

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Monday, December 12, 2011 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Sue Aguilar

Council Member Kenny Anderson Jr.

Council Member Vernon Brown

Council Member Jim Entenman
Council Member Michelle Erpenbach
Council Member Greg Jamison
Council Member Dean Karsky
Council Member Rex Rolfing
Mayor Mike T. Huether

INVOCATION

● Pastor Eric McCandless, Empire Baptist Temple

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Monday, December 5, 2011, at 4:00 p.m.

● City Council Meeting of Monday, December 5, 2011, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on December 5, 2011 memo.
Sponsor: Mayor/Finance
2. Notice of Amendments/Change Orders on December 5, 2011 memo.

Sponsor: Mayor/Finance

3. Report of Request for Quotes for Fuel dated: November 28, 2011: Dyed Diesel (#1 & #2); 3,750 Gallons each/7,500 Gallons total; Harms Oil (\$3.47 for #1/ \$3.20 for #2); CHS, Inc, Howes Oil, Olson Oil and Midwest Oil, all no bids. Bid awarded to Harms Oil.

Sponsor: Mayor/Public Works

4. Report of Request for Quotes for Fuel dated: November 29, 2011: Unleaded; 550 Gallons; Howe's Oil (\$1,549.07); Palisades Oil - No Bid; Midway Service (\$1,604.08). Bid awarded to Howe's Oil.

Sponsor: Mayor/Fire Rescue

5. Report of Request for Quotes for Fuel dated: November 29, 2011: Diesel (#1 and #2 blend); 650 Gallons; Howe's Oil (\$2,251.27); Palisades Oil - No Bid; Midway Service (\$2,348.78). Bid awarded to Howe's Oil.

Sponsor: Mayor/Fire Rescue

6. Report of Request for Quotes for Fuel dated: December 2, 2011: Unleaded Ethanol; 8,500 Gallons; CHS, Inc. (\$2.8520); Harms Oil, Howes Oil, Olson Oil, all no bids. Bid awarded to CHS Inc.

Sponsor: Mayor/Public Works

7. A communication was received from the Sioux Empire Home Builders Care Foundation, stating its intent to sell raffle tickets from January 1, 2012 to April 13, 2012, for cash prizes of \$5,000 for the first prize; \$2,000 for the second prize and \$1,000 for the third prize. Tickets will be sold for \$50.00 each. The proceeds are to be used to benefit charitable activities including Tools for Schools, Repair Affair and scholarships for children.

Sponsor: SDCL 25-25-25

8. A communication was received from the Presentation Sisters, stating its intent to sell raffle tickets from February 1, 2012 to May 5, 2012, for a 50/50 raffle. Tickets will be sold for \$5.00 for one ticket and \$10.00 for three tickets. The proceeds are to be used to benefit the charities for Cinco de Mayo, Caminando Juntos and the ministry with the Latino population in Sioux Falls.

Sponsor: SDCL 25-25-25

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

INTRODUCTION AND ADOPTION OF ORDINANCES

9. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE

REVISED ORDINANCES OF THE CITY BY AMENDING CHAPTER 14 ELECTIONS BY PROVIDING A RUNOFF ELECTION THREE WEEKS AFTER THE ANNUAL CITY ELECTION.
Sponsor: City Council/Aguilar and Anderson Jr.

Set a date of hearing and 2nd Reading for Monday, December 19, 2011, at 7:00 p.m. for Item 10:

10. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING THE MONTHLY VACATION ACCRUAL SCHEDULE AND ESTABLISHING A NEW MAXIMUM BALANCE FOR EMPLOYEES HIRED AFTER DECEMBER 31, 2011.
Sponsor: Mayor/Human Resources

NEW BUSINESS/ITEMS ADDED AFTER 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) 367-8081 (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 16: CITY COUNCIL MEETINGS AIR LIVE THE FIRST, SECOND, AND THIRD MONDAYS OF EACH MONTH AT 7:00 P.M. THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AIR LIVE THE THIRD MONDAY 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 MEETINGS S VIDEO ARE POSTED ON THE MEETING MINUTES AND AGENDAS PAGE.

CLOSED CAPTIONING: CITY COUNCIL MEETINGS ARE CLOSE CAPTIONED ON CITYLINK 16. CITYLINK 16 REBROADCAST: CITY COUNCILMEETINGS AT 10:00 A.M. ON WEDNESDAYS, 1:00 A.M. ON THURSDAYS, AND 7:00 P.M. ON SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 10:00 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.

Date: 2011-12-12
SIRE Meeting ID: 1618
Meeting Type: City Council

YouTube:<https://youtu.be/0r1OgOg-YZk>
Agenda Item: Not Assigned
Item ID: 60917

The following document(s) are public records obtained from the
City of Sioux Falls.

MINUTES

Monday, December 5, 2011



Informational Meeting
Sioux Falls City Council

4:00 PM at Carnegie Town Hall
235 West Tenth Street

Members Present: Sue Aguilar, Vernon Brown, James Entenman, Michelle Erpenbach, Dean Karsky, and Rex Roling

Members Absent: Kenny Anderson Jr., Greg Jamison, and Mike T. Huether

Staff Present: Sue Roust, Interim City Clerk; and Tamara Jorgensen, CMC, Assistant City Clerk

1. Call To Order

Council Chair Aguilar called the meeting to order at 4:00 p.m.

4:02 p.m. Council Member Greg Jamison arrived at this time.

4:03 p.m. Council Member Kenny Anderson Jr. arrived at this time.

2. Staff Report

A. Sue Roust, Interim City Clerk

Roust gave updates on the final costs for the Special Election. The original budget was \$45,000 and the final total was \$53,000. The increase is due to processing the large number of absentee ballots, both in employee payroll expenses and in supply expenses. The budget line item assigned to elections will have a slight overage but there is enough money in other line items to cover the overage.

3. Land Use Committee

A. Report from meeting held on Monday, November 28, 2011

Rolfing stated that the Land Use Committee reviewed Tax Increment Financing district information presented by Community Development, and Zoning Board of Adjustment Notification information presented by Planning and Building Services.

Rolfing stated that the first Urban Agriculture Task Force Meeting held on December 2nd was well attended. The members were introduced and they set their agenda. The next meeting is scheduled for Friday, December 16, 2011, at 2:30 p.m. at the Carnegie Town Hall. Public input will be taken at that meeting.

4. City Council Open Discussion

Larry Toll, CEO of the Washington Pavilion of Arts and Sciences, spoke regarding adding a program in 2012 called "Nature Unleashed: Inside Natural Disaster" to their schedule. Toll reviewed their Capital Program Detail spreadsheet and explained how they would finance the project. Discussion followed.

Tracy Turbak, Director of Finance, gave an overview of the Entertainment Tax and how it is used.

Brown asked if Terry Torkildson, General Manager for the Sioux Falls Arena, could be invited to attend a future Informational meeting to discuss the Skyforce leaving the Arena. Brown asked that Torkildson provide information regarding what long-term impact this will have on the Arena. Aguilar asked staff to make the arrangements.

Entenman stated he has attended Task Force meetings and had spoken with Torkildson. Entenman stated that, all along, the Skyforce was adamant about not wanting to leave the Arena. They were not interested in the new Events Center because the Arena was built specifically for basketball. With all of the sports teams using the Arena, the availability of weekend dates is very limited.

Entenman stated that the Sports Authority believes that this will open up additional flat floor space and will provide additional room for sports show expansion and home show expansion. Entenman stated that Sanford is making a significant investment in the community by building the Pentagon. He noted that this addition would enhance the opportunity for winter activities in Sioux Falls.

Jamison asked if any members of the City Council or the Administration knew, before the Special Election, that the Skyforce was going to leave the Arena. He stated that the Skyforce was always included in the AECOM report. Jamison stated that he was surprised to learn that we were losing a tenant at the Arena. He stated that this was a big piece of information that the Council should have known in advance instead of finding out about it through the local newspaper or seeing it on the news. Jamison asked if anyone knows if the Stampede and the Storm plan to stay at the Arena or move to the Events Center. With the Skyforce leaving, how will that affect the rent for the Stampede and the Storm? Jamison stated that, if they do not move to the Events Center, the value of the naming rights goes way down. He asked, "who will buy the suites?" Jamison stated the Council should be concerned about these issues so when the Events Center is built there are no surprises, such as the Stampede and the Storm staying at the Arena. Jamison suggested that we address the issue by changing the timeline for the contracts with the Arena and the Convention Center and moving them up one year. Jamison asked who was responsible for renting out space at the new Events Center. Jamison stated it would be a good idea to have these issues in order before we borrow \$115M.

Aguilar stated that there would be a presentation from the Administration at the Informational Meeting on Monday, December 12, giving an update on the Events Center. She recommended that these questions be brought forward at that time.

Erpenbach reminded the Council that it was time to review the listing of legislative priorities. Roust stated that the goal is to have a resolution ready for adoption at the December 19, 2011, City Council Meeting. This would occur prior to the "Breakfast Club" meeting on Wednesday, December 21, 2011 with the City, the School Board, the Counties and the Legislators. Erpenbach said that she had previously emailed a score sheet to the Council Members. In addition, a memorandum was received from City Attorney Pfeifle listing the proposed Legislative Priorities from the city departments. Roust reviewed the items on this listing and asked if the Council Members had any additional items they would like added to the list. Jamison stated that he would like the authority for liquor licenses to be reviewed. Karsky agreed that the City should have more authority for liquor licenses. Erpenbach stated that this item is on the current listing.

Tracy Turbak, Director of Finance, reviewed the items submitted by the Finance Department. Discussion followed.

Entenman asked Erpenbach to review the existing list. After the review, Aguilar stated the original intent was to limit the list to four priorities. Erpenbach stated that some of the items are similar and could be combined into one. The listing could then be increased to five. Erpenbach is requesting input/feedback from the other Council Members regarding what they want for priorities on the list.

Roust suggested that the Council Members who still need to respond should send an email to Council leadership by the end of this week and complete their votes on the chart. Roust would then be able to draft a resolution for December 19th. The resolution could be reviewed at the Informational Meeting next week.

Erpenbach asked City Attorney Pfeifle to review the Appeals Court item in more detail. Pfeifle stated that the South Dakota Supreme Court expressed concerns raised in the recent Daily v. City of Sioux Falls case. The State Legislature needs to expand jurisdiction of courts to hear an appeal from a final decision rendered by the City's administrative appeal process.

Jamison asked if we could have collaboration and team up with other larger cities in the state to see if our major priorities match any of the items on their lists as well.

Roust stated that the Secretary of State has called for a meeting next Wednesday in Pierre, SD to discuss Voting Centers. He has invited the cities and counties to attend to discuss strategy for the proposed legislation to support the Voting Centers. Representatives of several municipalities will be attending.

Brown recommended that in the future, reviewing legislative priorities should start earlier in the year at a spring or summer work session. South Dakota Municipal League starts meeting in August, and it would be beneficial to have a priority listing completed by that time. He stated that the League adopts their priorities in October.

5. Presentations

- A. Great Plains Zoo Accreditation by Ms. Kris Vehrs, Executive Director of the Association of Zoos and Aquariums

6. Executive Session

- A. Consulting with Legal Counsel About Proposed or Pending Litigation pursuant to SDCL 1-25-2(3)

A motion was made by Jamison and seconded by Erpenbach to enter Executive Session at 5:10 p.m. to consult with legal counsel about proposed or pending litigation.

Aguilar called for a voice vote on that motion and all members voted yes. **Motion Passed.**

A motion was made by Erpenbach and seconded by Entenman to exit Executive Session at 5:23 p.m.

Aguilar called for a voice vote on that motion and all members voted yes. **Motion Passed.**

7. Adjournment

Council Chair Aguilar adjourned the meeting at 5:23 p.m.

Tamara Jorgensen, CMC
Assistant City Clerk

Date: 2011-12-12
SIRE Meeting ID: 1618
Meeting Type: City Council

YouTube:<https://youtu.be/0r1OgOg-YZk>
Agenda Item: Not Assigned
Item ID: 60918

The following document(s) are public records obtained from the
City of Sioux Falls.



City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Monday, December 5, 2011, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

Council Member Vernon Brown
Council Member James Entenman
Council Member Michelle Erpenbach
Council Member Greg Jamison
Council Member Dean Karsky
Council Member Rex Roling
Council Member Sue Aguilar
Council Member Kenny Anderson Jr.
Mayor Mike T. Huether

ABSENT

INVOCATION

- Pastor Timothy Fountain, Church of the Good Shepherd

PLEDGE OF ALLEGIANCE

RECOGNITION/AWARDS

- The V.L. Crusinberry Award was presented to Janson Exner.
- The Jeanne Fullenkamp Management Excellence Award was presented to Richard Miller.
- The Safety Award was presented to Bob Kappel and Matthew Gedney.

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Sue Aguilar and seconded by Council Member Kenny Anderson Jr. to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolfing, Sue Aguilar, Kenny Anderson Jr., 8. Noes, 0.

Motion Passed.

MINUTES

- Informational Meeting of Monday, November 21, 2011, at 4:00 p.m.
- Joint City Council/Minnehaha County Meeting of Monday, November 21, 2011, at 5:30 p.m.
- City Council Meeting of Monday, November 21, 2011, at 7:00 p.m.
- Informational Meeting of Monday, November 28, 2011, at 4:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on November 28, 2011 memo.
Sponsor: Mayor/Finance
2. Report of Requests for Quotes for Fuel dated: November 15, 2011: Diesel #2 Clear; 7500 Gallons; Harms Oil (3.7900); CHS, Inc., Howes Oil and Midwest Oil, all no bids. Bid awarded to Harms Oil.
Sponsor: Mayor/Finance
3. Report of Requests for Quotes for Fuel dated: November 17, 2011: Unleaded Ethanol; 400 Gallons; Midway Service (3.0450); Howes Oil (3.1090); Midwest Oil, no bid. Bid awarded to Midway Service. Winter Mix 50/50 #1 & #2 Dyed Diesel; 500 Gallons; Midway Service (3.76); Howes Oil (3.8490); Midwest Oil (3.849). Bid awarded to Midway Service.
Sponsor: Mayor/Finance
4. Report of Requests for Quotes for Fuel dated: November 21, 2011; Diesel (#1 and #2 Blend); 700 Gallons; Midway Service (\$2684.50); Howe's Oil and Palisades Oil, no bids. Bid awarded to: Midway Service.
Sponsor: Mayor/Finance
5. A communication was received from the Sioux Empire Baseball Association stating their intent to sell raffle tickets from January 2, 2012 until May 14, 2012 for one grand prize of \$1000.00 or 20 individual prizes of \$50.00 each. Tickets will be sold for \$5.00 each. The proceeds will benefit the Sioux Empire Baseball Association in providing a quality youth baseball program in Sioux Falls.
Sponsor: SDCL 22-25-25

APPLICATIONS

6. Special One-Day Liquor License request for Washington Pavilion Management Inc., Washington Pavilion, 301 South Main Avenue, for a wedding reception on December 17, 2011.
Sponsor: Mayor/Attorney
7. Various Retail Liquor, Package Liquor, and Retail Wine License renewals for 2012 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit C.
Sponsor: Mayor/Attorney

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:

8. James Madsen, 2605 E. 12th Street, for 2010 property taxes in the amount of \$657.97. The amount requested is the difference between the elderly freeze and non elderly freeze.
Sponsor: Attorney/SDCL 10-18-1
9. Augustana College Association, for 2010 property taxes in the amount of \$2099.27. The Minnehaha County Commissioners granted this parcel tax exempt status during the 2011 County Board process. Taxpayer is now requesting an abatement for the time owned in 2010.
Sponsor: Attorney/SDCL 10-18-1

NOTICE OF HEARINGS

Set a date of hearing for Monday, December 19, 2011, at 7:00 p.m. on Items 10 through 12:

10. New 2012 Retail Liquor License for Empire Restaurants Inc., The Encore at Empire Place, to be operated at 4200 West Empire Place, including Sunday Sales, effective January 1, 2012, with the Conditional Use Permit (2011-09-05) being approved on 10-05-11.
Sponsor: Mayor/Attorney
11. Special One-Day Liquor License request for MDC Boosters (nonprofit organization) to be operated at the Old Courthouse Museum, 200 West Sixth Street, for a Dance Club Fundraiser on February 11, 2012.
Sponsor: Mayor/Attorney
12. Various Package Liquor License renewals for 2012 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit D, which includes those with underage sales violations in the past 12 months.
Sponsor: Mayor/Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member James Entenman and seconded by Council Member Dean Karsky to approve the Regular Agenda.

Vote to approve: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolfing, Sue Aguilar, Kenny Anderson Jr., 8. Noes, 0.

Motion Passed.

PUBLIC INPUT

Theresa Stehly spoke about the recent Neighborhood Summit and the Urban Agriculture Task Force.

John Michaels spoke about the Urban Agriculture Task Force.

UNFINISHED BUSINESS

13. Transfer of a 2011-12 Retail Malt Beverage License from Coco Palace LLC, Coco Palace, 2530 South Louise Avenue, to Li Zhu Xiu Ying LLC, Coco Palace Two, to be operated at 2530 South Louise Avenue (full service restaurant; CUP not required).
Sponsor: Mayor/Attorney
14. Transfer of a 2011 Retail Wine License from Coco Palace LLC, Coco Palace, 2530 South Louise Avenue, to Li Zhu Xiu Ying LLC, Coco Palace Two, to be operated at 2530 South Louise Avenue (full service restaurant; CUP not required).
Sponsor: Mayor/Attorney

A motion was made by Council Member Vernon Brown and seconded by Council Member James Entenman to approve Items 13 and 14, with one vote.

Vote to approve: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolfing, Sue Aguilar, Kenny Anderson Jr., 8. Noes, 0.

Motion Passed.

INTRODUCTION AND ADOPTION OF ORDINANCES

15. **2nd Reading:** AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 611 S. DAKOTA AVE. FROM THE C-2, GENERAL COMMERCIAL DISTRICT TO THE RA-2, RESIDENTIAL

DISTRICT, PETITION NO. 2011-10-09 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member James Entenman and seconded by Council Member Michelle Erpenbach to adopt said Ordinance 91-11.

Vote to adopt: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., 8. Noes, 0.
Motion Passed.

16. **2nd Reading:** AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2011-10-05 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT THE NE CORNER OF 60TH ST. N. AND N. GRANITE LANE. (The Planning Commission recommends approval.)
Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Greg Jamison to adopt said Ordinance 93-11.

Vote to adopt: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., 8. Noes, 0.
Motion Passed.

17. **2nd Reading:** AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. WESTERN AVE. AND W. 95TH ST. FROM THE AG, AGRICULTURAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT; THE S, INSTITUTIONAL DISTRICT; AND THE RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2011-10-06 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)
Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Vernon Brown and seconded by Council Member Dean Karsky to adopt said Ordinance 92-11.

Vote to adopt: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., 8. Noes, 0.
Motion Passed.

Councilor Anderson Jr. left the meeting at this time.

Set a date of hearing and 2nd Reading for Monday, December 12, 2011, at 7:00 p.m. on Item 18:

18. **1st Reading:** AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING CHAPTER 14 "ELECTIONS" BY PROVIDING A RUNOFF ELECTION THREE WEEKS AFTER THE ANNUAL CITY ELECTION.
Sponsor: City Council/Aguilar and Anderson Jr.

A motion was made by Council Member Sue Aguilar and seconded by Council Member Michelle Erpenbach to set a date of hearing and 2nd Reading for Monday, December 12, 2011, at 7:00 p.m. on Item 18.

Vote to set a date: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolfing, Sue Aguilar, 7. Noes, 0.
Motion Passed.

Councilor Anderson Jr. returned to the meeting at this time.

Set a date of hearing and 2nd Reading for Monday, December 19, 2011, at 7:00 p.m. on Item 19:

19. **1st Reading:** AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY ADDING ONE LEGAL DESCRIPTION TO SECTION 39-82A, PROVIDING FOR RURAL SERVICE DISTRICT LANDS.
Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Dean Karsky and seconded by Council Member James Entenman to set a date of hearing and 2nd Reading for Monday, December 19, 2011, at 7:00 p.m. on Item 19.

Vote to set a date: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolfing, Sue Aguilar, Kenny Anderson Jr., 8. Noes, 0.
Motion Passed.

HEARINGS AND RESOLUTIONS

20. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF THE HARRISBURG SCHOOL'S ADDITION. (The Planning Commission recommends approval.)
Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Greg Jamison to adopt said Resolution 101-11.

Vote to adopt: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., 8. Noes, 0.
Motion Passed.

RESOLUTION NO. 101-11

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF THE HARRISBURG SCHOOL'S ADDITION.

BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That the preliminary plan of the Harrisburg School Addition to the City of Sioux Falls, Lincoln County, SD, is hereby approved, and the City Clerk of the City of Sioux Falls is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Date adopted: 12/05/11.

Mike T. Huether
Mayor

ATTEST:
Sue Roust
City Clerk

21. 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

A motion was made by Council Member Vernon Brown and seconded by Council Member James Entenman to adopt said Resolution 102-11.

Vote to adopt: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., 8. Noes, 0.
Motion Passed.

RESOLUTION NO. 102-11

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

BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

Section 1. That the special assessment roll for the Main Street Business Improvement District in the City of Sioux Falls, South Dakota, is hereby approved, and the assessment as set out in said special assessment roll approved this date is hereby levied against the property described therein and becomes a lien against such property upon filing of said special assessment roll in the City Finance Office.

Section 2. Said assessment may be paid in one annual installment based on the assessed valuations of the property adjusted each year and shall be collected under Plan One—Collection by County Treasurer as provided in SDCL 9-43.

Date adopted: 12/5/11.

Mike T. Huether
Mayor

ATTEST:
Sue Roust
Interim City Clerk

NOTICE TO PROPERTY OWNERS

Notice is hereby given that assessments levied under the above resolution will become due and payable at the office of the County Treasurer in one installment, together with interest for the quarterly rate each year in accordance with SDCL 9-43. The first installment, with interest, will become due with general taxes and will be payable at the County Treasurer's Office on January 1, 2013.

Notice is further given that the special assessment roll approved in the above resolution was filed with the City Finance Office on the 5th day of December 2011, and that the whole of said assessment may be paid without interest to the City Finance Office on or before 30 days after said filing.

Sue Roust
Interim City Clerk

22. A RESOLUTION APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND LOCAL 519 OF THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES.
Sponsor: Mayor/Human Resources

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Sue Aguilar to adopt said Resolution 103-11.

Vote to adopt: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolfing, Sue Aguilar, Kenny Anderson Jr., 8. Noes, 0.
Motion Passed.

RESOLUTION NO. 103-11

A RESOLUTION APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND LOCAL 519 OF THE AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES.

BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

1. That the Collective Bargaining Agreement between the City of Sioux Falls and Local 519 of the American Federation of State, County, and Municipal Employees providing for terms and conditions of employment for general nonmanagement employees for the period from January 1, 2012, through December 31, 2013, is hereby approved by the City Council.
2. That the terms and conditions of the Collective Bargaining Agreement shall become effective January 1, 2012.

Date adopted: 12/5/11.

Mike T. Huether
Mayor

ATTEST:
Sue Roust
Interim City Clerk

23. A RESOLUTION APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND POLICE OFFICERS AND SERGEANTS SIOUX FALLS FRATERNAL ORDER OF POLICE LODGE NO. 1 L.C.
Sponsor: Mayor/Human Resources

A motion was made by Council Member Vernon Brown and seconded by Council Member Michelle Erpenbach to adopt said Resolution 104-11.

Vote to adopt: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., 8. Noes, 0.
Motion Passed.

RESOLUTION NO. 104-11

A RESOLUTION APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND POLICE OFFICERS AND SERGEANTS SIOUX FALLS FRATERNAL ORDER OF POLICE LODGE NO. 1 L.C.

BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

1. That the Collective Bargaining Agreement between the City of Sioux Falls and Lodge No. 1 L.C., Sioux Falls Fraternal Order of Police, providing for terms and conditions of employment for all Police Officers and Police Sergeants for the period from January 1, 2012, through December 31, 2013, is hereby approved by the City Council.
2. That all terms and conditions of the Collective Bargaining Agreement shall become effective January 1, 2012.

Date adopted: 12/5/11.

Mike T. Huether
Mayor

ATTEST:
Sue Roust
Interim City Clerk

24. A RESOLUTION NAMING THE WESTSIDE BRANCH LIBRARY THE
“PRAIRIE WEST BRANCH LIBRARY.”
Sponsor: Mayor/Siouxland Libraries

A motion was made by Council Member Dean Karsky and seconded by Council Member
Kenny Anderson Jr. to adopt said Resolution 105-11.

Vote to adopt: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach,
Greg Jamison, Dean Karsky, Rex Rolfing, Sue Aguilar, Kenny Anderson Jr., 8. Noes, 0.
Motion Passed.

RESOLUTION NO. 105-11

A RESOLUTION NAMING THE WESTSIDE BRANCH LIBRARY THE “PRAIRIE WEST
BRANCH LIBRARY.”

WHEREAS, the Sioux Falls Parks and Recreation Board approved the Library and Memorial
Park Master Plan on October 18, 2011; and

WHEREAS, the Siouxland Libraries Board of Trustees appointed a selection committee to
solicit name suggestions for the new westside branch library; and

WHEREAS, public input was solicited at all branch locations, through public input gatherings,
and on the Siouxland Libraries website; and

WHEREAS, the selection committee recommended to the Siouxland Libraries Board the names
of Prairie West Branch Library and Memorial Park Branch Library; and

WHEREAS, on November 9, 2011, the Siouxland Libraries Board unanimously approved a
recommendation to the City Council to name the westside branch Prairie West Branch Library;
and

WHEREAS, pursuant to Section 2-71 of the Revised Ordinances of Sioux Falls, South Dakota,
the following criteria shall be considered: (1) whether the name is suitable; (2) if any benefit to
the City; and (3) the subject of the naming; and

WHEREAS, the City desires, based on all of the criteria listed above, that the westside branch
library be named Prairie West Branch Library;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That the westside branch library located at 7630 W. 26th St. is hereby named Prairie West Branch Library.

Date adopted: 12/5/11.

Mike T. Huether
Mayor

ATTEST:
Sue Roust
Interim City Clerk

25. A RESOLUTION AUTHORIZING THE CITY OF SIOUX FALLS TO GRATUITOUSLY TRANSFER TO THE ZOOLOGICAL SOCIETY THE LIVE ANIMAL COLLECTION LOCATED AT THE GREAT PLAINS ZOO & DELBRIDGE MUSEUM.

Sponsor: Mayor/Parks and Recreation

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member James Entenman to adopt said Resolution 106-11.

Vote to adopt: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., 8. Noes, 0.
Motion Passed.

RESOLUTION NO. 106-11

A RESOLUTION AUTHORIZING THE CITY OF SIOUX FALLS TO GRATUITOUSLY TRANSFER TO THE ZOOLOGICAL SOCIETY THE LIVE ANIMAL COLLECTION LOCATED AT THE GREAT PLAINS ZOO & DELBRIDGE MUSEUM.

WHEREAS, the Great Plains Zoo & Delbridge Museum of Natural History (the “Zoo and Museum”), which is managed by the Zoological Society of Sioux Falls (the “Society”) pursuant to a Management Agreement between the City of Sioux Falls (the “City”) and the Society (the “Management Agreement”), is accredited by the Association of Zoos and Aquariums (the “AZA”);

WHEREAS, the Society has agreed to maintain such accreditation during the length of the Management Agreement;

WHEREAS, the AZA has detailed accreditation requirements and policies, including the AZA Animal Acquisition-Disposition Policy (attached), which requires that all live animal acquisitions and dispositions be done in accordance with detailed rules requiring expertise in animal management and that all acquisitions and dispositions be under the final authority of the chief executive officer or director of the managing institution;

WHEREAS, the Society, in conjunction with its zoo colleagues through the AZA, holds the professional expertise to determine the logistical, medical, and conservation program outcomes for the animals;

WHEREAS, the South Dakota state surplus laws do not make it practical for the City to maintain ownership of the live animal collection while the Society manages the Zoo and Museum given its requirements to have the governing body approve each live animal transfer before an exchange can be made;

WHEREAS, the number, complexity, and industry-specific nature of these transactions would become burdensome to the City to execute in a timely and appropriate manner;

WHEREAS, the City of Sioux Falls declares as surplus the live animal collection located at the Zoo and Museum as it exists on the date of this Resolution to assist the Society's ability to comply with AZA accreditation standards and policies; and

WHEREAS, the Society finds it desirable to acquire and own the above existing live animal collection during the time that the Society manages the Zoo and Museum;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That the gratuitous transfer of the live animal collection as it exists on the date of this Resolution by the City of Sioux Falls to the Society, to be held and managed by the Society pursuant to the terms of the Management Agreement during the time the Society manages the Zoo and Museum, is hereby approved.

Date adopted: 12/5/11.

Mike T. Huether
Mayor

ATTEST:
Sue Roust
Interim City Clerk

26. A RESOLUTION CREATING TAX INCREMENTAL DISTRICT NUMBER TWELVE, CITY OF SIOUX FALLS, AND TERMINATING TAX INCREMENTAL DISTRICT NUMBER EIGHT, CITY OF SIOUX FALLS.
Sponsor: Mayor/Community Development

A motion was made by Council Member James Entenman and seconded by Council Member Sue Aguilar to adopt said Resolution 107-11.

Vote to adopt: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., 8. Noes, 0.
Motion Passed.

RESOLUTION NO. 107-11

A RESOLUTION CREATING TAX INCREMENTAL DISTRICT NUMBER TWELVE, CITY OF SIOUX FALLS, AND TERMINATING TAX INCREMENTAL DISTRICT NUMBER EIGHT, CITY OF SIOUX FALLS.

WHEREAS, the City Planning Commission has recommended the creation of Tax Incremental District Number Twelve, City of Sioux Falls (“TIF 12”), and has submitted a proposed project plan for TIF 12; and

WHEREAS, the City of Sioux Falls has the authority, pursuant to SDCL § 11-9-2(1), to create TIF 12 and define its boundaries; and

WHEREAS, the property within TIF 12 meets the qualifications and criteria set forth in SDCL 11-9; and

WHEREAS, the City of Sioux Falls created Tax Incremental District Number Eight, City of Sioux Falls (“TIF 8”), on April 2, 2007; and

WHEREAS, the City of Sioux Falls has the authority, pursuant to SDCL 11-9-46, to dissolve TIF 8 after making provision for payment of all project costs, grants, and all tax incremental bonds of TIF 8; and

WHEREAS, the City of Sioux Falls is making provision for payment of all project costs, grants, and tax incremental bonds of TIF 8, if any, through the creation and project plan of TIF 12;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That:

1. Declaration of Necessity and Enhancement. The City Council declares the necessity for the creation of TIF 12 pursuant to SDCL Chapter 11-9. Further, the City finds that the improvement of the area is likely to enhance significantly the value of substantially all of the other real property in TIF 12.
2. Findings of Blight. The City Council finds that more than twenty-five percent (25%) of the property in TIF 12 is a blighted area as defined in SDCL 11-9.
3. Findings of Maximum Percentage of Tax Incremental Districts. The aggregate assessed value of the taxable property in TIF 12, plus all other tax incremental districts, does not exceed ten percent (10%) of the total assessed valuation of the city.
4. Creation of District. There is hereby created, pursuant to SDCL Chapter 11-9, TIF 12. TIF 12 is hereby created on the day this resolution becomes effective, which shall be 20 days after publication.
5. Designation of District Boundaries. TIF 12 shall have boundaries as shown and described on Exhibit A.

6. Compliance with Comprehensive Plan. Projects within TIF 12 must comply with the City's adopted 2035 Growth Management Plan and all other appropriate plans and regulations.
7. Termination of TIF 8. The existence of TIF 8 is hereby terminated concurrently with the creation of TIF 12. Termination of TIF 8 will only become effective upon creation of TIF 12.

Date adopted: 12/5/11.

Mike T. Huether
Mayor

ATTEST:
Sue Roust
Interim City Clerk

27. A RESOLUTION APPROVING THE PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NUMBER TWELVE, CITY OF SIOUX FALLS.
Sponsor: Mayor/Community Development

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution 108-11.

Vote to adopt: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolfing, Sue Aguilar, Kenny Anderson Jr., 8. Noes, 0.
Motion Passed.

RESOLUTION NO. 108-11

A RESOLUTION APPROVING THE PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NUMBER TWELVE, CITY OF SIOUX FALLS.

WHEREAS, the City Planning Commission recommended approval of the project plan for Tax Incremental District Number Twelve, City of Sioux Falls (the "District"), which identifies certain development activities and public improvements to be undertaken by the City or private developers and which will be paid for, in whole or in part, from the collection of tax increment revenues derived from the District; and

WHEREAS, the tax increment project plan is both economically feasible and in conformity with the adopted 2015 Downtown Plan and the adopted Sioux Falls 2035 Growth Management Plan; and

WHEREAS, it is anticipated that project costs, less the finance costs, in the plan will be expended prior to December 5, 2016, unless amended by proper City approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That the project plan for the District is hereby approved.

BE IT FURTHER RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That pursuant to SDCL 11-9-34, the Mayor is authorized to enter into and execute all necessary tax incremental bonds, contracts, and agreements for the implementation of the District project plan.

Date adopted: 12/5/11.

Mike T. Huether
Mayor

ATTEST:
Sue Roust
Interim City Clerk

**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)**

28. REPORT OF THE NOVEMBER 28, 2011, NOTICE OF TRANSFERS OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.
Sponsor: Mayor/Finance

NEW BUSINESS

29. EXTENSION OF CONTRACT 06-0071 MANAGEMENT AND OPERATING AGREEMENT BETWEEN THE CITY OF SIOUX FALLS, SOUTH DAKOTA AND WASHINGTON PAVILION MANAGEMENT, INC.
Sponsor: Mayor/Community Development

A motion was made by Council Member James Entenman and seconded by Council Member Vernon Brown to approve said Extension of Contract 06-0071.

Vote to approve: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolfing, Sue Aguilar, Kenny Anderson Jr., 8. Noes, 0.

Motion Passed.

30. AGREEMENT BETWEEN THE CITY OF SIOUX FALLS, SOUTH DAKOTA, AND THE ZOOLOGICAL SOCIETY OF SIOUX FALLS FOR MANAGEMENT OF THE GREAT PLAINS ZOO & DELBRIDGE MUSEUM.
Sponsor: Mayor/Parks and Recreation

A motion was made by Council Member Vernon Brown and seconded by Council Member Sue Aguilar to approve said Agreement.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Vernon Brown to amend by striking the comma immediately following the word Society in subsection 3.4(d).

Vote to amend: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolfing, Sue Aguilar, Kenny Anderson Jr., 8. Noes, 0.
Motion Passed.

Vote to approve, as amended: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolfing, Sue Aguilar, Kenny Anderson Jr., 8. Noes, 0.
Motion Passed.

ADJOURNMENT

A motion was made by Council Member James Entenman and seconded by Council Member Michelle Erpenbach to adjourn at 9:35 p.m.

Vote to adjourn: Roll Call: Yeses, Vernon Brown, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolfing, Sue Aguilar, Kenny Anderson Jr., 8. Noes, 0.
Motion Passed.

Jamie L. Palmer, CMC
Assistant City Clerk

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) 367-8081 (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 16: CITY COUNCIL MEETINGS AIR LIVE THE FIRST, SECOND, AND THIRD MONDAYS OF EACH MONTH AT 7:00 P.M. THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AIR LIVE THE THIRD MONDAY 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 MEETINGS'S VIDEO ARE POSTED ON THE MEETING MINUTES AND AGENDAS PAGE.

CLOSED CAPTIONING: CITY COUNCIL MEETINGS ARE CLOSE CAPTIONED ON CITYLINK 16.

CITYLINK 16 REBROADCAST: CITY COUNCIL MEETINGS AT 10:00 A.M. ON WEDNESDAYS, 1:00 A.M. ON THURSDAYS, AND 7:00 P.M. ON SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 10:00 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.

Date: 2011-12-12
SIRE Meeting ID: 1618
Meeting Type: City Council

YouTube:<https://youtu.be/0r1OgOg-YZk>
Agenda Item: 1
Item ID: 61005

The following document(s) are public records obtained from the
City of Sioux Falls.



Date: December 5, 2011
To: City Council
From: Mayor Mike T. Huether
Subject: Approval of Contracts/Agreements

I am submitting for approval the following contracts and agreements pursuant to Ordinance No. 75-11:

Department	Project No.	Project Description	Vendor	Amount
Public Works/ Water	170075	Water Purification Filter Upgrade Amendment for additional engineering services.	HR Green	\$ 11,000
Washington Pavilion	027069 035069	Cold Weather Compress/Cooling Coil Agreement for engineering services.	Associated Consulting	\$ 11,500
Public Works/ Water Reclamation	112077	Pipe Lining Project/Sioux River South Phase 3 Agreement for construction administration services.	HDR Engineering	\$ 113,857
Public Works/ Water Reclamation	NA	Water Reclamation 2012 Facility Plan Agreement for engineering services.	HDR Engineering	\$ 40,942
Events Center	000122	Surveying Services Agreement for engineering services.	Stockwell Engineers	\$ 4,200
Various Departments	Various	Testing Services for 2012 Agreement for testing services.	Geotek Engineering & Testing	TBD Per Project
Various Departments	Various	Testing Services for 2012 Agreement for testing services.	American Engineering	TBD Per Project
Health	NA	Region 3 Hospital Preparedness Agreement for consulting services.	Clites Consulting	\$ 18,656 Plus Travel Expense
Park	NA	Use of City Facilities Agreement for use of City facilities for Farmers Market.	Downtown Farmers Market	Concession Fee
Transit	NA	Grant Guidelines Agreement to certify that the city will follow guidelines.	Federal Transit Administration	\$ -
Community Development	NA	Snow Removal Services Contract for snow removal for designated locations.	Runge Enterprises	\$ 27,130
Health	NA	Memorandum of Understanding Agreement to collaborate on the regulation of family child care providers.	Dept of Social Services SF Health Dept	\$ -

Date: 2011-12-12
SIRE Meeting ID: 1618
Meeting Type: City Council

YouTube:<https://youtu.be/0r1OgOg-YZk>
Agenda Item: 2
Item ID: 61006

The following document(s) are public records obtained from the
City of Sioux Falls.



Date: December 5, 2011
To: City Council
From: Mayor Mike T. Huether
Subject: Notice of Change Orders

I am reporting the following Change Orders pursuant to Ordinance No. 75-11:

<u>Department</u>	<u>Project No.</u>	<u>Project Description</u>	<u>Vendor</u>	<u>Amount</u>
Public Works/ Water Reclamation	155077	Sioux River South Interceptor Improvements Change Order #1 for the project.	Minger Construction	\$ 122,729
Public Works/ Water Reclamation	155077	Sioux River South Interceptor Improvements Change Order #2 for the project.	Minger Construction	\$ 789,273
Public Works/ Water Reclamation	001077	Central Main Interceptor Replacment Change Order #6 for the project.	SJ Louis Construction	\$ 45,916

Date: 2011-12-12
SIRE Meeting ID: 1618
Meeting Type: City Council

YouTube:<https://youtu.be/0r1OgOg-YZk>
Agenda Item: 3
Item ID: 60904

The following document(s) are public records obtained from the
City of Sioux Falls.



Date: November 28, 2011
To: City Clerk
From: Mayor Mike Huether
Subject: Fuel Purchase per SDCL 5-18C-6

REQUEST FOR QUOTE FOR FUEL

DATE: 11/28/2011
PRODUCT: #1 & #2 Dyed Diesel
QUANTITY: 3750 Gallons Each/ 7500 Gallons Total

BIDS: (Price/Gallon)

Harms Oil	\$3.47 for #1 / \$3.20 for #2
CHS, Inc.	No Bid
Howes Oil	No Bid
Olson Oil	No Bid
Midwest Oil	No Bid

Bid awarded to: **Harms Oil**

Date: 2011-12-12
SIRE Meeting ID: 1618
Meeting Type: City Council

YouTube:<https://youtu.be/0r1OgOg-YZk>
Agenda Item: 4
Item ID: 60905

The following document(s) are public records obtained from the
City of Sioux Falls.



Date: November 29, 2011
To: City Clerk
From: Mayor Mike Huether
Subject: Fuel Purchase per SDCL 5-18C-6

REQUEST FOR QUOTE FOR FUEL

DATE: November 29, 2011
PRODUCT: Unleaded
QUANTITY: 550 gallons

BIDS:

(Price/Gallon)

Howe's Oil	\$1549.07
Palisades Oil	No Bid
Midway Service	\$1604.08

Bid awarded to: **Howe's Oil**

Date: 2011-12-12
SIRE Meeting ID: 1618
Meeting Type: City Council

YouTube:<https://youtu.be/0r1OgOg-YZk>
Agenda Item: 5
Item ID: 60906

The following document(s) are public records obtained from the
City of Sioux Falls.



Date: November 29, 2011
To: City Clerk
From: Mayor Mike Huether
Subject: Fuel Purchase per SDCL 5-18C-6

REQUEST FOR QUOTE FOR FUEL

DATE: November 29, 2011
PRODUCT: Diesel (#1 and #2 blend)
QUANTITY: 650 gallons

BIDS:

(Price/Gallon)

Howe's Oil	\$2251.27
Palisades Oil	No Bid
Midway Service	\$2348.78

Bid awarded to: **Howe's Oil**

Date: 2011-12-12
SIRE Meeting ID: 1618
Meeting Type: City Council

YouTube:<https://youtu.be/0r1OgOg-YZk>
Agenda Item: 6
Item ID: 60916

The following document(s) are public records obtained from the
City of Sioux Falls.



Date: December 2, 2011
To: City Clerk
From: Mayor Mike Huether
Subject: Fuel Purchase per SDCL 5-18C-6

REQUEST FOR QUOTE FOR FUEL

DATE: 12/02/2011
PRODUCT: Unleaded Ethanol
QUANTITY: 8500 Gallons

BIDS: (Price/Gallon)

CHS, Inc.	\$2.8520
Harms Oil	No Bid
Howes Oil	No Bid
Olson Oil	No Bid

Bid awarded to: **CHS, Inc.**

Date: 2011-12-12
SIRE Meeting ID: 1618
Meeting Type: City Council

YouTube:<https://youtu.be/0r1OgOg-YZk>
Agenda Item: 9
Item ID: 61013

The following document(s) are public records obtained from the
City of Sioux Falls.

1st Reading: _____
2nd Reading: _____
Date Adopted: _____
Date Published: _____
Effective Date: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING CHAPTER 14 "ELECTIONS" BY PROVIDING A RUNOFF ELECTION THREE WEEKS AFTER THE ANNUAL CITY ELECTION.

BE IT ORDAINED BY THE CITY OF SIOUX FALLS, SD:

Section 1. That Section 14-85 of the Revised Ordinances of Sioux Falls, SD, is hereby amended as follows:

Section 14-85. Election results.

(a) *Election by ~~plurality~~ plurality.* In election for ~~at~~-at-large council members and district council members, the person receiving the highest number of votes for that office is elected to that office. If no candidate receives 34 percent ~~to~~-of the votes cast in that race, then the top two candidates shall be required to participate in a secondary election which shall be held ~~two~~three weeks from the date of the first election. At the secondary election, the two candidates receiving the highest number of votes at the first election shall be on the ballot. The person receiving the highest number of votes at the secondary election is elected.

(b) *Election by majority.* In elections for mayor, if no candidate in a race involving three or more candidates receives a majority of the votes cast for mayor, a secondary election shall be held ~~two~~three weeks from the date of the first election. At the secondary election, the two candidates receiving the highest number of votes at the first election shall be on the ballot. The person receiving the highest number of votes at the secondary election is elected.

Date adopted: _____.

Mayor

ATTEST:

City Clerk

Date: 2011-12-12
SIRE Meeting ID: 1618
Meeting Type: City Council

YouTube:<https://youtu.be/0r1OgOg-YZk>
Agenda Item: 10
Item ID: 60907

The following document(s) are public records obtained from the
City of Sioux Falls.

1st Reading: _____
2nd Reading: _____
Date Adopted: _____
Date Published: _____
Effective Date: _____

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING THE MONTHLY VACATION ACCRUAL SCHEDULE AND ESTABLISHING A NEW MAXIMUM BALANCE FOR EMPLOYEES HIRED AFTER DECEMBER 31, 2011.

BE IT ORDAINED BY THE CITY OF SIOUX FALLS, SD:

Section 1. That Section 30-137 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

DIVISION 2.

VACATION LEAVE

Sec. 30-137. Eligibility and accumulation—Full-time non-collective bargaining unit employees.

- (a) Except as otherwise provided in this section, the mayor, any appointive officer ~~and or~~ employee, or any regular full-time midmanagement, or classified employee of the city not represented by a collective bargaining unit shall be granted vacation with pay based on the employee's years of service with the city. Such vacation leave shall accrue on a monthly basis.
- (b) This vacation leave accrual shall begin with the employee's first day of regular employment with the city, but may not be used until the employee has completed one month of service for accrual purposes.
- (c) Such officers and employees shall receive a full or prorated vacation benefit with full pay based on the following schedule. Each level in the schedule shall become effective in the month in which the employee's employment anniversary date occurs. Vacation may be taken beginning the first day of the following month.

Years of Service	Monthly Accrual Level
0 but less than 5 <u>0 but less than 3</u>	6.75
<u>3 but less than 4</u>	<u>8.00</u>
<u>4 but less than 5</u>	<u>9.00</u>

5 but less than 10	10.00
10 but less than 11	10.75
11 but less than 12	11.50
12 but less than 13	12.00
13 but less than 14	12.75
14 but less than 15	13.50
15 but less than 16	14.00
16 but less than 17	14.75
17 but less than 18	15.50
18 but less than 19	16.00
19 years and over	16.75 hours

- (d) Newly hired midmanagement employees may begin accruing vacation at the monthly accrual level of ten hours per month based upon qualifications as recommended by the director of human resources and approved by the mayor.
- (e) Fire midmanagement employees assigned to a 24-hour shift schedule not represented by a collective bargaining unit shall receive a full or prorated vacation benefit with full pay based on the following schedule. Each new level in the schedule shall become effective in the month in which the employee's employment anniversary date occurs. Vacation may be taken beginning the first day of the following month.

Years of Service	Monthly Accrual Level
Less than 5	10.00 hours
5 but less than 8	12.00 hours
8 but less than 10	14.00 hours
10 but less than 12	16.00 hours
12 but less than 14	18.00 hours
14 but less than 17	20.00 hours
17 and over	22.00 hours

- (f) A bank of vacation hours may be established for a newly hired appointive officer upon recommendation of the director of human resources and approval of the mayor. Upon the appointive officer's one-year employment anniversary date, regular monthly accrual of vacation will commence in accordance with the established vacation level. Future advancement to the next level of vacation accrual shall be based upon the employee's employment anniversary date.

Section 2. That Section 30-140 of the Revised Ordinances of Sioux Falls, SD, is hereby amended to read as follows:

Sec. 30-140. Maximum balance and payment.

~~(1) Regular full-time employees may accumulate vacation as set forth in section 30-137 of this Code without limitation, provided that as of December 31 of each calendar year the employee's maximum balance of unused vacation shall not exceed 280 hours, or 336 for fire management~~

~~employees assigned to a shift schedule. Any unused vacation hours remaining in an employee's accumulated balance in excess of 280 hours, or 336 for fire management employees assigned to a shift schedule, as of 12 midnight on December 31 of each year shall be forfeited, except as specifically set forth in this Code.~~

~~(2) In the event of discharge, resignation in good standing, or death, any vacation time the employee has accumulated and not used before the date of separation from his employment, up to a maximum of 280 hours, or up to a maximum of 336 hours for Fire midmanagement employees assigned to a 24-hour schedule, shall be paid at the employee's regular base rate as of the date of separation to the employee or to the surviving spouse or if no spouse survives, to his estate. Under no circumstances shall payment be made for accumulated vacation in excess of 280 hours, or 336 hours for fire midmanagement employees assigned to a 24-hour schedule, except as specifically provided in this division.~~

~~(3) Except as specifically set forth in this division, no payment may be made in lieu of vacation.~~

~~(4) Midmanagement employees may be compensated for up to 40 hours of a scheduled and approved vacation if the vacation is cancelled after October 1 of a calendar year due to the needs of the city and the employee risks forfeiture of unused vacation. A copy of the employee's time-off request form and a statement of the reason for cancellation of the vacation shall be filed with the director of human resources. Fire shift management employees may be compensated for up to 48 hours of scheduled vacation pursuant to this subsection.~~

(1) Regular full-time employees may accumulate vacation as set forth in section 30-137 of this Code without limitation, provided that as of December 31 of each calendar year the employee's maximum balance of unused vacation shall not exceed the following:

(a) For employees hired before January 1, 2012, the maximum balance of unused vacation shall not exceed 280 hours.

(b) For employees hired after December 31, 2011, the maximum balance of unused vacation shall not exceed 240 hours.

(c) For fire management employees hired before January 1, 2012, assigned to a shift schedule, the maximum balance of unused vacation shall not exceed 336 hours.

(d) For fire management employees hired after December 31, 2011, assigned to a shift schedule, the maximum balance of unused vacation shall not exceed 288 hours.

Any unused vacation hours remaining in an employee's accumulated balance in excess of maximums identified above as of 12 midnight on December 31 of each year shall be forfeited, except as specifically set forth in this Code.

(2) In the event of discharge, resignation in good standing, or death, any vacation time the employee has accumulated and not used before the date of separation from his employment, up to the applicable maximum identified in subsection (1) above, shall be paid at the employee's regular base rate as of the date of separation to the employee or to the surviving

spouse, or if no spouse survives to his estate. Under no circumstances shall payment be made for accumulated vacation in excess of the prescribed maximums identified in subsection (1).

Date adopted: _____.

Mayor

ATTEST:

City Clerk