

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Tuesday, September 18, 2012 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Jim Entenman

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rex Rolfing

Council Member Kermit L. Staggers

Council Member Sue Aguilar

Council Member Kenny Anderson Jr.

Mayor Mike T. Huether

INVOCATION

&#9679; Pastor Phill Tague, The Ransom Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Tuesday, September 11, 2012, at 4:00 p.m.

&#9679; City Council Meeting of Tuesday, September 11, 2012, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on September 13, 2012 memo.  
Sponsor: Mayor/Finance

2. Notice of change orders on September 13, 2012 memo.

Sponsor: Mayor/Finance

3. A memorandum dated September 7, 2012 declaring surplus a capital item that was demolished as part of infrastructure upgrades.  
Sponsor: Mayor/Finance
4. A memorandum dated September 13, 2012 declaring surplus various capital items that will be sold at the September 15, 2012, surplus auction.  
Sponsor: Mayor/Finance
5. Report of Request for Quotes for Fuel: September 6, 2012; Unleaded Ethanol & E85; 7000 Gallons Unleaded; 1000 Gallons E85; CHS Inc. (\$3.4440 unleaded/ \$3.0650 E85); Harms Oil, Howes Oil, and Olson Oil, all no bids. Bid awarded to: CHS Inc.  
Sponsor: Mayor/Public Works
6. Report of Request for Quotes for Fuel: September 10, 2012; #2 Dyed Diesel Fuel; 22,500 Gallons; Harms Oil (\$3.3500); Howes Oil (\$3.3585); CHS Inc. (\$3.3900); Midwest Oil and Olson Oil, both no bids. Bid awarded to: Harms Oil.  
Sponsor: Mayor/Public Works
7. A communication was received from the Dakota Country Dance Club stating their intent to conduct a 50/50 raffle on October 13, November 16, and December 21, 2012 and January 18, February 15, March 15, and April 19, 2013 for a prize of half the value of the 50/50 raffle. Tickets will be sold for \$1.00 each. The proceeds will go to support charitable or fraternal organizations such as the Volunteers of America, Moose Lodge (Mooseheart) and Children's Inn.  
Sponsor: SDCL 22-25-25
8. A communication was received from the Sioux Empire Community Theater stating their intent to conduct a 50/50 raffle from October 19 to November 4, 2012 for a prize of half the value of the 50/50 raffle. Tickets will be sold for \$1.00 each or \$5.00 for six tickets. The proceeds will go towards fundraising for the Sioux Empire Community Theater.  
Sponsor: SDCL 22-25-25
9. A communication was received from the Sioux Empire Community Theater stating their intent to conduct a raffle from October 19, 2012 to May 1, 2013 for a prize of a Wizard of Oz flight experience. Tickets will be sold for \$20.00 each or \$35.00 for two tickets. The proceeds will go towards fundraising for the Sioux Empire Community Theater.  
Sponsor: SDCL 22-25-25
10. A communication was received from the University of South Dakota Law School Moot Court Team requesting permission to consume, but not sell, wine and malt beverage, at The Old Courthouse Museum, 200 West Sixth Street, on Friday, November 9, 2012 from 4:30 p.m. to 6:30 p.m. for a regional moot court tournament hosted by the University of South Dakota Law School and sponsored by Woods, Fuller, Schultz & Smith Law Firm.  
Sponsor: SDCL 35-1-5.3

11. A communication was received from Andy Howes, Howes Oil Company, requesting permission to consume, but not sell, wine and malt beverage, at the Sioux Falls Design Center, 108 West 11th Street, on Saturday, October 27, 2012 from 6:00 p.m. to 11:00 p.m. for a private party.  
Sponsor: SDCL 35-1-5.3
12. A communication was received from Rob TeKolste, Sammons Financial Group, requesting permission to consume, but not sell, wine and malt beverage, at The Old Courthouse Museum, 200 West Sixth Street, on Thursday, December 13, 2012 from 5:30 p.m. to 9:30 p.m. for an Officer's Holiday Reception.  
Sponsor: SDCL 35-1-5.3
13. A communication was received from Kortnee Williamson, requesting permission to consume, but not sell, liquor, wine and malt beverage, at The Old Courthouse Museum, 200 West Sixth Street, on Saturday, May 18, 2013 from 5:00 p.m. to 11:00 p.m. for a wedding reception.  
Sponsor: SDCL 35-1-5.3

#### APPLICATIONS

14. Special One-Day Liquor License request for Washington Pavilion Management Inc., to be operated at Washington Pavilion, 301 South Main Avenue, for Autumn Crush on September 24, 2012.  
Sponsor: Mayor/City Attorney

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, October 2, 2012, at 7:00 p.m. for Items 15 through 19:

15. Transfer of a 2012 Retail Liquor License from Soft Egg Inc., Whisk & Chop, 108 S. Minnesota Avenue, to WR Golf Management Inc., Willow Run Golf Course, 8000 East Highway 42, including Sunday Sales (CUP not required; this is an addition to an existing license which was grandfathered in due to annexation of property).  
Sponsor: Mayor/City Attorney
16. Rescind 2012-13 Retail Malt Beverage License issued to Willow Run Golf Management Inc, Willow Run Golf Course, 8000 East Highway 42.  
Sponsor: Mayor/City Attorney
17. New 2012 Retail Liquor License for Ballard Building Restaurant Co., Parker s, 210 South Main Avenue, including Sunday Sales, with the Conditional Use Permit (2009-03-18) being approved on April 1, 2009.  
Sponsor: Mayor/City Attorney
18. Special One-Day Liquor License requests for SMG, to be operated at the Sioux Falls Arena, 1201 North West Avenue, all 2012-13 Home Season Games

for the Stampede, all 2012-13 Home Season Games for the Skyforce between October 5 and December 30, 2012.

Sponsor: Mayor/City Attorney

19. Special One-Day Beer and Wine Licenses for Avera McKennan Foundation, to be operated at Avera Behavioral Health Center, 4400 West 69th Street, for a fundraising event on January 26, 2013.

Sponsor: Mayor/City Attorney

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

#### PUBLIC INPUT

#### UNFINISHED BUSINESS

20. New 2012 Retail Wine License for Samnang Chheng & Sarum Ouch, Phnom Penh Restaurant to be operated at 1010 North Minnesota Avenue with the Special Use Permit (2005-03-06) being approved on May 13, 2005. Pending final inspection per Health.

Sponsor: Mayor/City Attorney

21. New 2012 Retail Wine License for Samnang Chheng & Sarum Ouch, Phnom Penh Restaurant to be operated at 1010 North Minnesota Avenue with the Special Use Permit (2005-03-06) being approved on May 13, 2005. Pending final inspection per Health.

Sponsor: Mayor/City Attorney

22. New 2012-2013 Package Malt Beverage License for Kum & Go LC, Kum & Go #620, to be operated at 412 North Sycamore.

Sponsor: Mayor/City Attorney

23. New 2012-2013 Package Malt Beverage License for Kum & Go LC, Kum & Go #631, to be operated at 1400 North Cliff Avenue.

Sponsor: Mayor/City Attorney

24. New 2012 Package Liquor License for Kum & Go LC, Kum & Go #631, to be operated at 1400 North Cliff Avenue.

Sponsor: Mayor/City Attorney

25. Transfer of 2012 Retail Wine License from Utopia, LLC, Falls Overlook Cafø, 825 North Weber to Capo, LLC, Acoustic, 196 East 6th Street, Suite 101, effective October 21, 2012. Pending final inspection per Health.

Sponsor: Mayor/City Attorney

26. Transfer of 2012 Retail Wine License from Utopia, LLC, Falls Overlook Cafø, 825 North Weber to Capo, LLC, Acoustic, 196 East 6th Street, Suite 101,

effective October 21, 2012. Pending final inspection per Health.  
Sponsor: Mayor/City Attorney

27. Special One-Day Liquor License for Hy-Vee Inc., All Occasions by Hy-Vee, to be operated at the Point is to Serve Church, 506 North Kiwanis Avenue, for wedding on October 20, 2012.  
Sponsor: Mayor/City Attorney

28. Special One-Day Wine License requests for Downtown Sioux Falls Inc., for the First Friday Wine Walk to be held on October 5, 2012, at the following locations: 8th & Railroad Center Lobby, 401 East 8th Street, Bead Co., 319 South Phillips Avenue, Cookie Jar, 125 West 10th Street, East Bank Yoga, 401 East 8th Street #220, Great Outdoor Store, 201 East 10th Street, Kaladi s, 200 South Phillips Avenue, Lillian s Shoppe, 311 South Phillips Avenue, Suite 101, Oh My Cupcakes, 524 North Main Avenue #106, Rehfeld s Art & Framing, 210 South Phillips Avenue, Rug & Relic, 401 East 8th Street #114, Sticks & Steel, 401 East 8th Street, #118, Young & Richards, 222 South Phillips Avenue, Zandbroz, 209 South Phillips Avenue.  
Sponsor: Mayor/City Attorney

#### INTRODUCTION AND ADOPTION OF ORDINANCES

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

29. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS TO FUND THE 2012 COLA ADJUSTMENTS (\$680,942.00).  
Sponsor: Mayor/Human Resources

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

30. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING SECTION 15 1/2-5, FEES FOR PARKING.  
Sponsor: Mayor/Community Development and Public Parking

#### HEARINGS AND RESOLUTIONS

31. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF LOAP ADDITION. Planning Commission recommends approval.  
Sponsor: Mayor/Planning and Building Services

32. A RESOLUTION RESTRICTING LAWN WATERING.  
Sponsor: Mayor/Public Works

#### 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 THE FIRST, SECOND, THIRD, AND LAST TUESDAYS OF 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 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.