

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Monday, April 16, 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 Wade Mobley, Living Word Free Lutheran Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

&#9679; Jacob Herrmann Day, April 17, 2012

&#9679; National Volunteer Week, April 15 - April 21, 2012

&#9679; Municipal Clerks Week, April 29 - May 5, 2012

&#9679; Volunteers of America, Dakotas Day, May 3, 2012

&#9679; Soroptimist Day, May 4, 2012

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Monday, April 9, 2012, at 4:00 p.m.

&#9679; City Council Meeting of Monday, April 9, 2012, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on April 11, 2012 memo.  
Sponsor: Mayor/Finance
2. Notice of change orders on April 11, 2012, memo.  
Sponsor: Mayor/Finance
3. A memorandum dated April 4, 2012, declaring surplus capital items that will be traded in for another asset.  
Sponsor: Mayor/Finance
4. Report of Request for Quotes for Fuel: March 21, 2012; Diesel (#1 and #2 blend); 600 gallons; Howes Oil (\$2,154.20); Palisades Oil and Midway Service, both no bids. Bid awarded to: Howes Oil.  
Sponsor: Mayor/Fire Rescue
5. Report of Request for Quotes for Fuel: April 9, 2012; Unleaded; 650 gallons; Howes Oil (\$2,256.48); Palisades Oil and Midway Service, both no bids. Bid awarded to: Howes Oil.  
Sponsor: Mayor/Fire Rescue
6. Report of Request for Quotes for Fuel: April 9, 2012; Diesel (#1 and #2 blend); 500 gallons; Howes Oil (\$1,785.00); Palisades Oil and Midway Service, both no bids. Bid awarded to: Howes Oil.  
Sponsor: Mayor/Fire Rescue
7. A communication was received from the Minnehaha County Democratic Party requesting permission to consume, but not sell, wine and beer at The Old Courthouse Museum, 200 W. 6th Street, on Friday, April 20, 2012, from 5:00 p.m. to 9:00 p.m. for a fundraising dinner for the Minnehaha and Lincoln County Democratic Parties.  
Sponsor: SDCL 35-1-5.3
8. A communication was received from the Mary Chilton DAR Foundation requesting permission to consume, but not sell, wine at the Pettigrew Home & Museum, 131 N. Duluth, on Monday, April 23, 2012, from 5:30 p.m. to 8:00 p.m. for their Annual Board dinner.  
Sponsor: SDCL 35-1-5.3

APPLICATIONS

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:

Items 9-22: The amount requested is the difference between the elderly freeze and the non-elderly freeze.

9. Phyllis Wise, Parcel 32804, 821 N. Cliff Avenue, for 2011 property taxes in the amount of \$237.43.

Sponsor: Attorney/SDCL 10-18-1

10. Richard Bonrud, Parcel 34099, 609 S. Duluth Avenue, for 2011 property taxes in the amount of \$634.65.

Sponsor: Attorney/SDCL 10-18-1

11. Jean Dumdei, Parcel 34486, 1405 W. 38th Street, for 2011 property taxes in the amount of \$830.20.

Sponsor: Attorney/SDCL 10-18-1

12. David Petersen, Parcel 35964, 3409 E. 20th Street, for 2011 property taxes in the amount of \$1,242.19.

Sponsor: Attorney/SDCL 10-18-1

13. Cletus Jackels, Parcel 37445, 722 N. Indiana Avenue, for 2011 property taxes in the amount of \$763.75

Sponsor: Attorney/SDCL 10-18-1

14. Iona Anderson, Parcel 40852, 1629 E. 34th St. N., for 2011 property taxes in the amount of \$509.22.

Sponsor: Attorney/SDCL 10-18-1

15. Viola Buhler, Parcel 46102, 5328 Pritchard Drive, for 2011 property taxes in the amount of \$1,116.37.

Sponsor: Attorney/SDCL 10-18-1

16. Harold Simkins, Parcel 47670, 1115 S. Van Eps Avenue, for 2011 property taxes in the amount of \$856.94.

Sponsor: Attorney/SDCL 10-18-1

17. Geneva Kluck, Parcel 52986, 920 S. Garfield Avenue, for 2011 property taxes in the amount of \$551.06.

Sponsor: Attorney/SDCL 10-18-1

18. Jeanne Richardson, Parcel 34269, 704 E. 33rd Street, for 2011 property taxes in the amount of \$1,324.62.

Sponsor: Attorney/SDCL 10-18-1

19. Nila (Smith) Nelson, Parcel 47641, 1101 S. Blauvelt Avenue, for 2011

property taxes in the amount of \$714.63.  
Sponsor: Attorney/SDCL 10-18-1

20. Grace Vanden Hevel-Dayton, Parcel 48649, 5115 E. 15th Street, for 2011 property taxes in the amount of \$309.87.  
Sponsor: Attorney/SDCL 10-18-1

21. Sharon Robinson, Parcel 49000, 933 S. Bahnson Avenue, for 2011 property taxes in the amount of \$319.96.  
Sponsor: Attorney/SDCL 10-18-1

22. Karolina Blake, Parcel 51088, 909 S. Wayland Avenue, for 2011 property taxes in the amount of \$1,102.02.  
Sponsor: Attorney/SDCL 10-18-1

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, May 1, 2012, at 7:00 p.m. for Items 23 through 25:

23. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sanford Health to be operated at the Sanford Center, 2301 East 60th Street North, for the Chamber Mixer to be held on May 15, 2012.  
Sponsor: Mayor/Attorney

24. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Almost Home Canine Rescue to be operated at the 8th and Railroad Parking Lot, 401 East 8th Street, for the 605 Summer Classic to be held on June 22-23, 2012.  
Sponsor: Mayor/Attorney

25. Special One-Day Wine License for Senior Citizens Services Inc. to be held at Active Generations, 2300 West 46th Street, for a fundraising concert on May 10, 2012.  
Sponsor: Mayor/Attorney

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

#### PUBLIC INPUT

#### UNFINISHED BUSINESS

26. 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

27. 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
28. 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
29. 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
30. 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
31. 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 13thStreets; 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
32. 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
33. 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

#### INTRODUCTION AND ADOPTION OF ORDINANCES

34. DEFERRED FROM THE CITY COUNCIL MEETING OF MONDAY, APRIL 2, 2012: 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

35. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY IMPLEMENTING A LODGING ESTABLISHMENT TAX WITHIN THE MAIN STREET BUSINESS IMPROVEMENT DISTRICT.  
Sponsor: Mayor/Community Development

36. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR CIP NO. 148014, RIGHT-OF-WAY ACQUISITION FOR PUBLIC WORKS. (Engineering - \$580,000.00)  
Sponsor: Mayor/Public Works

Set a date of hearing and 2nd Reading for Tuesday, May 1, 2012, at 7:00 p.m. for Item 37:

37. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. 77TH ST. AND S. BEAL AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE RS-2 AND RD, RESIDENTIAL DISTRICTS, PETITION NO. 2012-03-12, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval).  
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, May 1, 2012, at 7:00 p.m. for Item 38:

38. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2012-03-18, TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT THE SOUTHWEST CORNER OF E. 57TH ST. AND S. SYCAMORE AVE. AMENDING THE VILLAGE AT SYCAMORE AND 57TH STREET PLANNED DEVELOPMENT DISTRICT REGULATIONS. (The Planning Commission recommends approval).  
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, May 1, 2012, at 7:00 p.m. for Item 39:

39. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT NORTHEAST CORNER OF THE INTERSECTION AT S. CLIFF AVE. AND E. 69TH ST. FROM THE O, OFFICE DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT, PETITION NO. 2012-02-04, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval).  
Sponsor: Mayor/Planning and Building Services

#### HEARINGS AND RESOLUTIONS

40. A RESOLUTION AMENDING THE 2012-2016 CAPITAL PROGRAM. (Public Works/Engineering - \$580,000.00 and Public Works/Water Reclamation - \$513,000.00).  
Sponsor: Mayor/Public Works

41. A RESOLUTION DECLARING THE RESULTS OF THE CITY OF SIOUX FALLS MUNICIPAL/SCHOOL BOARD ELECTION HELD IN THE CITY OF SIOUX FALLS, SD, ON TUESDAY, THE 10TH DAY OF APRIL, 2012.

Sponsor: City Council

42. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF WHISPERING WOODS PHASE 2 ADDITION.

Sponsor: Mayor/Planning and Building Services

43. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. ANNEXATION 2011-11-01 MAPLE STREET SCHOOL SITE

Sponsor: Mayor/Planning and Building Services

44. A RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE, AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATION, AND DESIGNATING AN AUTHORIZED REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT REQUESTS.

Sponsor: Mayor/Public Works

#### NEW BUSINESS

45. A motion to appoint Jim David as Legislative/Operations Manager effective May 7, 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 TUESDAYS OF EACH MONTH AT 4:00 P.M. COUNCIL COMMITTEE MEETINGS AIR LIVE THE FIRST, SECOND, AND LAST 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 THIRD TUESDAY 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.