

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

REGULAR MEETING OF Tuesday, January 6, 2015, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT ABSENT

Council Member Kenny Anderson Jr.

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rick Kiley

Council Member Rex Roling

Council Member Kermit L. Staggers

Mayor Mike T. Huether

INVOCATION

Senior Pastor Brett Best, Emmanuel Baptist Church

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PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Stalking Awareness Month - January, 2015

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National Mentoring Month - January, 2015

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CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Dean Karsky and seconded by Council Member Michelle Erpenbach to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, Kenny Anderson Jr., Christine M.

Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, 8. Noes, 0.

Motion Passed.

A request was made by Council Member Kermit L. Staggers to move the following agreements from Item 1 to the Regular Agenda for discussion purposes: 1) Agreement for Services, Native American, Immigrant, and Refugee Population Assistance, Vendor is Multi-Cultural Center, \$165,000.00; and 2) Amendment to agreement for option to extend and to establish pricing, Medical Network Management Services, vendor is the Horizon Agency.

MINUTES

Informational Meeting of Tuesday, December 16, 2014, at 4:00 p.m.

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City Council Meeting of Tuesday, December 16, 2014, at 7:00 p.m.

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COMMUNICATIONS

1. Approval of contracts/agreements on the December 31, 2014 memo.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Kenny Anderson Jr. to approve the Agreement for Services, Native American, Immigrant, and Refugee Population Assistance, Vendor is Multi-Cultural Center, \$165,000.00.

Vote to approve: Roll Call: Yeses, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, 7. Noes, Kermit L. Staggers, 1.

Motion Passed.

A motion was made by Council Member Dean Karsky and seconded by Council Member Kenny Anderson Jr. to approve the amendment to agreement for option to extend and to establish pricing, Medical Network Management Services, vendor is the Horizon Agency.

Vote to approve: Roll Call: Yeses, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, 8. Noes, 0.

Motion Passed.

A communication was received from KN Construction requesting permission to consume, but not sell, wine and malt beverages at the Sioux Falls Coliseum, 515 North Main Avenue, on Saturday, January 24, 2015, from 5:30 p.m. to

2. midnight for an employee Christmas party, pursuant to SDCL 35-1-5.3.

Note: This item was originally approved at the City Council Meeting of Tuesday, December 16, 2014; this entry reflects a change in the start time from 7:00 p.m. to 5:30 p.m.

Report of Requests for Quotes for Fuel dated: February 12, 2014; Unleaded

3. Ethanol & E85; 7,000 gallons unleaded/1,500 gallons E85; CHS, Inc. (\$1.8750 unleaded/\$2.0703 E85); Harms Oil, Howes Oil and Olson Oil, all no bid. Bid awarded to: CHS, Inc.

Report of Requests for Quotes for Fuel dated: December 15, 2014; #1 and #2 Dyed Diesel Fuel; 7,500 gallons (3,750 gallons each #1 and #2); Harms Oil
4. (\$2.6223 #1 and \$2.0128 #2); Howes Oil, CHS, Inc., Midwest Oil, and Olson Oil, all no bid. Bid awarded to: Harms Oil. Emergency purchase after receiving two "no bid" from all vendors.

Report of Requests for Quotes for Fuel dated: December 16, 2014; Unleaded
5. Ethanol; 539 gallons; Midway Service (\$1.9280); Howes Oil (\$2.0555); Stern Oil and Midwest Oil, both no bid. Bid awarded to: Midway Service.

Report of Requests for Quotes for Fuel dated: December 16, 2014; Diesel #1;
6. 524 gallons; Midway Service (\$2.8420); Howes Oil (\$2.8820); Stern Oil and Midwest Oil, both no bid. Bid awarded to: Midway Service.

Report of Requests for Quotes for Fuel dated: December 16, 2014; Diesel #2;
7. 524 gallons; Midway Service (\$2.2760); Howes Oil (\$2.3155); Stern Oil and Midwest Oil, both no bid. Bid awarded to: Midway Service.

Report of Requests for Quotes for Fuel dated: December 17, 2014; #1 Dyed
8. Diesel Fuel; 7,500 gallons; Harms Oil (\$2.5273); CHS, Inc. (\$2.6679); Howes Oil, Midwest Oil and Olson Oil, all no bid. Bid awarded to: Harms Oil.

Report of Requests for Quotes for Fuel dated: December 18, 2014; #1 Dyed
9. Diesel Fuel; 7,500 gallons; Harms Oil (\$2.5855); CHS, Inc., Howes Oil, Midwest Oil, Olson Oil, all no bid. Bid awarded to: Harms Oil.

Report of Requests for Quotes for Fuel dated: December 22, 2014; E-10
10. Unleaded Ethanol/87 Octane; 8,500 gallons; Howes Oil (\$1.6655); Harms Oil (\$1.6850); CHS, Inc. (\$1.7063); Olson Oil, no bid. Bid awarded to: Howes Oil.

Report of Requests for Quotes for Fuel dated: December 23, 2014; #2 Dyed
11. Diesel Fuel; 7,500 gallons; Howes Oil (\$1.9155); CHS, Inc. (\$1.9299); Harms Oil, Midwest Oil and Olson Oil, no bid. Bid awarded to: Howes Oil.

Report of Requests for Quotes for Fuel dated: December 30, 2014; #1 Dyed
12. Diesel Fuel; 7,500 gallons; Howes Oil (\$2.2630); CHS, Inc. (\$2.2726); Harms Oil (\$2.2783); Midwest Oil and Olson Oil, both no bid. Bid awarded to: Howes Oil.

Report of Requests for Quotes for Fuel dated: December 30, 2014; E-10
13. Unleaded Ethanol/87 Octane; 8,500 gallons; Howes Oil (\$1.5135); CHS, Inc. (\$1.5150); Harms Oil (\$1.5156); Olson Oil, no bid. Bid awarded to: Howes Oil.

APPLICATIONS

Special One-Day Malt Beverage and Special One-Day Wine Licenses for the St.
14. Joseph Cathedral Parish to be operated at the St. Joseph Cathedral gymnasium, 521 North Duluth Avenue, for a fundraiser on February 6, 2015.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for the St.
15. Therese Parish to be operated at the St. Therese Parish gathering space, 901 North Tahoe Trail, for a parish social gathering on February 7, 2015.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, January 20, 2015, at 7:00 p.m. for Items 16

and 17:

16. New 2015 Package Liquor License for Holiday Stationstores, Inc., Holiday Stationstore #304, to be operated at 5000 North Cliff Avenue.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for

17. Catering America Inc., Chef Dominique's Catering, to be operated at Avera Long Term Care Pharmacy, 3820 North Potsdam Avenue, for a ribbon cutting on January 29, 2015.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Greg Jamison and seconded by Council Member Kenny Anderson Jr. to approve the Regular Agenda.

Vote to approve: Roll Call: Yeses, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, 8. Noes, 0.

Motion Passed.

PUBLIC INPUT

Dan Daily spoke regarding the Occupancy Permit for the Events Center and the Quit Claim Deed for the Spellerberg Park land.

Item 1 was heard at this time. See item for action taken.

UNFINISHED BUSINESS

18. New 2014-15 Package Malt Beverage License for GF Buche Co, Buche's Bargain Butcher, 200 South Kiwanis Avenue (CUP not required).

19. New 2014-15 Package Malt Beverage License for Kum & Go LC, Kum & Go, 1400 North Minnesota Avenue (CUP not required).

Transfer of 2014-15 Retail Malt Beverage License from C.Y. Heritage Inn of

20. Sioux Falls Inc., Sioux Falls Residence Inn, 4509 West Empire Place to C. Y. Heritage Inn of Sioux Falls Opco, LLC, Sioux Falls Residence Inn, 4509 West Empire Place.

New 2015 Retail Wine License for Nails Art, Nails Art, 5012 South Cliff

21. Avenue, with Conditional Use Permit (2014-09-03) being approved on October 1, 2014.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for

22. Catering America Inc., to be operated at 3101 West 57th Street, for the First Priority Sioux Falls fundraiser on January 13, 2015.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Michelle Erpenbach to approve Items 18 through 22.

Vote to approve: Roll Call: Yeses, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, 8. Noes, 0.

Motion Passed.

INTRODUCTION AND ADOPTION OF ORDINANCES

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3400 E. BENSON RD. FROM THE AG AGRICULTURE DISTRICT TO THE I-1 LIGHT INDUSTRIAL DISTRICT, PETITION NO. 1957-2014, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rick Kiley to adopt said Ordinance No. 1-15.

Vote to adopt: Roll Call: Yeses, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, 8. Noes, 0.

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY NORTH OF E. BENSON RD. AND EAST AND WEST OF FUTURE N. BAHNSON AVE. FROM THE AG AGRICULTURE DISTRICT TO THE I-1 LIGHT INDUSTRIAL DISTRICT, PETITION NO. 1966-2014, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

A motion was made by Council Member Dean Karsky and seconded by Council Member Rex Roling to adopt said Ordinance No. 2-15.

Vote to adopt: Roll Call: Yeses, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, 8. Noes, 0.

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3307 S. HOLLY AVE. FROM THE RA-2 APARTMENT RESIDENTIAL-MEDIUM DENSITY DISTRICT TO THE C-2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 1946 - 2014, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Kenny Anderson Jr. to adopt said Ordinance No. 3-15.

Vote to adopt: Roll Call: Yeses, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, Kermit L. Staggers, 8. Noes, 0.

Motion Passed.

HEARINGS AND RESOLUTIONS

26. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF MYSTIC CREEK ADDITION.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Michelle Erpenbach to adopt said Resolution No. 1-15.

Vote to adopt: Roll Call: Yeses, Kenny Anderson Jr., Christine M. Erickson,

Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Rex Rolfing,
Kermit L. Staggers, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 01-15

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF
[MYSTIC CREEK ADDITION].

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

That the preliminary plan of [Mystic Creek Addition] to the City of Sioux
Falls, [Minnehaha] 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: 01/06/15 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

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)

27. REPORT OF THE DECEMBER 30, 2014, NOTICE OF TRANSFER OF APPROPRIATIONS
WITHIN MAJOR ORGANIZATIONAL UNITS.

Mayor Mike Huether recognized the University of Sioux Falls students in the
audience.

ADJOURNMENT

A motion was made by Council Member Dean Karsky and seconded by Council
Member Kenny Anderson Jr. to adjourn the meeting at 7:32 p.m. Mayor
Huether called for a voice vote. All members voted yes.

Motion Passed.

Tamara Jorgensen, MMC

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.