

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Wednesday, January 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 Rolfing

Council Member Kermit L. Staggers

Mayor Mike T. Huether

INVOCATION

● Reverend Kathryn Timpany, First Congregational United Church of Christ

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, December 18, 2012, at 4:00 p.m.

● Joint City Council/Lincoln County Commission Meeting of Tuesday,
December 18, 2012, at 5:30 p.m.

● City Council Meeting of Tuesday, December 18, 2012, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on the December 27, 2012 memo.

Sponsor: Mayor/Finance

2. Notice of change orders on the December 27, 2012 memo.
Sponsor: Mayor/Finance
3. A memorandum dated December 17, 2012, declaring surplus a capital item that will be sold via online auction.
Sponsor: Mayor/Finance
4. A memorandum dated December 20, 2012, declaring surplus a capital item that will be traded in for another asset.
Sponsor: Mayor/Finance
5. A memorandum dated December 21, 2012 declaring surplus a capital item that will be disposed of as junk.
Sponsor: Mayor/Finance
6. Report of Requests for Quotes for Fuel dated: December 17, 2012; #1 & #2 Dyed Diesel Fuel; 2,500 gallons #1 and 5,000 gallons #2; Howes Oil (#1 = \$3.3335/#2 = \$3.0910); CHS, Inc. (#1 = \$3.3750/#2 = \$3.1200); Harms Oil, Midwest Oil and Olson Oil, all no bid. Bid awarded to: Howes Oil.
Sponsor: Mayor/Public Works
7. Report of Requests for Quotes for Fuel dated: December 17, 2012; Unleaded Ethanol; 8,500 gallons; Howes Oil (\$2.7195); CHS, Inc. (\$2.7470); Harms Oil, Olson Oil, both no bid. Bid awarded to: Howes Oil.
Sponsor: Mayor/Public Works
8. Report of Requests for Quotes for Fuel dated: December 19, 2012; #1 & #2 Dyed Diesel Fuel; 3,000 gallons #1 and 4,500 gallons #2; CHS, Inc. (#1 = \$3.3650/#2 = \$3.1170); Harms Oil (#1 = \$3.3487/#2 = \$3.1332); Howes Oil, Midwest Oil and Olson Oil, all no bid. Bid awarded to: CHS, Inc.
Sponsor: Mayor/Public Works
9. Report of Requests for Quotes for Fuel dated: December 19, 2012; #2 Clear Diesel; 7,500 Gallons; CHS, Inc. (\$3.332); Howes Oil, Harms Oil, and Midwest Oil, all no bid. Bid awarded to: CHS, Inc.
Sponsor: Mayor/Planning and Building Services
10. Report of Requests for Quotes for Fuel dated: December 20, 2012; Unleaded Ethanol & E85; 6,000 gallons unleaded/2,000 gallons E85 (8,000 total); Harms Oil (\$2.6000 unleaded/\$2.4000 E85); CHS, Inc. (\$2.8600 unleaded/\$2.6240 E85); Howes Oil and Olson Oil, both no bid. Bid awarded to: Harms Oil.
Sponsor: Mayor/Public Works
11. Report of Requests for Quotes for Fuel dated: December 20, 2012; Diesel (#1 and #2 blend); 1,100 gallons; Howes Oil (\$3,644.81); Midway Service (\$3,668.23); Palisades Oil, no bid. Bid awarded to: Howes Oil.
Sponsor: Mayor/Fire Rescue

12. Report of Requests for Quotes for Fuel dated: December 21, 2012; #1 & #2 Dyed Diesel Fuel; 3,000 gallons #1 and 4,500 gallons #2; Harms Oil (#1 = \$3.3780/#2 = \$3.1780); CHS, Inc. (#1 = \$3.4100/#2 = \$3.1900); Howes Oil, Midwest Oil and Olson Oil, all no bid. Bid awarded to: Harms Oil.
Sponsor: Mayor/Public Works

13. A communication was received from the Juvenile Diabetes Research Foundation of South Dakota stating their intent to sell raffle tickets on January 26, 2013, for an Apple iPad (valued at \$500.00). The tickets will be sold for \$5.00 each or five for \$20.00. The proceeds will be for the JDRF Walk To Cure Diabetes Fundraiser.
Sponsor: SDCL 22-25-25

14. A communication was received from Jennifer Olson requesting permission to consume, but not sell, wine, beer and/or malt beverages at the Old Courthouse Museum, 200 West 6th Street, on April 19, 2013, from 2:00 p.m. to 5:00 p.m. for the purpose of a wedding rehearsal and dinner.
Sponsor: SDCL 35-1-5.3

APPLICATIONS

15. Various Retail Liquor, Package Liquor, and Retail Wine License renewals for 2013 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit F.
Sponsor: Mayor/City Attorney

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, January 15, 2013, at 7:00 p.m. for Items 16 through 18:

16. New 2012-13 Retail Malt Beverage License for Zing Inc., Zing, to be operated at 301 South Minnesota Avenue with the Conditional Use Permit (2012-09-02) being approved on October 3, 2012.
Sponsor: Mayor/City Attorney

17. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Multi-Cultural Center of Sioux Falls to be operated at the Multi-Cultural Center of Sioux Falls, 515 North Main Avenue for a fundraiser on February 2, 2013.
Sponsor: Mayor/City Attorney

18. Special One-Day Liquor License for History Club of Sioux Falls, to be operated at the History Clubhouse, 758 South Phillips Avenue for a building fundraiser on February 9, 2013.
Sponsor: Mayor/City Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

PETITIONS

19. Deferred item (from the meeting of december 4, 2012) - CONDITIONAL USE PERMIT APPEAL (2012-10-07): 1901 S. Minnesota Avenue, E88 Lots 1-3 and all Lots 4 & 5, Block 16, University Addition, Minnehaha County. The conditional use permit was to approve motor vehicle display and sales on the subject property as an accessory use. (APPROVED AT THE NOVEMBER 7, 2012, pLANNING cOMMISSION mEETING WITH A VOTE OF 5-YES, 0-NO).
Sponsor: Mayor/Planning and Building Services

UNFINISHED BUSINESS

20. New 2012-2013 Package Malt Beverage License for Dolgen Midwest LLC, Dollar General Store #10699, to be operated at 1609 East Rice Street.
Sponsor: Mayor/City Attorney
21. New 2013 Retail Liquor License for W&P of Sioux Falls LLC, name to be determined, to be operated on Lot 9B, Block 17, Dawley Farm Village Addition (general location 600 South Highland Place), including Sunday Sales and video lottery terminals (full service restaurant, CUP not required). Pending final inspections by Building Services.
Sponsor: Mayor/City Attorney
22. Transfer of a 2012 Retail Wine License from Zing Inc, Zing, 524 North Main Avenue, Suite 110 to Zing, Inc., Zing, 301 South Minnesota Avenue with the Conditional Use Permit (2012-09-02) being approved on October 3, 2012.
Sponsor: Mayor/City Attorney
23. Various Retail Liquor, Package Liquor, and Retail Wine License renewals for 2013 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit E.
Sponsor: Mayor/City Attorney

INTRODUCTION AND ADOPTION OF ORDINANCES

24. Deferred (from the City Council Meeting of November 6, 2012). 2nd 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
25. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 2821 W. 69TH ST. FROM THE RC, RECREATION/CONSERVATION DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2012-11-01, AND AMENDING THE

OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

26. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 322 E. 8TH ST. FROM THE I-2, HEAVY INDUSTRIAL DISTRICT TO THE C-3, CENTRAL BUSINESS DISTRICT, PETITION NO. 2012-11-14, 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, January 22, 2013, at 7:00 p.m. at the Joint City Council/Lincoln County Commission Meeting on Item 27:

27. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF SAID CITY BY REZONING PROPERTY AT THE SW1/4 OF THE SW1/4 AND THE SE1/4 OF THE SW1/4 OF SECTION 20, TOWNSHIP 100N, RANGE 50W, LINCOLN COUNTY, FROM THE AG, AGRICULTURAL DISTRICT TO THE C, COMMERCIAL DISTRICT. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

HEARINGS AND RESOLUTIONS

28. A RESOLUTION ESTABLISHING A PAY-FOR-PERFORMANCE PROGRAM FOR THE CITY COUNCIL APPOINTED POSITIONS OF BUDGET ANALYST, CITY CLERK, INTERNAL AUDITOR, INTERNAL AUDIT MANAGER, AND LEGISLATIVE/OPERATIONS MANAGER.

Sponsor: City Council

29. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE MAIN STREET BUSINESS IMPROVEMENT DISTRICT IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

Sponsor: Mayor/Community Development

30. A RESOLUTION AMENDING THE 2013 2017 CAPITAL PROGRAM.

Sponsor: Mayor/Public Works

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)

31. REPORT OF THE DECEMBER 26, 2012, 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.