

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, October 16, 2012 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Dean Karsky
Council Member Rex Roling
Council Member Kermit L. Staggers

Council Member Sue Aguilar

Council Member Kenny Anderson Jr.

Council Member Jim Entenman

Council Member Michelle Erpenbach
Council Member Greg Jamison
Mayor Mike T. Huether

INVOCATION

● Pastor Kirk Flaa, Abiding Savior Lutheran Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● Disability Mentoring Day, October 23, 2012

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, October 9, 2012, at 4:00 p.m.

● City Council Meeting of Tuesday, October 9, 2012, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on October 11, 2012 memo.
Sponsor: Mayor/Finance
2. Notice of change orders on October 11, 2012 memo.
Sponsor: Mayor/Finance
3. Report of Request for Quotes for Fuel: October 10, 2012; #2 Clear Diesel; 7500 Gallons; CHS Inc. (\$4.013); Harms Oil (\$3.95), Howes Oil and Midwest Oil, no bids. Bid awarded to: Harms Oil.
Sponsor: Mayor/Sioux Area Metro
4. Report of Request for Quotes for Fuel: October 11, 2012; Unleaded Ethanol and E85; 7000 Gallons Unleaded/1000 Gallons E85 (8000 total); Harms Oil (\$3.2150 Unleaded/\$2.6870 E85); CHS Inc. (\$3.1850 Unleaded; \$3.1850 E85); Howes Oil and Olson Oil, no bids. Bid awarded to: Harms Oil.
Sponsor: Mayor/Public Works
5. A communication was received from Lutheran High School of Sioux Falls requesting permission to consume, but not sell, wine and malt beverage, at The Old Courthouse Museum, 200 West Sixth Street, on Sunday, October 21, 2012 from 5:00 p.m. to 8:30 p.m. for a fundraising dinner.
Sponsor: SDCL 35-1-5.3
6. A communication was received from the Sioux Falls Regional United States Bowling Congress (USBC) stating their intent to conduct a raffle from November 5, 2012 to November 21, 2012 for 50/50 tickets sold for half of the money collected. Tickets will be sold for \$1.00 each. The proceeds will go towards the Bowlers to Veterans Link.
Sponsor: SDCL 22-25-25
7. A communication was received from the Sioux Falls Regional United States Bowling Congress (USBC) stating their intent to conduct a raffle from January 7, 2013 to January 25, 2013 for 50/50 tickets sold for half of the money collected. Tickets will be sold for \$1.00 each. The proceeds will go towards the South Dakota High School Bowling League.
Sponsor: SDCL 22-25-25
8. A communication was received from the Sioux Falls Regional United States Bowling Congress (USBC) stating their intent to conduct a raffle from February 4, 2013 to February 22, 2013 for 50/50 tickets sold for half of the money collected. Tickets will be sold for \$1.00 each. The proceeds will go towards Susan B. Komen Bowl for the Cure.
Sponsor: SDCL 22-25-25

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, November 6, 2012, at 7:00 p.m. for Items 9 through 11:

9. Transfer of a 2012 Convention Facility On Sale Liquor License, including Sunday Sales, from Ovations Food Services, LP, Sioux Falls Convention Center, 1211 North West Avenue, to Ovations Food Services, LP, Sioux Falls Convention Center, 1211 North West Avenue, expanding the licensed premises to include the Arena and parking lot, 1201 North West Avenue, effective January 1, 2013.
Sponsor: Mayor/City Attorney
10. Rescind 2012-13 Retail Malt Beverage license issued to Ballard Building Restaurant Co., Parker s, 210 South Main Avenue.
Sponsor: Mayor/City Attorney
11. Special One-Day Malt Beverage and Special One-Day Wine Licenses for The Feisty Fighters to be operated at Landscape Garden Center, 7201 South Minnesota Avenue, for a wine tasting event on November 20, 2012.
Sponsor: Mayor/City Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

12. New 2012-13 Retail Malt Beverage License for Asia LLC, Asia Sushi Bar and Chinese Bistro, 108 South Minnesota Avenue (full service restaurant; CUP not required).
Sponsor: Mayor/City Attorney
13. New 2012 Retail Wine License for Asia LLC, Asia Sushi Bar and Chinese Bistro, 108 South Minnesota Avenue (full service restaurant; CUP not required).
Sponsor: Mayor/City Attorney
14. New 2012-13 Retail Malt Beverage License for PJAX LLC, Pepperjax Grill, 2009 West 41st Street, Suites 1 and 2, with Conditional Use Permit (2012-08-01) being approved on September 5, 2012. Pending final inspections by Health and Building Services.
Sponsor: Mayor/City Attorney
15. New 2012-13 Retail Malt Beverage License for Golf Addiction LLC, Golf Addiction, 1220 West 41st Street, including video lottery terminals with Conditional Use Permit (2012-08-06) being approved on September 5, 2012. Withdrawn by the applicant.
Sponsor: Mayor/City Attorney
16. New 2013 Retail Wine License for Golf Addiction LLC, Golf Addiction, 1220 West 41st Street, with Conditional Use Permit (2012-08-06) being approved

on September 5, 2012. Withdrawn by the applicant.
Sponsor: Mayor/City Attorney

17. New 2012-2013 Package Malt Beverage License for Dolgen Midwest LLC, Dollar General Store #10862, to be operated at 7214 West 41st Street.
Sponsor: Mayor/City Attorney
18. New 2012-2013 Package Malt Beverage License for Dolgen Midwest LLC, Dollar General Store #11018, to be operated at 316 South Kiwanis Avenue.
Sponsor: Mayor/City Attorney
19. Transfer of 2012-13 Retail Malt Beverage License from MJM LLC, Kay s Casino, 1508 West 41st Street to MG Oil Company, Happy Jacks-Sioux Falls II, 1508 West 41st Street.
Sponsor: Mayor/City Attorney
20. Transfer of 2012-13 Retail Malt Beverage License from D & K Enterprises LLC, JJ s Billiards, 309 South Elmwood Avenue to J & G Enterprises, JJ s Billiards, 309 South Elmwood Avenue, with the Conditional Use Permit (2010-11-08) being approved on December 1, 2010.
Sponsor: Mayor/City Attorney

INTRODUCTION AND ADOPTION OF ORDINANCES

21. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY TO DEFINE AND PROHIBIT CERTAIN FORMS OF SOLICITATION.
Sponsor: Mayor/Police
22. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA, AUTHORIZING THE ISSUANCE OF ITS WASTEWATER SYSTEM REVENUE BOND TO THE SOUTH DAKOTA CONSERVANCY DISTRICT, AUTHORIZING THE USE OF THE PROCEEDS THEREOF FOR CAPITAL IMPROVEMENTS, PLEDGING A PORTION OF THE WASTEWATER SYSTEM REVENUE OF THE CITY TO THE PAYMENT OF THE BOND, FIXING THE TERMS OF THE BOND, AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE CITY AND THE SOUTH DAKOTA CONSERVANCY DISTRICT, AND AUTHORIZING THE EXECUTION AND DELIVERY OF THE BOND TO THE SOUTH DAKOTA CONSERVANCY DISTRICT IN AN AMOUNT NOT TO EXCEED \$12,464,000.
Sponsor: Mayor/Public Works

Set a date of hearing and 2nd Reading for Tuesday, November 6, 2012 at 7:00 p.m. on Item 23:

23. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING A FIRST AMENDMENT TO WATERTANK LEASE AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC, A DELAWARE LIMITED LIABILITY COMPANY.
Sponsor: Mayor/Public Works

Set a date of hearing and 2nd Reading for Tuesday, November 6, 2012 at 7:00 p.m. on Item 24:

24. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. ARROWHEAD PKWY. AND S. POWDER HOUSE RD. FROM THE C-4, PLANNED COMMERCIAL DISTRICT TO THE C-2, GENERAL COMMERCIAL DISTRICT, PETITION NO. 2012-09-03, 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, November 6, 2012 at 7:00 p.m. on Item 25:

25. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3001 N. LOUISE AVE. FROM THE I-1, LIGHT INDUSTRIAL DISTRICT TO THE C-2, GENERAL COMMERCIAL DISTRICT, PETITION NO. 2012-09-06, 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, November 6, 2012 at 7:00 p.m. on Item 26:

26. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2012-09-12 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT W. 32ND ST. AND W. BROEK DR., ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA 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, November 6, 2012 at 7:00 p.m. on Item 27:

27. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT N. CLIFF AVE. AND E. 1ST ST. FROM THE I-1, LIGHT INDUSTRIAL DISTRICT; I-2, GENERAL INDUSTRIAL DISTRICT; AND THE RD, RESIDENTIAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2012-09-14, 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

28. A RESOLUTION AMENDING THE 2012 2016 CAPITAL PROGRAM.
Sponsor: Mayor/Public Works

29. A RESOLUTION CREATING TAX INCREMENTAL DISTRICT NUMBER SEVENTEEN, CITY OF SIOUX FALLS. Planning Commission recommends approval.
Sponsor: Mayor/Community Development

30. A RESOLUTION APPROVING THE PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NUMBER SEVENTEEN, CITY OF SIOUX FALLS. Planning Commission recommends approval.
Sponsor: Mayor/Community Development
31. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND WASHINGTON PAVILION MANAGEMENT, INC. FOR THE MANAGEMENT OF THE WASHINGTON PAVILION OF ARTS AND SCIENCE.
Sponsor: Mayor/Community Development

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.