

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Monday, April 2, 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

● Dr. Cliff Sims, Empire Baptist Temple

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● Kids for Peace - Sioux Falls

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Monday, March 19, 2012, at 4:00 p.m.

● City Council Meeting of Monday, March 19, 2012, at 7:00 p.m.

● Informational Meeting of Monday, March 26, 2012, at 4:00 p.m.

● Special City Council Meeting of Monday, March 26, 2012, at 5:15 p.m.

● Joint City Council/Lincoln County Commission Meeting of Monday, March 26, 2012, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on the March 28, 2012, memo.
Sponsor: Mayor/Finance
2. Notice of Amendments/Change Orders on the March 28, 2012, memo.
Sponsor: Mayor/Finance
3. Report of Requests for Quotes for Fuel dated: March 13, 2012; Unleaded Ethanol; 8,500 gallons; Howes Oil (\$3.3730); Harms Oil (\$3.4071); CHS, Inc. (\$3.4300); Olson Oil, no bid. Bid awarded to: Howes Oil.
Sponsor: Mayor/Public Works
4. Report of Requests for Quotes for Fuel dated: March 14, 2012; Unleaded; 700 gallons; Howes Oil (\$2,463.65); Palisades Oil and Midway Service, both no bids. Bid awarded to: Howes Oil.
Sponsor: Mayor/Fire Rescue
5. Report of Requests for Quotes for Fuel dated: March 14, 2012; Diesel (#1 and #2 blend); 400 gallons; Howes Oil (\$1,447.50); Palisades Oil and Midway Service, both no bids. Bid awarded to: Howes Oil.
Sponsor: Mayor/Fire Rescue
6. Report of Requests for Quotes for Fuel dated: March 16, 2012; #2 Dyed Diesel Fuel; 15,000 gallons; Harms Oil (\$3.3760); CHS, Inc. (\$3.3900); Howes Oil (\$3.4040); Midwest Oil and Olson Oil, both no bids. Bid awarded to: Harms Oil.
Sponsor: Mayor/Public Works
7. Report of Requests for Quotes for Fuel dated: March 22, 2012; Unleaded Ethanol; 8,500 gallons; Harms Oil (\$3.3780); Howes Oil (\$3.4065); CHS, Inc. (\$3.4600); Olson Oil, no bid. Bid awarded to: Harms Oil.
Sponsor: Mayor/Public Works
8. Report of Requests for Quotes for Fuel dated: March 22, 2012; #2 Clear Diesel; 7,500 gallons; Harms Oil (\$3.574); CHS, Inc. (\$3.622); Howes Oil and Midwest Oil, both no bids. Bid awarded to: Harms Oil.
Sponsor: Mayor/Planning and Building Services
9. Report of Requests for Quotes for Fuel dated: March 23, 2012; #2 Dyed Diesel Fuel; 7,500 gallons; Harms Oil (\$3.3530); Howes Oil (\$3.3650); Midwest Oil (\$3.4500); CHS, Inc. and Olson Oil, both no bids. Bid awarded to: Harms Oil.
Sponsor: Mayor/Public Works

10. A communication was received from Siouxland Heritage Museums requesting permission to consume, but not sell, wine and malt beverages at the Old Courthouse Museum, 200 W. 6th Street, on Thursday, April 12, 2012, from 5:00 p.m. to 8:00 p.m. The event is the Annual Volunteer Recognition Banquet.
Sponsor: SDCL 35-1-5.3

11. A communication was received from the St. Therese Catholic Church requesting permission to consume, but not sell, wine at the St. Therese Parish Gathering Space, 901 N. Tahoe Trail, on Saturday, April 14, 2012, from 5:30 p.m. to 11:00 p.m. The purpose is for a fundraising event to raise funds to replace the shingles on the rectory roof.
Sponsor: SDCL 35-1-5.3

12. A communication was received from Anna Williams and Shaun Vanderloo requesting permission to consume, but not sell, wine, liquor and malt beverages at the Old Courthouse Museum, 200 W. 6th Street, on Saturday, April 28, 2012, from 4:30 p.m. until midnight. The event is a wedding and reception.
Sponsor: SDCL 35-1-5.3

13. A communication was received from the Ethiopian Kidane Mihret Orthodox Church requesting permission to consume, but not sell, the following homemade Ethiopian alcoholic beverages: Tela and Tega (beer and wine based products) at the Multi-Cultural Center of Sioux Falls, 515 North Main Avenue, on Sunday, April 29, 2012, from 3:00 p.m. to 8:00 p.m. The purpose is to raise money for building a new Ethiopian Orthodox Church in Sioux Falls.
Sponsor: SDCL 35-1-5.3

14. A communication was received from the South Dakota Association of County Commissioners stating their intent to sell raffle tickets statewide from Tuesday, March 20, 2012, until the drawing in Sioux Falls on Monday, September 17, 2012, for a rifle valued at \$500.00. The cost of the tickets is \$5.00 each or \$20.00 for five tickets. The proceeds will be used to raise funds for their college scholarship program.
Sponsor: SDCL 22-25-25

15. A communication was received from Karr For House (Chris Karr) stating their intent to sell raffle tickets from Tuesday, April 3, 2012, to Tuesday, June 5, 2012 for the following shotguns and rifles: a Benelli Nova 12 gauge (valued at \$365.00); a Remington 870 Express 12 gauge (valued at \$333.00); a Ruger 10/22 (valued at \$222.00); a Henry .22 lever (valued at \$280.00). Another prize is an iPod Nano (valued at \$150.00). The cost of the tickets is \$25.00 each. The proceeds will be used for "Chris Karr political campaign for District 11 House of Representatives".
Sponsor: SDCL 22-25-25

16. A communication was received from the Family Child Care Professionals of South Dakota stating their intent to sell raffle tickets statewide from Friday, May 4, 2012, to Saturday, May 5, 2012, for 10 assorted gift items (not to exceed \$80.00 in value). The cost of the tickets is one for \$2.00 or three for \$5.00. The proceeds will be used to raise funds for funding

educational programs for their association.
Sponsor: SDCL 22-25-25

APPLICATIONS

17. Special One-Day Liquor License for Washington Pavilion Management Inc., Washington Pavilion, 301 South Main Avenue, for the Arts Night Artists Award Reception on April 27, 2012.
Sponsor: Mayor/Attorney
18. Amendment to a Special One-Day Liquor License request approved on 08-15-11 for SMG, to be operated at the Sioux Falls Arena, 1201 North West Avenue, changing the date of the Central Plains Dairy Expo from March 28 to March 27, 2012.
Sponsor: Mayor/Attorney

NOTICE OF HEARINGS

Set a date of hearing for Monday, April 16, 2012, at 7:00 p.m. for Items 19 through 26:

19. New 2012 Package Liquor License for Ovations Food Services LP, Sioux Falls Convention Center, to be operated at 1211 North West Avenue.
Sponsor: Mayor/Attorney
20. New 2012-13 Retail Malt Beverage License for Tazito World Burrito LLC, Tazito Burrito, to be operated at 1504 West Russell Street #1, effective 7/1/12, with the Conditional Use Permit (2003-10-15) being approved in 2003.
Sponsor: Mayor/Attorney
21. Transfer of the 2012 Retail Liquor License from Goldrush Casino Inc., Goldrush Casino, 2701 West 41st Street, Suite B, to CPAG LLC, The Rush, to be operated at 2701 West 41st Street, Suite B, including Sunday Sales and video lottery terminals (CUP not required; this is an existing license which predates the ordinance).
Sponsor: Mayor/Attorney
22. Special One-Day Liquor License for Sanford Health Foundation to be operated at the Sanford Center, 2301 East 60th Street North, for the 2012 Sanford Children's Gala, on August 4, 2012.
Sponsor: Mayor/Attorney
23. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Sioux Falls Area Community Foundation to be operated at the Sanford Center, 2301 East 60th Street North, for a fundraiser on May 3, 2012.
Sponsor: Mayor/Attorney
24. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the El Riad Shriners, El Riad Mosque, to be operated on Dakota Avenue from 11th

Street south one block up to Lutheran Church lot driveway; Main Avenue from 10th to 13th Streets; Phillips Avenue from 9th to 14th Streets; 1st Ave from 11th to 13th Streets; 10th Street from Main to Mall Avenues; 11th Street from Dakota to Mall Avenues; 12th Street from Main to First Avenues; and 13th Street from Dakota to 1st Avenues, for Automania on June 29, 2012.
Sponsor: Mayor/Attorney

25. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Sertoma Butterfly House and Marine Cove to be operated at the Sertoma Butterfly House and Marine Cove, 4320 South Oxbow Avenue, for a fundraiser on April 19, 2012.
Sponsor: Mayor/Attorney

26. Special One-Day Malt Beverage License for Avera McKennan to be operated at the Avera McKennan Fitness Center, 3400 South Southeastern Avenue, for the Fun Run, on April 20, 2012.
Sponsor: Mayor/Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

INTRODUCTION AND ADOPTION OF ORDINANCES

27. DEFERRED ACTION (from January 9, 2012 meeting). Action was taken at the March 19, 2012 meeting to amend the date of the 2nd Reading.
2nd Reading: 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.
Sponsor: City Council/Aguilar and Entenman
28. 2nd 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. (The Planning Commission recommends approval.)
Sponsor: Mayor/Planning & Building Services
29. 2nd 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. (The Planning Commission recommends approval.)
Sponsor: Mayor/Planning & Building Services
30. 2nd 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. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning & Building Services

31. 2nd 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. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning & Building Services

32. 2nd 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. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning & Building Services

33. 2nd 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. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning & Building Services

34. 2nd 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. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning & Building Services

Set a date of hearing and 2nd Reading for Monday, April 9, 2012, at 7:00 p.m. for Item 35:

35. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING CHAPTER 10 OF THE REVISED ORDINANCES OF THE CITY DEALING WITH THE LICENSING AND REGISTRATION OF BICYCLES.

Sponsor: Mayor/Police Department

Set a date of hearing and 2nd Reading for Monday, April 9, 2012, at 7:00 p.m. for Item 36:

36. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING CHAPTER 19, ARTICLE VIII, FAMILY DAY CARE HOMES.

Mayor/Health Department.

HEARINGS AND RESOLUTIONS

37. A RESOLUTION APPROVING SCULPTURES ON CITY PROPERTY.
Sponsor: Mayor/Planning and Building Services

38. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF SCULPTURES ON PUBLIC PROPERTY FOR AN INTERNATIONALLY RECOGNIZED VISUAL ARTS PROGRAM KNOWN AS SCULPTUREWALK SIOUX FALLS 2012.
Sponsor: Mayor/Planning and Building Services

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)

39. REPORT OF THE MARCH 23, 2012, NOTICE OF TRANSFERS OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.
Sponsor: Mayor/Finance

NEW BUSINESS

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. 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 MEETINGS AT 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.