

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, June 18, 2013 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Kenny Anderson Jr.

Council Member Jim Entenman

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rex Roling

Council Member Kermit L. Staggers

Council Member Sue Aguilar

Mayor Mike T. Huether

INVOCATION

● Monte Gannon, Campus Pastor, Celebrate Community Church s Meadows
Campus

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, June 11, 2013, at 4:00 p.m.

● City Council Meeting of Tuesday, June 11, 2013, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on June 14, 2013 memo.
Sponsor: Mayor/Finance

2. Notice of change orders on June 14, 2013 memo.
Sponsor: Mayor/Finance

3. Report of Request for Quotes for Fuel: June 7, 2013; Unleaded Ethanol & E85; 7000 Gallons Unleaded/1000 Gallons E85 (8000 total); Harms Oil (\$3.2624 Unleaded/\$2.9731 E85); Howes Oil, CHS Inc., and Olson Oil, no bids. Bid awarded to: Harms Oil.
Sponsor: Mayor/Public Works

4. Report of Request for Quotes for Fuel: June 10, 2013; #2 Dyed Diesel; 1000 Gallons; Midway Service (\$3.190); Howes Oil (\$3.169); Midwest Oil (\$3.279). Bid awarded to: Howes Oil.
Sponsor: Mayor/Public Works

5. A memorandum dated June 10, 2013 declaring surplus a capital item that will be traded in for another asset.
Sponsor: Mayor/Finance

6. A memorandum dated June 11, 2013 declaring surplus capital items that will be sold by sealed bids.
Sponsor: Mayor/Finance

7. A memorandum dated June 11, 2013 declaring surplus capital items that will be sold via online auction.
Sponsor: Mayor/Finance

8. A communication was received from Lisa Cummings, Executive Director of the Paralyzed Veterans of America, North Central Chapter, stating their intent to conduct a raffle from July 18, 2013 to September 10, 2013 for a Henry Golden Boy Mag 22 valued at \$550.00. Tickets will be sold at one for \$10.00 or three for \$20.00. The proceeds will go to help support the Annual PVA Trapshoot held in September 2013.
Sponsor: SDCL 22-25-25

9. A communication was received from Vance Blankers and Ellen Pugleasa requesting permission to consume, but not sell, wine at The Old Courthouse Museum, 200 West Sixth Street, on July 20, 2013, from 5:00 p.m. to 11:00 p.m. for a wedding ceremony and reception.
Sponsor: SDCL 35-1-5.3

APPLICATIONS

10. Special One-Day Liquor License requests for Washington Pavilion Management Inc., Washington Pavilion of Arts & Science, 301 South Main Avenue, for various special events on June 22, July 5, July 19, and July 27, 2013.
Sponsor: Mayor/City Attorney

11. Special One-Day Special One-Day Malt Beverage and Special One-Day Wine Licenses for Hy-Vee Inc., All Occasions by Hy-Vee, to be operated at the Great Plains Zoo and Delbridge Museum, 805 South Kiwanis Avenue, for a

wedding on August 3, 2013.
Sponsor: Mayor/City Attorney

12. Various Retail Malt Beverage License renewals for 2013-14 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 Tuesday, July 2, 2013 at 7:00 p.m. on Items 13 through 19:

13. Renewal of 2013-14 Package Malt Beverage License for OFS Benson Road, LLC, Pump N Pak to be operated at 3700 Potsdam Avenue, Suite 100.
Sponsor: Mayor/City Attorney
14. New 2013-14 Retail Malt Beverage License for Commonwealth Gaming & Holding, Deuces V, to be operated at 4205 South Racket Drive, including video lottery terminals, with the Conditional Use Permit (2013-05-06) being approved on June 5, 2013.
Sponsor: Mayor/City Attorney
15. New 2013 Retail Wine License for Commonwealth Gaming & Holding, Deuces V, to be operated at 4205 South Racket Drive, including video lottery terminals, with the Conditional Use Permit (2013-05-06) being approved on June 5, 2013.
Sponsor: Mayor/City Attorney
16. New 2013-14 Retail Malt Beverage License for Crystal Investment Corp, Black Diamond Casino II, to be operated at 5113 West 41st Street, including video lottery terminals, with the Conditional Use Permit (2013-05-07) being approved on June 5, 2013.
Sponsor: Mayor/City Attorney
17. New 2013 Retail Wine License for Crystal Investment Corp, Black Diamond Casino II, to be operated at 5113 West 41st Street, including video lottery terminals, with the Conditional Use Permit (2013-05-07) being approved on June 5, 2013.
Sponsor: Mayor/City Attorney
18. New 2013-14 Retail Malt Beverage License for Mikrho Management, Falls Overlook Cafø to be operated at 825 North Weber Avenue.
Sponsor: Mayor/City Attorney
19. New 2013 Retail Wine License for Mikrho Management, Falls Overlook Cafø to be operated at 825 North Weber Avenue.
Sponsor: Mayor/City Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

20. Deferred Action (from the City Council Meeting of June 4, 2013): Transfer of 2013 Package Liquor License from Lambo s Inc., Lambo s to Everest Gas and Convenience, LLC, Everest Gas and Convenience, LLC, to be operated at 3501 West 49th Street (CUP not required).
Sponsor: Mayor/City Attorney
21. New 2013 Retail Wine License for Jerry Vanloh, Jacky s Restaurant & Bakery to be operated at 702 East 8th Street with the Conditional Use Permit (2006-02-02) being approved on April 13, 2006.
Sponsor: Mayor/City Attorney
22. Various Retail Malt Beverage, Retail Malt Beverage/South Dakota Farm Winery, Package Malt Beverage, and Package Malt Beverage/South Dakota Farm Winery License renewals for 2013-14 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

23. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING THE BOARD OF HEALTH.
Sponsor: Mayor/Health
24. 2nd Reading:AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CERTAIN PROVISIONS OF CHAPTERS 50, 51, AND 53 RELATING TO WASTEWATER REGIONALIZATION.
Sponsor: Mayor/Public Works
25. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE SALE OF REAL ESTATE BELONGING TO THE CITY OF SIOUX FALLS AND DIRECTING A WARRANTY DEED OF CONVEYANCE BE DELIVERED TO THE PURCHASER THEREOF.
Sponsor: Mayor/Public Works
26. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. (Street -\$7,288,000.00; Parks and Recreation - \$613,000.00; Fire - \$80,000.00; Engineering - \$48,000.00; Police - \$9,000.00)
Sponsor: Mayor/Finance

Set a date of hearing and 2nd Reading for Tuesday, July 2, 2013, at 7:00 p.m.
for Item 27:

27. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1-229 AND E. BENSON RD. FROM THE AG, AGRICULTURAL DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2013-04-06 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, July 2, 2013, at 7:00 p.m.
for Item 28:

28. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. 69TH ST. AND S. BAHNSON AVE. FROM THE S, INSTITUTIONAL, RA-1, RESIDENTIAL AND RC, RECREATION/CONSERVATION DISTRICT TO THE RS-2, RESIDENTIAL, RD, RESIDENTIAL, RA-1, RESIDENTIAL AND RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2013-05-11 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, July 2, 2013, at 7:00 p.m.
for Item 29:

29. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. 69TH ST. AND S. BAHNSON AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE RS-2, RESIDENTIAL, RD, RESIDENTIAL AND RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2013-05-12 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, July 2, 2013, at 7:00 p.m.
for Item 30:

30. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 409 S. WILLIAMS AVE. FROM THE RA-1, RESIDENTIAL DISTRICT TO THE C-2, GENERAL COMMERCIAL DISTRICT, PETITION NO. 2013-05-15 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, July 2, 2013, at 7:00 p.m.
for Item 31:

31. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. TEEM DR. AND N. TERIN CIR. FROM THE RC, RECREATION/CONSERVATION DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2013-05-33 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, July 2, 2013, at 7:00 p.m.
for Item 32:

32. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE NW CORNER OF THE INTERSECTION AT W. 85TH ST. AND S. AUDIE AVE. FROM THE RD, RESIDENTIAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2013-05-34 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, July 2, 2013, at 7:00 p.m.

for Item 33:

33. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SW CORNER OF E. 85TH ST. AND S. MINNESOTA AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE C-4, PLANNED COMMERCIAL, O, OFFICE, AND RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2013-05-36 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, July 2, 2013, at 7:00 p.m.
for Item 34:

34. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1521 E. 5TH ST. AND 511 N. HIGHLAND AVE. FROM THE RD, RESIDENTIAL DISTRICT TO THE RA-2, RESIDENTIAL DISTRICT, PETITION NO. 2013-05-09 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

35. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.
Sponsor: Mayor
36. A RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPER FOR THE CITY OF SIOUX FALLS, SD.
Sponsor: City Council

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.