

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, May 15, 2012, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Dean Karsky

Council Member Rex Rolfing

Council Member Sue Aguilar

Council Member Kenny Anderson Jr.

Council Member James Entenman

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Vernon Brown

Mayor Mike T. Huether

INVOCATION

Father Charles Cimpl, St. Michael's Parish

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PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Motorcycle Safety and Awareness Month, May 2012

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Vernon Brown Day, May 16, 2012

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National Public Works Week, May 20-26, 2012

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RECOGNITION/AWARDS

Mayor's Historic Preservation Award

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CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member James Entenman to approve the Consent Agenda.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member James Entenman to amend the main motion by approving Items 1 through 10, removing Item 9.

Vote to amend: Roll Call: Yeses, Vernon Brown, Dean Karsky, Rex Rolwing, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member James Entenman to approve Item 9.

Vote to approve: Roll Call: Yeses, Vernon Brown, Dean Karsky, Rex Rolwing, Sue Aguilar, James Entenman, Michelle Erpenbach, Greg Jamison, 7. Noes, 0. Kenny Anderson Jr. was excused from the meeting and the vote on this item.

Motion Passed.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Sue Aguilar to approve Items 11 through 13.

Vote to approve: Roll Call: Yeses, Vernon Brown, Dean Karsky, Rex Rolwing, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

MINUTES

Special City Council Meeting of Thursday, May 3, 2012, at 1:30 p.m.

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Informational Meeting of Tuesday, May 8, 2012, at 4:00 p.m.

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City Council Meeting of Tuesday, May 8, 2012, at 7:00 p.m.

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COMMUNICATIONS

1. Approval of Contracts/Agreements on May 10, 2012 memo.

Sponsor: Mayor/Finance

2. Notice of change orders on May 10, 2012 memo.

Sponsor: Mayor/Finance

3. Report of Request for Quotes for Fuel: May 1, 2012; #2 Dyed Diesel, 1000 gallons; Midway Service (3.4400); Howes Oil (3.5290); Midwest Oil (3.5490). Bid awarded to: Midway Service.

Sponsor: Mayor/Water Reclamation

4. Report of Request for Quotes for Fuel: May 4, 2012; Unleaded; 700 gallons; Howes Oil (\$2269.05); Palisades Oil, no bid; Midway Service (\$2388.55). Bid awarded to: Howes Oil.

Sponsor: Mayor/Sioux Falls Fire Rescue

5. Report of Request for Quotes for Fuel: May 4, 2012; Unleaded Ethanol & E85; 2500 gallons unleaded/2500 gallons E85 (5000 total); Harms Oil \$3.1500 Unleaded/\$2.4700 E85); Howes Oil (\$3.1655 Unleaded/\$2.6350 E85); CHS, Inc. and Olson Oil, both no bids. Bid awarded to: Harms Oil.

Sponsor: Mayor/Public Works

6. Report of Request for Quotes for Fuel: May 7, 2012; #2 Dyed Diesel Fuel; 3000 gallons; Howes Oil (\$3.1640); Harms Oil (\$3.1940); CHS, Inc., Midwest Oil, Olson Oil, all no bids. Bid awarded to: Howes Oil.

Sponsor: Mayor/Public Works

7. A communication was received from Scott and Dianne Jansen requesting permission to consume, but not sell, beer and wine at The Old Courthouse Museum, 200 West Sixth Street, on Friday, July 20, 2012, from 5:00 p.m. to 8:00 p.m. for a wedding rehearsal dinner.

Sponsor: SDCL 35-1-5.3

8. A communication was received from the Augustana College Women's Soccer Team stating their intent to sell raffle tickets from June 1, 2012 until June 30, 2012 for prizes of money in the denomination of \$25.00 (21 chances); \$50.00 (7 chances); and \$100.00 (2 chances). Tickets will be sold for \$10.00 each. The proceeds will go toward the women's soccer team.

Sponsor: SDCL 22-25-25

9. A communication was received from the Multi-Cultural Center stating their intent to sell raffle tickets from June 6, 2012 until June 30, 2012 for prizes of John Morrell products under \$50.00; hotel room under \$100.00; and other prizes to be determined. Tickets will be sold for \$1.00 per ticket or \$5.00 for six tickets. The proceeds will go toward the Festival of Cultures.

Sponsor: SDCL 22-25-25

10. A communication was received from the YWCA Sioux Falls stating their intent to sell raffle tickets on June 7, 2012 for prizes to consist of eight to 10 baskets of various goods and certificates (valued at \$250.00 or less). Tickets will be sold for \$10.00 each. The proceeds will go toward programs offered at the YWCA to women, children, and families.

Sponsor: SDCL 22-25-25

APPLICATIONS

Special One-Day Liquor License for Great Bear Recreation Park Inc.,

11. Great Bear Recreation Park, to be operated at the Great Bear Recreation Park, 5901 East Rice Street, for wedding receptions on the following dates in 2012: June 2nd, July 28th, August 18th, September 22nd, and October 13th; and a class reunion on August 25, 2012.

Sponsor: Mayor/Attorney

12. Special One-Day Liquor License for SMG, to be operated at the Orpheum Theater, 315 North Phillips Avenue, for a wedding reception on June 23, 2012.

Sponsor: Mayor/Attorney

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, June 5, 2012, at 7:00 p.m. on Item 13:

13. Special One-Day Malt Beverage License for Hy-Vee, Inc., to be operated at Hy-Vee Food Store #5, 3020 East 10th Street, for Tavern on the Green events being held on July 7, 2012 and July 14, 2012.

Sponsor: Mayor/Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to approve the Regular Agenda.

Vote to approve: Roll Call: Yeses, Vernon Brown, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

PUBLIC INPUT

Dave Mavity spoke on restricting cell phone use and texting while driving.

UNFINISHED BUSINESS

14. New 2012 Retail Wine License for JLB-SF, Inc, JL Beers, to be operated at 323 South Phillips Avenue, Main Floor, Suite A, with the Conditional Use Permit (2011-10-02) being approved on 11-02-11.

Sponsor: Mayor/Attorney

15. New 2012 Retail Wine License for Zing, Inc., Zing, to be operated at 524 North Main Avenue, Suite 110, with the Conditional Use Permit (2012-03-11) being approved on 04-04-12.

Sponsor: Mayor/Attorney

16. Special One-Day Wine License requests for Downtown Farmers Market, Inc., to be held at Falls Park Picnic Pavillion, 900 North Phillips Avenue, for the Centennial Picnic on August 7, 2012.

Sponsor: Mayor/Attorney

17. Special One-Day Malt Beverage and Special One-Day Wine Licenses for South Dakota Achieve to be operated at South Dakota Achieve, 4100 South Western Avenue, for a public awareness event on September 11, 2012.

Sponsor: Mayor/Attorney

18. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls to be operated at Big Sioux River Greenway between 6th & 8th (Cherapa) Amphitheatre, for a Greenway Grand Opening on June 8, 2012.

Sponsor: Mayor/Attorney

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member James Entenman to approve Items 14 through 18.

Vote to approve: Roll Call: Yeses, Vernon Brown, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

19. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Augustana College to be operated at the Sanford Center, 2301 East 60th Street North, for a scholarship fundraiser on July 22, 2012. The applicant has withdrawn their application; no action needed.

Sponsor: Mayor/Attorney

INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Tuesday, June 5, 2012, at 7:00 p.m. on Item 20:

20. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT N. BOBHALLA DR. AND W. BENSON RD. FROM THE RC, RECREATION/ CONSERVATION DISTRICT TO SUBAREA A OF THE SANFORD SPORTS COMPLEX PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2012-02-14, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Vernon Brown and seconded by Council Member Sue Aguilar to set a date of hearing and 2nd reading for Tuesday, June 5, 2012, at 7:00 p.m. for Item 20.

Vote to set a date: Roll Call: Yeses, Vernon Brown, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, June 5, 2012, at 7:00 p.m. on Item 21:

21. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY ADDING COMMUNITY GARDENS AS A PERMITTED LAND USE IN ALL ZONING DISTRICTS OF APPENDIX B, THE ZONING

ORDINANCE. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Rex Rolwing and seconded by Council Member Dean Karsky to set a date of hearing and 2nd reading for Tuesday, June 5, 2012, at 7:00 p.m. for Item 21.

Vote to set a date: Roll Call: Yeses, Vernon Brown, Dean Karsky, Rex Rolwing, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, June 5, 2012, at 7:00 p.m. on Item 22:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD,
22. APPROVING AN OFFER TO PURCHASE REAL PROPERTY FROM THE CITY OF SIOUX FALLS.

Sponsor: Mayor/Community Development

A motion was made by Council Member Sue Aguilar and seconded by Council Member Rex Rolwing to set a date of hearing and 2nd reading for Tuesday, June 5, 2012, at 7:00 p.m. for Item 22.

Vote to set a date: Roll Call: Yeses, Vernon Brown, Dean Karsky, Rex Rolwing, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

HEARINGS AND RESOLUTIONS

23. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF THE DAKOTA CROSSING ADDITION.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to adopt said resolution 28-12.

Vote to adopt: Roll Call: Yeses, Vernon Brown, Dean Karsky, Rex Rolwing, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 28-12

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF [THE DAKOTA CROSSING ADDITION].

BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That the preliminary plan of [the Dakota Crossing Addition] to the City of Sioux Falls, [Lincoln] County, SD, is hereby approved, and the City Clerk of the City of Sioux Falls is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Date adopted: 05/15/12 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

24. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF THE NORTHWEST MIDDLE SCHOOL SITE ADDITION.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Sue Aguilar to adopt said Resolution 29-12.

Vote to adopt: Roll Call: Yeses, Vernon Brown, Dean Karsky, Rex Rolwing, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 29-12

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF [THE NORTHWEST MIDDLE SCHOOL SITE ADDITION].

BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That the preliminary plan of [the Northwest Middle School Site Addition] to the City of Sioux Falls, [Minnehaha] County, SD, is hereby approved, and the City Clerk of the City of Sioux Falls is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Date adopted: 05/15/12 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

25. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.

Sponsor: Mayor

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution 30-12.

Vote to adopt: Roll Call: Yeses, Vernon Brown, Dean Karsky, Rex Rolwing, Sue

Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison,
8. Noes, 0.

Motion Passed.

RESOLUTION NO. 30-12

A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO
CERTAIN CITIZEN BOARDS.

BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That it gives its advice and consent to the following Mayoral appointments:

Name	Board	Term
Jeffrey Michael Gednalske	Board of Ethics	Appointed for a term from May 2012 to May 2015 (to replace McKnight).
Carol Mari Knudtson	Board of Ethics	Appointed for a term from May 2012 to May 2016 (to replace Robbennolt).
Gregory Bill LaFollette	Board of Ethics	Appointed for a term from May 2012 to May 2016 (to replace O'Connor).
Kendra Gottsleben	Disability Awareness Commission	Appointed for a term from May 2012 to May 2015 (to replace Ardell Fiedler).
Chelle Dr. Lynda Hart	Disability Awareness Commission	Appointed for a term from May 2012 to May 2015 (to replace O'Connor-Ohayon).
Matt Pruner	Disability Awareness Commission	Appointed for a term from May 2012 to May 2015 (to replace Travis Arneson).
Bojan Salihagic	Human Relations Commission	Appointed for a term from May 2012 to May 2017 (to replace Katie Bloom).

Date adopted: 05/15/12 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

ADJOURNMENT

A motion was made by Council Member Vernon Brown and seconded by Council Member Michelle Erpenbach to adjourn at 7:50 p.m.

Vote to adjourn: Roll Call: Yeses, Vernon Brown, Dean Karsky, Rex Rolfig, Sue Aguilar, Kenny Anderson Jr., James Entenman, Michelle Erpenbach, Greg Jamison, 8. Noes, 0.

Motion Passed.

Lorie Hogstad

City Clerk

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 THE FIRST, SECOND, THIRD, AND LAST TUESDAYS OF EACH MONTH AT 4:00 P.M. COUNCIL COMMITTEE MEETINGS AIR LIVE THE FIRST, SECOND, AND LAST 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. 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.