

|| City of Sioux Falls Council Meeting  
|| Agenda  
|| Carnegie Town Hall, 235 West 10th Street  
|| MEETING OF Monday, March 19, 2012 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

&#9679; Pastor Tim Selbo, Gloria Dei Lutheran Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Monday, March 5, 2012, at 4:00 p.m.

&#9679; Regular City Council Meeting of Monday, March 5, 2012, at 7:00 p.m.

&#9679; Informational Meeting of Monday, March 12, 2012, at 4:00 p.m.

&#9679; City Council Meeting of Monday, March 12, 2012, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreement on March 14, 2012 memo.  
Sponsor: Mayor/Finance
2. Report of Request for Quotes for Fuel: March 8, 2012: #2 Clear Diesel; 7500 Gallons; CHS, Inc (3.59); Howes Oil, no bid; Harms Oil (3.538); Midwest Oil (3.67). Bid awarded to: Harms Oil.  
Sponsor: Mayor/Sioux Area Metro
3. Report of Request for Quotes for Fuel: March 5, 2012; Unleaded Ethanol; 8500 gallons; Harms Oil (\$3.2600); CHS, Inc. (\$3.3240); Howes Oil (\$3.3575); Olson Oil, no bid. Bid awarded to: Harms Oil.  
Sponsor: Mayor/Public Works
4. Report of Request for Quotes for Fuel: March 9, 2012; #2 Dyed Diesel; 7500 gallons; Howes Oil (\$3.3700); Harms Oil (\$3.3725); CHS, Inc. (\$3.4100); Midwest Oil and Olson Oil, both no bids. Bid awarded to: Howes Oil.  
Sponsor: Mayor/Public Works
5. A memorandum dated March 7, 2012, declaring surplus on tractor/backhoe that will be traded in for another asset.  
Sponsor: Mayor/Finance
6. A communication was received from YWCA Sioux Falls stating their intent to sell raffle tickets from March 29, 2012 through March 31, 2012 (or until 100 tickets are sold) for a sterling silver/black onyx pendant necklace (valued at \$400.00). Tickets will be sold for \$10.00 each. The proceeds will be used for programs offered at the YWCA to women, children and families.  
Sponsor: SDCL 22-25-25
7. A communication was received from Children's Miracle Network/Sanford Health Foundation stating their intent to sell raffle tickets from March 21, 2012 until April 14, 2012 for 15 packages (valued at or under \$600.00 each). Tickets will be sold for \$2.00 for one, \$5.00 for three or \$10.00 for seven. Proceeds will be benefit Children's Miracle Network.  
Sponsor: SDCL 22-25-25
8. A communication was received from Avera McKennan Hospital and University Medical Center requesting permission to consume, but not sell, wine and beer at Avera Medical Group McGreevy West Benson Road, 4011 West Benson Road, on Tuesday, April 17, 2012 from 4:30 p.m. until 6:00 p.m. for a Sioux Falls Chamber of Commerce ribbon cutting event.  
Sponsor: SD 35-1-5.3
9. A communication was received from the Mary Jo Wegner Arboretum and East Sioux Falls Historic Site requesting permission to consume, but not sell, wine and beer at the Avera Prairie Center, 1000 East 23rd Street on Wednesday, April 18, 2012 from 5:30 p.m. until 8:00 p.m. for a fundraising event.  
Sponsor: SDCL 35-1-5.3

10. A communication was received from Active Generations stating their intent to sell raffle tickets from May 1, 2012 until June 9, 2012 for a set of quilted table toppers (valued at \$80.00). Tickets will be sold for \$2.00 for one, \$5.00 for three, or \$10.00 for seven. The proceeds will be used for recreation and educational program at Active Generations.  
Sponsor: SDCL 22-25-25

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

#### PUBLIC INPUT

#### UNFINISHED BUSINESS

11. New 2012 Retail Wine License for Fuji Sushi & Hibachi LLC, Fuji Sushi & Hibachi, to be operated at 2801 West 41st Street (full service restaurant; CUP not required).  
Sponsor: Mayor/Attorney
12. Transfer of the 2012 Retail Liquor License from Substation Inc., Nutty s, 3400 West 49th Street, to B & D Group Investments LLC, Nutty s Pub and Casino, to be operated at 3400 West 49th Street, including Sunday Sales and video lottery terminals, with the Conditional Use Permit (2012-01-02) being approved on 02-01-12.  
Sponsor: Mayor/Attorney
13. Transfer of the 2011-12 Retail Malt Beverage/SD Farm Winery License from Main and Main LLC, Courtyard by Marriott, 4300 West Empire Place, to Main and Main LLC, Springhill Suites, to be operated at 4304 South Empire Place, with the Conditional Use Permit (2008-03-06) being approved in 2008.  
Sponsor: Mayor/Attorney
14. Transfer of the 2012 Retail Wine License from Main and Main LLC, Courtyard by Marriott, 4300 West Empire Place, to Main and Main LLC, Springhill Suites, to be operated at 4304 South Empire Place, with the Conditional Use Permit (2008-03-06) being approved in 2008.  
Sponsor: Mayor/Attorney
15. Transfer of the 2012 Retail Liquor License for Empire Restaurants Inc., The Encore at Empire Mall, 4200 West Empire Place, to include the Courtyard by Marriott, 4300 West Empire Place as contiguous property (full service restaurant; CUP not required), including Sunday Sales.  
Sponsor: Mayor/Attorney
16. Transfer of the 2011-12 Retail Malt Beverage License from D & J Management LLC, Dean-O s Grille, 1914 South Sycamore Avenue, to Thurston Inc., Botski s, to be operated at 1914 South Sycamore Avenue, with the Conditional Use Permit (2012-01-09) being approved on 02-01-12.  
Sponsor: Mayor/Attorney

17. Transfer of the 2012 Retail Wine License from D & J Management LLC, Dean-O s Grille, 1914 South Sycamore Avenue, to Thurston Inc., Botski s, to be operated at 1914 South Sycamore Avenue, with the Conditional Use Permit (2012-01-09) being approved on 02-01-12.  
Sponsor: Mayor/Attorney
18. Transfer of the 2011-12 Retail Malt Beverage License from GPG Inc., Diamond Dan s Casino, 1002 South Minnesota Avenue, to HKV Gilbertson Liquor Inc., Power Keno Casino I, to be operated at 1002 South Minnesota Avenue, including video lottery terminals, effective 03/30/12.  
Sponsor: Mayor/Attorney
19. Transfer of the 2011-12 Retail Malt Beverage License from GPG Inc., Cash Inn Again, 3219 South Minnesota Avenue, to HKV Gilbertson Liquor Inc., Power Keno Casino II, to be operated at 3219 South Minnesota Avenue, including video lottery terminals, effective 03/30/12.  
Sponsor: Mayor/Attorney
20. Special One-Day Malt Beverage License for the Multi-Cultural Center of Sioux Falls to be operated on the upper west side of Falls Park for the Festival of Cultures on June 16, 2012.  
Sponsor: Mayor/Attorney
21. Special One-Day Malt Beverage License requests for the Multi-Cultural Center of Sioux Falls to be operated at the Coliseum, 515 North Main Avenue, for RollerDollz performances to be held on April 14 and 28, June 30, August 4, September 8, October 13, and November 10, 2012.  
Sponsor: Mayor/Attorney
22. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Sioux Falls Jazz & Blues Society to be operated at Yankton Trail Park, 3901 South Minnesota Avenue, for the Jazz Fest on July 26-28, 2012.  
Sponsor: Mayor/Attorney
23. Amend the date of the Special One-Day Wine License request for Senior Citizens Services Inc., to be held at Active Generations, 2300 West 46th Street, for the Cocktails and Canvas Art Class on March 27, 2012, changing the date of this event to April 10, 2012.  
Sponsor: Mayor/Attorney
24. New 2011-12 Retail Malt Beverage License for Fuji Sushi & Hibachi LLC, Fuji Sushi & Hibachi, to be operated at 2801 West 41st Street (full service restaurant; CUP not required).  
Sponsor: Mayor/Attorney

#### INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Monday, April 2, 2012, at 7:00 p.m. for Item 25:

25. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 501-519 S. MINNESOTA AVE. FROM THE RA-2, RESIDENTIAL DISTRICT AND THE C-2, GENERAL COMMERCIAL DISTRICT TO THE SUBAREA B OF THE GIGGLEBEE S REDEVELOPMENT PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2012-02-01, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.  
Sponsor: Mayor/Planning & Building Services

Set a date of hearing and 2nd Reading for Monday, April 2, 2012, at 7:00 p.m. for Item 26:

26. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 4101 W. 12TH ST. FROM THE RIVER RUN PLANNED DEVELOPMENT DISTRICT TO THE C-2, GENERAL COMMERCIAL DISTRICT, PETITION NO. 2012-02-02, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.  
Sponsor: Mayor/Planning & Building Services

Set a date of hearing and 2nd Reading for Monday, April 2, 2012, at 7:00 p.m. for Item 27:

27. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1201 E. 21ST ST. FROM THE O, OFFICE DISTRICT TO THE SUBAREA D OF THE AVERA MCKENNAN PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2012-02-08, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.  
Sponsor: Mayor/Planning & Building Services

Set a date of hearing and 2nd Reading for Monday, April 2, 2012, at 7:00 p.m. for Item 28:

28. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3500 E. RICE ST. FROM THE I-1, LIGHT INDUSTRIAL DISTRICT AND THE RC, RECREATION/CONSERVATION DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT AND THE RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2012-02-11, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.  
Sponsor: Mayor/Planning & Building Services

Set a date of hearing and 2nd Reading for Monday, April 2, 2012, at 7:00 p.m. for Item 29:

29. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT NORTHEAST CORNER OF S. MINNESOTA AVE. AND W. 85TH ST. FROM THE C-4, PLANNED COMMERCIAL DISTRICT; O, OFFICE DISTRICT; RA-1, RD, AND RS-2, RESIDENTIAL DISTRICTS; AND THE RC, RECREATION CONSERVATION DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT; O, OFFICE DISTRICT; RA-1 AND RD, RESIDENTIAL DISTRICTS; AND THE RC, RECREATION CONSERVATION DISTRICT, PETITION NO. 2012-02-12, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.  
Sponsor: Mayor/Planning & Building Services

Set a date of hearing and 2nd Reading for Monday, April 2, 2012, at 7:00 p.m. for Item 30:

30. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. WESTERN AVE. AND COUNTY ROAD 106 FROM THE RS-2, RESIDENTIAL DISTRICT AND THE RC, RECREATION/CONSERVATION DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT AND THE RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2012-02-10, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.  
Sponsor: Mayor/Planning & Building Services

Set a date of hearing and 2nd Reading for Monday, April 2, 2012, at 7:00 p.m.  
for Item 31:

31. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT EAST SIDE OF ELLIS RD. BETWEEN 26TH ST. AND 41ST ST. FROM THE ROOSEVELT PARK PLANNED DEVELOPMENT DISTRICT AND THE RD AND RS-2, RESIDENTIAL DISTRICTS TO THE RC, RECREATION/CONSERVATION DISTRICT AND THE RS-2 AND RD, RESIDENTIAL DISTRICTS, PETITION NO. 2012-01-16, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.  
Sponsor: Mayor/Planning & Building Services

#### HEARINGS AND RESOLUTIONS

32. A RESOLUTION CREATING TAX INCREMENTAL DISTRICT NUMBER FIFTEEN, CITY OF SIOUX FALLS.  
Sponsor: Mayor/Community Development
33. A RESOLUTION APPROVING THE PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NUMBER FIFTEEN, CITY OF SIOUX FALLS.  
Sponsor: Mayor/Community Development

#### NEW BUSINESS

34. A motion to appoint Lorie Hogstad as City Clerk, pursuant to section 2.08 of the Charter of the City of Sioux Falls, effective March 20, 2012.  
Sponsor: City Council
35. A motion to amend the action of January 9, 2012 to set 2nd Reading of "AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING CHAPTER 2, ADMINISTRATION, TO CHANGE THE DAY WHEN COUNCIL MEETINGS ARE HELD AND OTHER COUNCIL PROCEDURES" by changing the date of second reading from May 7, 2012 to April 2, 2012.  
Sponsor: City Council

#### 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 16: INFORMATIONAL MEETINGS AIR LIVE THE FIRST, SECOND, THIRD, AND LAST MONDAYS OF EACH MONTH AT 4:00 P.M. COUNCIL COMMITTEE MEETINGS AIR LIVE THE FIRST, SECOND, AND LAST MONDAYS OF EACH MONTH IMMEDIATELY FOLLOWING THE INFORMATIONAL MEETING. 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 5:30 P.M. REGULAR MEETINGS OF THE CITY COUNCIL ARE ALSO ARCHIVED AND AVAILABLE FOR VIEWING ON DEMAND AT [WWW.SIOUXFALLS.ORG](http://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: INFORMATIONAL MEETINGSAT 9:00 A.M. ON WEDNESDAYS, 1:30 A.M ON THURSDAYS, AND 6:00 P.M. ON SATURDAYS. COUNCIL COMMITTEE MEETINGS AT 8:00 A.M. ON WEDNESDAYS, 12:30 A.M. ON THURSDAYS, AND 5:00 P.M. ON SATURDAYS. CITY COUNCIL MEETINGS AT 10:00 A.M. ON WEDNESDAYS, 2:30 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 1:00 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.