

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, July 16, 2013, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rex Rolfing

Council Member Kermit L. Staggers Council Member Michelle Erpenbach

Council Member Sue Aguilar

Council Member Kenny Anderson Jr.

Council Member James Entenman

Mayor Mike T. Huether

INVOCATION

Alan Greene, Evangelist, Founder/CEO of LifeLight

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PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Americans With Disabilities Act Day, July 16, 2013

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RECOGNITION/AWARDS

ADA Celebration Awards

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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.

A motion was made by Council Member James Entenman and seconded by Council Member Dean Karsky to amend the Consent Agenda by removing Item 2.

Vote to amend: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr., James Entenman, 7. Noes, 0.

Motion Passed.

A motion was made by Council Member Kermit L. Staggers and seconded by Council Member Kenny Anderson Jr. to amend the Consent Agenda by removing the "State Theater Movie Projector - Agreement for services" from Item 1 and placing it on the Regular Agenda for the City Council Meeting on Tuesday, August 6, 2013, at 7:00 p.m..

Vote to amend: Roll Call: Yeses, Greg Jamison, Kermit L. Staggers, Kenny Anderson Jr., 3. Noes, Dean Karsky, Rex Roling, Sue Aguilar, James Entenman, 4.

Motion Failed.

A motion was made by Council Member Kermit L. Staggers to amend the Consent Agenda by removing the "Aquatic Facilities Development - Agreement for engineering services" from Item 1 and placing it on the Regular Agenda for the City Council Meeting on Tuesday, August 6, 2013, at 7:00 p.m. Motion died for lack of a second.

Vote to approve, as amended: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., James Entenman, 7. Noes, Kermit L. Staggers, 1.

Motion Passed.

MINUTES

Informational Meeting of Tuesday, July 9, 2013, at 4:00 p.m.

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City Council Meeting of Tuesday, July 9, 2013, at 7:00 p.m.

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COMMUNICATIONS

1. Approval of Contracts/Agreements on July 12, 2013 memo.

Sponsor: Mayor/Finance

2. Notice of change orders on July 12, 2013 memo.

Sponsor: Mayor/Finance

This Item removed at the approval of the Consent Agenda.

3. Report of Requests for Quotes for Fuel dated: July 9, 2013; Unleaded; 700 gallons; Howes Oil (\$2,207.10); Midway Service (\$2,256.10); Palisades Oil, no bid. Bid awarded to: Howes Oil

Sponsor: Mayor/Fire Rescue

Report of Requests for Quotes for Fuel dated: July 9, 2013; Diesel (#1

4. and #2 blend); 640 gallons; Howes Oil (\$2,155.52); Midway Service (\$2,225.92); Palisades Oil, no bid. Bid awarded to: Howes Oil.

Sponsor: Mayor/Fire Rescue

APPLICATIONS

5. Amend new 2012-13 Retail Malt Beverage License issued on 05-07-13 to PPC Sioux Falls, Noodles & Company to be operated at 5005 South Louise Avenue, changing the date of the license to 2013-14.

Sponsor: Mayor/City Attorney

6. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique's, to be operated at USD Sanford School of Medicine for a reception on August 14, 2013.

Sponsor: Mayor/City Attorney

7. Special One-Day Liquor Licenses for Washington Pavilion Management Inc., Washington Pavilion of Arts & Science to be operated at 301 South Main Avenue for various events to be held on August 3, 8, 10, 17, 24 and 31, 2013.

Sponsor: Mayor/City Attorney

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, August 6, 2013 at 7:00 p.m. for Items 8 through 12:

8. New 2013 Package Liquor License for Costco Wholesale Corporation, Costco Wholesale #1159, to be operated at 3700 South Grange Avenue (CUP not required).

Sponsor: Mayor/City Attorney

9. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Commemorative Air Force Joe Foss Squadron to be operated at Maverick Air Center, 4201 North Maverick Place, for a Hangar Dance on August 12, 2013.

Sponsor: Mayor/City Attorney

10. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls Inc., to be operated within Phases 1 and 2 of Downtown Riverfront (from 6th Street to south of 8th Street) including Cherpa Place south parking lot for Downtown Riverfest on August 17, 2013.

Sponsor: Mayor/Attorney

11. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique's, to be operated at Poet, 4615 North Lewis Avenue for an employee mixer on August 19, 2013.

Sponsor: Mayor/City Attorney

Special One-Day Liquor License for Southeastern Behavioral Healthcare to

12. be operated at the Avera Prairie Center, 1000 East 23rd Street, for the Festival of Trees on November 22, 2013.

Sponsor: Mayor/City Attorney

Set a date of hearing for Tuesday, August 13, 2013 at 7:00 p.m. for Items 13 through 17:

13. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR LITTER REMOVAL IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

Sponsor: Finance/Public Works

14. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR REPAIR OR DEMOLITION OF REAL PROPERTY IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

Sponsor: Finance/Planning and Building Services

15. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE MOWING OF WEEDS AND GRASSES IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

Sponsor: Finance/Planning and Building Services

16. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR SNOW REMOVAL IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

Sponsor: Finance/Public Parking

17. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR TREE TRIMMING IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

Sponsor: Finance/Parks and Recreation

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

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

Vote to approve: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rex Rolwing, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr., James Entenman, 7. Noes, 0.

Motion Passed.

PUBLIC INPUT

Melanie Bliss, Coordinator for the Sioux Empire Homeless Coalition, provided an update and information regarding local housing needs in the Sioux Falls area.

UNFINISHED BUSINESS

Transfer of 2013 Package Liquor License from WK Suppliers Inc., Wolfies L liquor

18. Spot to JD's Liquor Locker Inc., JD's Liquor Locker to be operated at 471

East 26th Street (CUP not required).

Sponsor: Mayor/City Attorney

19. Special One-Day Liquor License for Sanford Health to be operated at the Sanford Health Pentagon, 2210 Pentagon Place for a Timberwolves Game on October 10, 2013.

Sponsor: Mayor/City Attorney

20. Special One-Day Liquor License for Sanford Health to be operated at the Sanford Health Pentagon, 2210 Pentagon Place for a Wisconsin NCAA Basketball Game on November 8, 2013.

Sponsor: Mayor/City Attorney

21. Special One-Day Liquor License for Sanford Health to be operated at the Sanford Health Pentagon, 2210 Pentagon Place for the NCAA DII Basketball Tournament November 9-10, 2013.

Sponsor: Mayor/City Attorney

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to approve Items 18 through 21.

Vote to approve: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr., James Entenman, 7. Noes, 0.

Motion Passed.

INTRODUCTION AND ADOPTION OF ORDINANCES

22. 2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE EXCHANGE OF REAL PROPERTY.

Sponsor: Mayor/Community Development

A motion was made by Council Member Greg Jamison and seconded by Council Member Dean Karsky to adopt said Ordinance 45-13.

A motion was made by Council Member Rex Roling and seconded by Council Member Sue Aguilar to amend by adding a new paragraph to the agreement as Item 6 which reads as follows: "The Schoeneman's, their successor's and/or assigns agree that the property they are acquiring as part of this exchange may only be used as a parking lot through April 15, 2039, the date that the City's exclusive Real Estate Option shall expire", and in the ordinance, adding the words "as amended" after "Agreement for Exchange of Property" and in the agreement, the existing Item 6 is renumbered to Item 7.

Vote to amend: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr., James Entenman, 7. Noes, 0.

Motion Passed.

Vote to adopt, as amended: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr., James Entenman, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, August 6, 2013, at 7:00 p.m. for Item 23:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD,
REZONING PROPERTY AT NW CORNER OF E. 69TH ST. AND S. BAHNSON AVE. FROM
23. THE RS-2, RESIDENTIAL DISTRICT TO THE WINGS PLANNED DEVELOPMENT
DISTRICT, PETITION NO. 2013-05-10 AND AMENDING THE OFFICIAL ZONING MAP
OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member James Entenman and seconded by Council Member Rex Roling to set a date of hearing and 2nd Reading for Tuesday, August 6, 2013, at 7:00 p.m. for Item 23.

Vote to set a date: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr., James Entenman, 7.
Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, August 6, 2013, at 7:00 p.m. for Item 24:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
PROPERTY AT THE NE CORNER OF W. 11TH ST. AND S. MINNESOTA AVE. FROM THE
24. C-2, GENERAL COMMERCIAL DISTRICT TO THE C-3, DOWNTOWN COMMERCIAL
DISTRICT, PETITION NO. 2013-05-25 AND AMENDING THE OFFICIAL ZONING MAP
OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member James Entenman and seconded by Council Member Greg Jamison to set a date of hearing and 2nd Reading for Tuesday, August 6, 2013, at 7:00 p.m. for Item 24.

Vote to set a date: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr., James Entenman, 7.
Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, August 6, 2013, at 7:00 p.m. for Item 25:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
PROPERTY AT 3408 W. RALPH ROGERS RD. FROM THE S, INSTITUTIONAL DISTRICT
25. TO THE LUNDSTROM'S PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2013-06-07
AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.
Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member James Entenman and seconded by Council Member Rex Roling to set a date of hearing and 2nd Reading for Tuesday, August 6, 2013, at 7:00 p.m. for Item 25.

Vote to set a date: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr., James Entenman, 7.

Noes, 0.

Motion Passed.

HEARINGS AND RESOLUTIONS

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

Sponsor: Mayor

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution 52-13.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Dean Karsky, Rex Rolwing, Kermit L. Staggers, Sue Aguilar, Kenny Anderson Jr., James Entenman, 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 52-13

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

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

That it gives its advice and consent to the following Mayoral appointments:

Name	Board	Term
Ronald Sauby	Property Maintenance Board of Appeals	Appointed for a term from July 2013 to July 2016 (to replace Dennis Tilden).

Jamison Reginek Solid Waste Planning Board Permanent appointment.

Date adopted: 07/16/13 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

ADJOURNMENT

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Greg Jamison to adjourn the meeting at 7:40 p.m.

Mayor Huether called for a voice vote. All members voted yes.
Motion Passed.

Tamara Jorgensen, 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) 367-8080 (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.