

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Tuesday, May 6, 2014 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

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.

Council Member Jim Entenman

Mayor Mike T. Huether

INVOCATION

● City Council Member Michelle Erpenbach

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● Municipal Clerk's Week - May 4-10, 2014

● Women's Lung Health Week - May 11-17, 2014

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, April 15, 2014, at 4:00 p.m.

● City Council Meeting of Tuesday, April 15, 2014, at 7:00 p.m.

● Informational Meeting of Tuesday, April 22, 2014, at 4:00 p.m.

● Joint City Council/Minnehaha County Commission Meeting on Tuesday, April 22, 2014, at 5:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on the May 1, 2014 memo.
2. Notice of change orders on the May 1, 2014 memo.
3. A communication was received from Adam Nyhaug requesting permission to consume, but not sell, liquor, wine, and malt beverages at the Old Courthouse Museum, 200 West Sixth Street, on Saturday, May 17, 2014, from 11:00 a.m. to 6:00 p.m. for a 50th Wedding Anniversary celebration.
4. A communication was received from Angela Famestad and J.R. Anderson requesting permission to consume, but not sell, beer, liquor and wine at The Old Courthouse Museum, 200 W. 6th Street on Saturday, June 7, 2014, from 4:00 p.m. to 12:00 a.m. for the purpose of a wedding and reception.
5. A communication was received from Avera McKennan Hospital and University Health Center requesting permission to consume, but not sell, wine and malt beverages at the Avera Prairie Center, 1000 E. 23rd Street on Thursday, June 19, 2014 from 5:30 p.m. to 7:00 p.m. The purpose is a reception for the employees and the public to come and listen to Kathleen Morris, author of Dakotaspeak as part of her summer book tour.
6. Report of Requests for Quotes for Fuel dated: April 3, 2014; Diesel (#1 and #2 blend); 524 gallons; Howes Oil (\$1,836.62); Midway Service (\$1,839.24); Palisades Oil, no bid. Bid awarded to: Howes Oil.
7. Report of Requests for Quotes for Fuel dated: April 10, 2014; Diesel (#1 and #2 blend); 632 gallons; Howes Oil (\$2,244.07); Palisades Oil and Midway Service, both no bid. Bid awarded to: Howes Oil.
8. Report of Requests for Quotes for Fuel dated: April 22, 2014; #2 Clear Diesel; 7,500 gallons; CHS, Inc. (\$3.456); Harms Oil (\$3.675); Howes Oil, Midwest Oil and Petroleum Traders Corp., all no bid. Bid awarded to CHS, Inc.
9. Report of Requests for Quotes for Fuel dated: April 28, 2014; #2 Dyed Diesel Fuel; 7,500 gallons; Harms Oil (\$3.1999); CHS, Inc. (\$3.2268); Howes Oil, Olson Oil and Midwest Oil, all no bid. Bid awarded to: Harms Oil.
10. Report of Requests for Quotes for Fuel dated: April 28, 2014; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Harms Oil (\$3.0980); CHS, Inc. (\$3.1411);

Howes Oil and Olson Oil, both no bid. Bid awarded to: Harms Oil.

11. Report of Requests for Quotes for Fuel dated: April 29, 2014; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Harms Oil (\$3.0680); Howes Oil (\$3.0895); CHS, Inc. (\$3.1090); Olson Oil, no bid. Bid awarded to: Harms Oil.
12. Report of Requests for Quotes for Fuel dated: April 29, 2014; Diesel (#1 and #2 blend); 550 gallons; Howes Oil (\$1,967.35); Palisades Oil and Midway Service, both no bid. Bid awarded to: Howes Oil.
13. Report of Requests for Quotes for Fuel dated: April 29, 2014; Unleaded; 693 gallons; Howes Oil (\$2,303.87); Palisades Oil and Midway Service, both no bid. Bid awarded to: Howes Oil.

APPLICATIONS

14. 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 2014-15 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit A.

The following abatements were recommended for approval by the Director of Equalization and the State's Attorney's Office for Minnehaha County; and the City Attorney for Sioux Falls:

Items 15 18: The amount requested is the difference between the elderly freeze and the non-elderly freeze.

15. Vivian W. Brown, 2301 S. Mockingbird Circle, for 2013 property taxes in the amount of \$1,173.48.
16. Cynthia L. Gerleman, 2412 S. Center Ave., for 2013 property taxes in the amount of \$1,022.23.
17. Margo J. Dittman, 1709 W. 11th Street, for 2013 property taxes in the amount of \$305.67.
18. Laverne H. Iverson, 4816 S. Equity Drive, for 2013 property taxes in the amount of \$320.96.

Items 19 36: City of Sioux Falls, 313 S. Foss Avenue, for 2013 taxes for additions to the City of Sioux Falls.

19. Parcel #11596 for taxes in the amount of \$204.58.
20. Parcel #11592 for taxes in the amount of \$2,368.19.
21. Parcel #80786 for taxes in the amount of \$80.13.
22. Parcel #83285 for taxes in the amount of \$152.88.

23. Parcel #83287 for taxes in the amount of \$454.20.
24. Parcel #83288 for taxes in the amount of \$555.48.
25. Parcel #58525 for taxes in the amount of \$480.05.
26. Parcel #62587 for taxes in the amount of \$91.09.
27. Parcel #70860 for taxes in the amount of \$58.59.
28. Parcel #71577 for taxes in the amount of \$54.81.
29. Parcel #79707 for taxes in the amount of \$261.47.
30. Parcel #81173 for taxes in the amount of \$175.97.
31. Parcel #80995 for taxes in the amount of \$307.59.
32. Parcel #46118 for taxes in the amount of \$2,049.30.
33. Parcel #54773 for taxes in the amount of \$100.19.
34. Parcel #54774 for taxes in the amount of \$64.74.
35. Parcel #55707 for taxes in the amount of \$83.85.
36. Parcel #84315 for taxes in the amount of \$1,667.05.

The following abatement was recommended for denial by the Director of Equalization and the State's Attorney's Office for Minnehaha County; and the City Attorney for Sioux Falls:

37. SONIFI Solutions Inc. f/k/a LodgeNet Interactive Corporation, 3900 W. Innovation Street, for 2013 property taxes in the amount of \$67,067.40. Applicant is requesting an abatement because of an appraisal done on their property saying it is worth less than the county's assessment.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, May 20, 2014, at 7:00 p.m. for Items 38 through 49:

38. New 2013-14 Retail Malt Beverage License for Murray 5G Inc., Five Guys Burgers & Fries, to be operated at 121 South Minnesota Avenue.

39. New 2013-14 Retail Malt Beverage License for Macho Nacho, LLC, Macho Nacho Mexican Grill to be operated at 3308 East 10th Street.
40. New 2014 Retail Wine License for Macho Nacho, LLC, Macho Nacho Mexican Grill to be operated at 3308 East 10th Street.
41. New 2014-15 Retail Malt Beverage License for Juan Padilla, El Jalapeno Mexican Grill to be operated at 2113 South Minnesota Avenue.
42. Transfer of 2014 Retail Liquor License, including Sunday Sales certificate, from SFULL, LLC, City Centre Lounge, 100 West 8th Street to Lester Hospitality Sioux Falls, LLC, Holiday Inn Sioux Falls City Centre, 100 West 8th Street.
43. Transfer of 2014 Retail Wine License from Capo, LLC, Acoustic, 196 East 6th Street, Suite 101 to The Market on Phillips, LLC, The Market on Phillips, 196 East 6th Street, Suite 101, effective June 2, 2014.
44. Transfer of 2013-14 Retail Malt Beverage License from Capo, LLC, Acoustic, 196 East 6th Street, Suite 101 to The Market on Phillips, LLC, The Market on Phillips, 196 East 6th Street, Suite 101, effective June 2, 2014.
45. Renewal of 2014-15 Retail Malt Beverage License for The Market on Phillips, LLC, The Market on Phillips, 196 East 6th Street, Suite 101.
46. Transfer of 2014 Package Liquor License from The Market on Phillips, LLC, The Market on Phillips, 204 South Phillips Avenue to The Market on Phillips, LLC, The Market on Phillips, 196 East 6th Street, Suite 101, effective June 2, 2014.
47. Transfer of 2014 Retail Liquor License, including Sunday Sales certificate, from WR Golf Management, Willow Run Golf Course, 8000 East Highway 42 to GL Management, LLC, Willow Run Golf Course, 8000 East Highway 42.
48. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sanford Health Foundation to be operated at Yankton Trail Park, 3901 South Minnesota Avenue for the Sioux Glow 5K Run/Walk on August 23, 2014.
49. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Boys & Girls Club of the Sioux Empire Inc., to be operated at 8th & Railroad Center Parking Lot, 401 East 8th Street for the Grills Gone Wild fundraiser on May 24, 2014.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

50. New 2014 Package Liquor License for Wal-Mart Stores, Inc., Walmart, to be operated at 5200 West 60th Street North.
51. New 2014 Retail Wine License for Pure Bliss, LLC, A Perfect 10 Nail & Beauty Bar, 2312 West 69th Street, Suite 140, with Conditional Use Permit (2014-03-03) being approved on April 2, 2014.
52. New 2014-15 Retail Malt Beverage License for Pure Bliss, LLC, A Perfect 10 Nail & Beauty Bar, 2312 West 69th Street, Suite 140, with Conditional Use Permit (2014-03-03) being approved on April 2, 2014.
53. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering, to be operated at 2300 East 54th Street North, Suite 3, for a Chamber Mixer on May 13, 2014.
54. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Almost Home Canine Rescue to be operated in the east parking lot of 300 North Cherapa Place, for the 605 Summer Classic on June 20 & 21, 2014.
55. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Almost Home Canine Rescue to be operated at the Multi-Cultural Center, 515 North Main Avenue, to be used as an alternate location in the event of inclement weather, for the 605 Summer Classic on June 20 & 21, 2014.
56. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sioux Falls Sister Cities to be operated at Falls Park West, Falls Park Drive, for the Germanfest to be held on September 6, 2014.

INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Tuesday, May 13, 2014, at 7:00 p.m. for Item 57:

57. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. (Parks and Recreation - \$11,180,776.00).

Set a date of hearing and 2nd Reading for Tuesday, May 13, 2014, at 7:00 p.m. for Item 58:

58. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE ASSIGNMENT OF LEASE/SUBLEASE AGREEMENT FOR THE SERTOMA BUTTERFLY HOUSE.

Set a date of hearing and 2nd Reading for Tuesday, May 13, 2014, at 7:00 p.m. for Item 59:

59. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING INTEREST RATES FOR SPECIAL ASSESSMENTS.

HEARINGS AND RESOLUTIONS

60. A RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SIDEWALK ON S. SOLBERG AVE., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

61. A RESOLUTION DECLARING THE NECESSITY TO GRADE, GRAVEL, CONSTRUCT CURB AND GUTTER WITH DRIVEWAY APPROACHES, STORM SEWER, ASPHALT SURFACING, STREETLIGHTS, SANITARY SEWER, AND WATER MAIN ON N. VALLEY VIEW RD. AND ON N. EAGLES NEST AVE., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

62. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. (ANNEXATION 2014-03-13-BRANDT'S).

63. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND SANFORD HEALTH AND UNITED NATIONAL CORPORATION ENTITLED FIRST AMENDED AND RESTATED TITLE SPONSORSHIP AGREEMENT.

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)

64. REPORT OF THE APRIL 29, 2014, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

NEW BUSINESS

65. Approve the Mayor's appointment of Trent Lubbers, Utilities Operations Administrator, for nominee for Director and Delegate, and Greg Anderson, Water Superintendent, to serve as Alternate, to represent the City of Sioux Falls at official meetings for the Lewis and Clark Rural Water System.

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.