

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, December 18, 2012 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

● Dr. Ron Tottingham, Empire Baptist Temple

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, December 11, 2012, at 4:00 p.m.

● City Council Meeting of Tuesday, December 11, 2012, at 7:00 p.m.

COMMUNICATIONS

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

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

Sponsor: Mayor/Finance

3. Report of Request for Quotes for Fuel: December 5, 2012; #1 & #2 Dyed Diesel Fuel; 3750 Gallons #1 & 3750 Gallons #2; Harms Oil (#1, \$3.3520/#2, \$3.1550); CHS Inc. (#1, \$3.4400/#2, \$3.1700); Midwest Oil, (#1, \$3.5900/#2, \$3.3400. Howes Oil and Midwest Oil, no bids. Bid awarded to: Harms Oil.
Sponsor: Mayor/Public Works
4. Report of Request for Quotes for Fuel: December 6, 2012; Unleaded; 670 Gallons; Howes Oil (\$1906.15); Midway Service (\$1959.75); Palisades Oil, no bid. Bid awarded to: Howes Oil.
Sponsor: Mayor/Fire Rescue
5. Report of Request for Quotes for Fuel: December 7, 2012; Unleaded Ethanol; 8500 Gallons; Harms Oil (\$2.8160); CHS Inc., Howes Oil, and Olson Oil, no bids. Bid awarded to: Harms Oil.
Sponsor: Mayor/Public Works
6. Report of Request for Quotes for Fuel: December 11, 2012; #2 Clear Diesel; 7500 Gallons; Harms Oil (\$3.3032); CHS Inc., Howes Oil, Midwest Oil, no bids. Bid awarded to: Harms Oil.
Sponsor: Mayor/Sioux Area Metro
7. Report of Request for Quotes for Fuel: December 12, 2012; #1 and #2 Dyed Diesel Fuel; 3750 Gallons #1 and 3750 Gallons #2; CHS Inc. (#1, \$3.3400/#2, \$3.1000); Harms Oil (#1, \$3.3630/#2, \$3.1430); Midwest Oil (#1, \$3.4600/#2, \$3.2000), Howes Oil, Olson Oil, no bids. Bid awarded to: CHS Inc.
Sponsor: Mayor/Public Works
8. A memorandum dated December 10, 2012, declaring surplus capital items that were demolished as part of infrastructure upgrades.
Sponsor: Mayor/Finance
9. Statement of Claim for Mechanic's, Miner's, Laborer's or Materialman's Lien on Public Improvement Project from Southern Dakota Contracting Inc. for work and materials furnished to Westmar regarding a project at the Sioux Falls Regional Sanitary Landfill.
Sponsor: SDCL 5-22-3
10. Amend a communication received from Peggy L. Anderson requesting permission to consume, but not sell, wine and beer at the Old Courthouse Museum, 200 W. Sixth Street, on December 30, 2013, from 6:00 p.m. to 11:00 p.m. for the purpose of a wedding approved at the Council Meeting of 12/04/12 changing the date to December 30, 2012.
Sponsor: SDCL 35-1-5.3
11. A communication was received from the Sioux Falls Catholic Schools stating their intent to conduct a raffle from January 26, 2013 to February 3, 2013 for several themed gift baskets. Tickets will be sold for \$1.00 each. The proceeds will go toward the purchase of equipment for St. Lambert School, 1000 South Bahnson Avenue.

Sponsor: SDCL 22-25-25

12. A communication was received from the Presentation Sisters of Aberdeen, SD, stating their intent to conduct a raffle from February 1, 2013 to May 11, 2013 for a 50/50 raffle with the winner to receive half of the cash prize. Tickets will be sold for \$5.00 for one ticket and \$10.00 for three tickets. The proceeds will go toward Caminando Juntos, the Presentation Sisters Latino Ministry in SIoux Falls.

Sponsor: SDCL 22-25-25

APPLICATIONS

13. 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 D.

Sponsor: Mayor/City Attorney

NOTICE OF HEARINGS

Set a date of hearing for Wednesday, January 2, 2013, at 7:00 p.m. for Items 14 through 17:

14. 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

15. 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).

Sponsor: Mayor/City Attorney

16. 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

17. 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

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

18. New 2013 Retail Wine License for Waterhole 2400 LLC, The Garage, to be operated at 2400 West Madison Street (CUP not required; this is an addition to an existing license which predates the ordinance). Pending final inspections per Health.
Sponsor: Mayor/City Attorney

19. New 2013 Retail Wine License for Ovations Food Services, LP, Ovations Food Services at the Orpheum Theater to be operated at 315 North Phillips Avenue (CUP not required; this is an addition to an existing license which predates the ordinance).
Sponsor: Mayor/City Attorney

20. Transfer of a 2012-2013 Retail Malt Beverage License from SMG, Orpheum Theater Center, 315 North Phillips Avenue to Ovations Food Services, LP, Ovations Food Services at the Orpheum Theater, 315 North Phillips Avenue (CUP not required; this is a change to an existing license which predates the ordinance).
Sponsor: Mayor/City Attorney

21. Rescind Retail Malt Beverage License for SMG, Sioux Falls Arena, 1201 North West Avenue, effective December 31, 2012.
Sponsor: Mayor/City Attorney

INTRODUCTION AND ADOPTION OF ORDINANCES

22. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY ADOPTING THE 2012 INTERNATIONAL BUILDING CODE AND AMENDMENTS THERETO.
Sponsor: Mayor/Planning and Building Services

23. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY ADOPTING THE 2012 INTERNATIONAL FIRE CODE AND AMENDMENTS THERETO.
Sponsor: Mayor/Sioux Falls Fire Rescue

24. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY ADOPTING THE 2012 INTERNATIONAL RESIDENTIAL CODE AND AMENDMENTS THERETO.
Sponsor: Mayor/Planning and Building Services

25. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY ADOPTING THE 2012 INTERNATIONAL EXISTING BUILDING CODE AND AMENDMENTS THERETO.
Sponsor: Mayor/Planning and Building Services

26. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE

REVISED ORDINANCES OF THE CITY BY ADOPTING THE 2012 INTERNATIONAL MECHANICAL CODE AND THE 2012 INTERNATIONAL FUEL GAS CODE AND AMENDMENTS THERETO.

Sponsor: Mayor/Planning and Building Services

27. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY ADOPTING THE 2012 INTERNATIONAL PROPERTY MAINTENANCE CODE AND AMENDMENTS THERETO.

Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Wednesday, January 2, 2013, at 7:00 p.m. on Item 28:

28. 1st 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

Set a date of hearing and 2nd Reading for Wednesday, January 2, 2013, at 7:00 p.m. on Item 29:

29. 1st 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

HEARINGS AND RESOLUTIONS

30. A RESOLUTION APPROVING THE 2013 AUDIT PLAN.

Sponsor: City Council

31. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, CALLING FOR A SPECIAL CITY ELECTION.

Sponsor: City Council

32. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. (ANNEXATION 2012-11-18: SUNDOWNER AVE. BETWEEN 69TH ST. AND 85TH ST.)

Sponsor: Mayor/Planning and Building Services

33. A RESOLUTION CREATING TAX INCREMENTAL DISTRICT NUMBER EIGHTEEN, CITY OF SIOUX FALLS. Planning Commission recommends approval.

Sponsor: Mayor/Community Development

34. A RESOLUTION APPROVING THE PROJECT PLAN FOR SIOUX FALLS TAX INCREMENTAL

DISTRICT NUMBER EIGHTEEN. Planning Commission recommends approval.
Sponsor: Mayor/Community Development

35. A RESOLUTION ESTABLISHING THE CITY OF SIOUX FALLS LEGISLATIVE PRIORITIES FOR THE 2013 STATE LEGISLATIVE SESSION.

Sponsor: City Council

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

Sponsor: Mayor

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.