. Special One-Day Malt Beverage License request for Sports Zone Inc., Rookies Sports Bar & Grill to be operated at MidAmerica Motoplex, 4915 Northview Avenue for a special event on September 28, 2013.
Sponsor: Mayor/City Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

PETITIONS

15. CONDITIONAL USE PERMIT APPEAL (2013-07-05): SOUTHEAST CORNER OF W. RUSSELL STREET AND N. KIWANIS AVENUE, TRACT 1A, VENERT'S ADDITION. THE CONDITIONAL

USE PERMIT WAS TO APPROVE CONSTRUCTION OF AN ADDITION TO AN EXISTING FOOD N FUEL BUILDING TO BE USED AS AN ON-SALE ALCOHOL ESTABLISHMENT. (Approved at the August 7, 2013, Planning Commission Meeting with a vote of 3-Yes, 2-No).

Sponsor: Mayor/Planning and Building Services

UNFINISHED BUSINESS

16. New 2013-14 Package Malt Beverage License for Main and Main LLC, Springhill Suites, to be operated at 4304 West Empire Place, effective October 15, 2013, with the Special Use Permit (2008-03-06) being approved on April 2, 2008.

Sponsor: Mayor/City Attorney

17. New 2013-14 Package Malt Beverage License for Thrifty Smoke Shop, Inc., Smokin Deals to be operated at 1604 East Tenth Street (CUP not required).

Sponsor: Mayor/City Attorney

18. New 2013 Retail Liquor License, including Sunday Sales, for B.O.B., LLC, Beef O Brady s, 4021 North Bobhalla Drive (full service restaurant; CUP not required). Pending final inspections per Health, Fire and Building Services.

Sponsor: Mayor/City Attorney

19. New 2013 Retail Liquor License, including Sunday Sales and video lottery terminals, for The Brady Bunch, Inc., Beef O Brady s, 2210 West 69th Street, Suite number to be determined (full service restaurant; CUP not required). Pending final inspections per Health, Fire and Building Services.

Sponsor: Mayor/City Attorney

20. Special One-Day Malt Beverage and Special One-Day Wine Licenses for House of Kings, Casa Del Rey, to be operated at Avera Prairie Center, 1000 East 23rd Street for a Professional Chefs of the Black Hills fundraiser event on September 21, 2013.

Sponsor: Mayor/City Attorney

21. Special One-Day Malt Beverage and Special One-Day Wine Licenses for KAK Inc., K, to be operated at 8th & Railroad parking Lot, 401 East 8th Street, for a Downtown Block Party on the East Bank on September 6, 2013.

Sponsor: Mayor/City Attorney

INTRODUCTION AND ADOPTION OF ORDINANCES

22. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 2811 AND 2901 W. MADISON ST. FROM THE RD, RESIDENTIAL DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2013-07-10 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

23. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 731 N. HARLEM AVE. FROM THE RD, RESIDENTIAL DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2013-07-02 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

24. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2013-07-13 TO CHAPTER 160.446, PLANNED DEVELOPMENT DISTRICTS, AT SW CORNER OF W. 86TH PL. AND S LOUISE AVE. ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA S REGULATIONS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

25. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2013-07-15 TO CHAPTER 160.446, PLANNED DEVELOPMENT DISTRICTS, NORTH OF E. ARROWHEAD PARKWAY AND EAST OF S. SIX MILE ROAD ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE New SUBAREA G REGULATIONS 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, September 17, 2013, at 7:00 p.m. for Item 26:

26. (DEFERRED FROM 08/20/13 MEETING): 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2013-07-16 TO CHAPTER 160.446, PLANNED DEVELOPMENT DISTRICTS, AT THE NW CORNER OF W. 77TH ST. AND S. CLIFF AVE. ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA D BOUNDARIES AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

HEARINGS AND RESOLUTIONS

27. A RESOLUTION ADOPTING THE CITY COUNCIL TRAVEL POLICY.

Sponsor: City Council

28. A RESOLUTION APPROVING THE SIOUX FALLS CONVENTION AND VISITORS BUREAU BUSINESS IMPROVEMENT DISTRICT S BUDGET.

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)

29. REPORT OF THE AUGUST 27, 2013, NOTICE OF TRANSFER 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.