

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
REGULAR MEETING OF Tuesday, May 1, 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 Jason Mueller, The Ransom Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Monday, April 16, 2012, at 4:00 p.m.

&#9679; Joint City Council/Minnehaha County Commission Meeting of Monday, April 16, 2012, at 5:30 p.m.

&#9679; City Council Meeting of Monday, April 16, 2012, at 7:00 p.m.

&#9679; Joint City Council/Lincoln County Commission Meeting of Monday, April 23, 2012, at 7:00 p.m.

## COMMUNICATIONS

1. Approval of contracts/agreements on the April 26, 2012, memo.  
Sponsor: Mayor/Finance
2. A communication was received from the Sioux Falls Regional Emergency Medical Services Authority regarding the ambulance contract annual rate increase as per Section 18(A) of Ordinance 74.07.  
Sponsor: Mayor/Health Department
3. A memorandum dated April 17, 2012, declaring surplus a capital item that will be sold via online auction.  
Sponsor: Mayor/Finance
4. A memorandum dated April 26, 2012, declaring surplus on a capital item that will be sold via an online auction.  
Sponsor: Mayor/Finance
5. Report of Requests for Quotes for Fuel dated: April 4, 2012; #2 Dyed Diesel; 1,000 gallons; Midway Service (\$3.4775); Howes Oil (\$3.5225); Midwest Oil (\$3.5790). Bid awarded to: Midway Service.  
Sponsor: Mayor/Public Works
6. Report of Requests for Quotes for Fuel dated: April 18, 2012; Unleaded Ethanol; 4,500 gallons; Howes Oil (\$3.2135); Harms Oil (\$3.2300); CHS, Inc. (\$3.3200); Olson Oil - no bid. Bid awarded to: Howes Oil.  
Sponsor: Mayor/Public Works
7. A communication was received from the Sioux Falls Green Project requesting permission to consume, but not sell beer and wine at the Sioux Falls Design Center, 108 W. 11th Street, on Friday, May 4, 2012, from 6:00 p.m. to 9:00 p.m. for the grand opening of the Sioux Falls Design Center.  
Sponsor: SDCL 35-1-5.3
8. A communication was received from Kari Skillman requesting permission to consume, but not sell beer, wine and liquor at the Sioux Falls Coliseum, 515 N. Main Avenue, on Friday, June 1, 2012, from 8:00 p.m. to 11:55 p.m. for the purpose of a wedding reception.  
Sponsor: SDCL 35-1-5.3
9. A communication was received from Lisa Birger requesting permission to consume, but not sell, wine at the Old Courthouse Museum, 200 West Sixth Street, on Friday, June 1, 2012, from 5:30 p.m. to 7:00 p.m. for the purpose of a wedding ceremony.  
Sponsor: SDCL 35-1-5.3
10. A communication was received from Danielle Rangel requesting permission to consume, but not sell liquor, wine and/or malt beverages at the Old Courthouse Museum, 200 West Sixth Street, on Saturday, May 25, 2013, from 5:00 p.m. to 11:59 p.m. for the purpose of a wedding reception.

Sponsor: SDCL 35-1-5.3

11. A communication was received from the Siouxland Heritage Museums Alliance, stating its intent to sell raffle tickets from May 15, 2012, to June 14, 2012, for ten 8-10 pound pork loins (valued at \$20.00 each). Tickets will be sold for \$1.00 each. The proceeds will be used to support the educational programs of the Siouxland Heritage Museums.

Sponsor: SDCL 22-25-25

12. A communication was received from the Sanford Health Foundation, stating its intent to sell raffle tickets from May 15, 2012, to July 31, 2012. The tickets will be sold for one for \$5.00 or five for \$20.00 for the following prizes: Black Hills Retreat (valued at \$2,500.00); Massage Package (valued at \$1,000.00); Minnesota Vikings Package (valued at \$800.00); Flat Screen TV (valued at \$750.00); and an iPad 3 (valued at \$700.00). Tickets will be sold for one for \$20.00 or six for \$100.00 for the following prizes:

Jewelry Gift Certificate (valued at \$10,000.00); Maui Trip (valued at \$5,600.00); Napa Valley Trip (valued at \$5,000.00); Disney World Trip (valued at \$4,000.00); Willow Run Golf Package (valued at \$4,000.00); Sutton Bay Golf Package (valued at \$3,500.00); and a Judith Leiber Purse (valued at valued at \$3,200.00). The proceeds will be used to support the Sanford Children s Endowment Fund.

Sponsor: SDCL 22-25-25

13. A communication was received from the Children s Home Society, stating its intent to sell raffle tickets from May 28, 2012, to September 1, 2012, for the following prizes: a Toyota Camry SE (valued at \$24,425.00); a Gas Card/ Gift Card (valued at \$500.00) and a cash prize of \$250.00. Tickets will be sold for \$100.00 each. The proceeds will be used to support programs and services that the Children s Home Society provides to children.

Sponsor: SDCL 22-25-25

#### APPLICATIONS

14. Special One-Day Liquor License for Hy-Vee Inc., All Occasions by Hy-Vee, to be operated at the Great Plains Zoo and Delbridge Museum, 805 S. Kiwanis Avenue, for special events on September 15, 2012 and May 3, 2013.

Sponsor: Mayor/Attorney

15. Special One-Day Malt Beverage and Wine Licenses for Hy-Vee Inc., All Occasions by Hy-Vee, to be operated at the Great Plains Zoo and Delbridge Museum, 805 S. Kiwanis Avenue, for special events on May 31, 2012 and September 22, 2012.

Sponsor: Mayor/Attorney

16. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s, to be operated at the Old Courthouse Museum, 200 West Sixth Street for a runway show on May 4, 2012.

Sponsor: Mayor/Attorney

17. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sisters of the Presentation of the Blessed Virgin Mary to be operated at Falls Park, Falls Park Drive, for the Cinco de Mayo Celebration, on May 5, 2012.

Sponsor: Mayor/Attorney

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:

18. Ronald Willis, Parcel 62949, 4815 S. Plateau Trail, for 2011 property taxes in the amount of \$1,431.69.  
Sponsor: Attorney/SDCL 10-18-1

19. Ryley Noyes, Parcel 52680, 5521 W. 45th Street, for 2011 property taxes in the amount of \$1,431.69.  
Sponsor: Attorney/SDCL 10-18-1

Items 20-22: The amount requested is the difference between the elderly freeze and the non-elderly freeze.

20. Roger Thielsen, Parcel 32124, 3312 N. 8th Avenue, for 2011 property taxes in the amount of \$105.00.  
Sponsor: Attorney/SDCL 10-18-1

21. Viola Campbell, Parcel 46084, 5333 W. Pritchard Drive, for 2011 property taxes in the amount of \$1,043.27.  
Sponsor: Attorney/SDCL 10-18-1

22. Cynthia L. Gerleman, Parcel 49048, 2412 S. Center Avenue, for 2011 property taxes in the amount of \$845.41.  
Sponsor: Attorney/SDCL 10-18-1

Items 23-32: The amount requested was approved as being tax exempt by the Minnehaha County Commissioners during the County Board process.

23. Gloria Dei Lutheran Church, Parcel 84526, Lot 1, Tract 1, Brooks Crossing 2nd addition to the City of Sioux Falls, for 2011 property taxes in the amount of \$87,324.08 and for Parcel 84527, Lot 2, Tract 1 (pond), Brooks Crossing 2nd addition to the City of Sioux Falls, for 2011 property taxes in the amount of \$62.01.  
Sponsor: Attorney/SDCL 10-18-1

24. Empire Baptist Temple, Parcel 27284, N 46' 4 to 6 block 3 Bratrud's First Addn to City of Sioux Falls, for 2011 property taxes in the amount of \$4,536.70.  
Sponsor: Attorney/SDCL 10-18-1

25. Volunteers of America, Dakotas, Parcel 60852, Lot 6A Block 2 Western Valley Addn to City of Sioux Falls, for 2011 property taxes in the amount of \$7,199.55.  
Sponsor: Attorney/SDCL 10-18-1

26. ASI Sioux Falls, Inc. Parcel 65861, (Ex Tr A & Ex Tr B) 4 Block 12 Richmond Estates 4th Addn. to City of Sioux Falls, for 2011 property taxes in the amount of \$6,573.75.  
Sponsor: Attorney/SDCL 10-18-1

27. Augustana College, Parcel 50422, Dennis Sub Blks 9, 10, 23 & 24 16 Block 9 University Addn to City of Sioux Falls for 2011 property taxes in the

amount of \$505.23 and Parcel 50602, S 1/2 6 and all 7 blocks 20 University Addn to City of Sioux Falls, for 2011 property taxes in the amount of \$144.69.

Sponsor: Attorney/SDCL 10-18-1

28. Linda Mickalowski Trust, Parcel 62705, Lot 22 Block 7 Richmond Estates 4th Addn. to City of Sioux Falls, for 2011 property taxes in the amount of \$3,858.66.

Sponsor: Attorney/SDCL 10-18-1

29. Ministerio Internacional Dios Es Amor, Inc., Parcel 24604, 1208 W. Elkhorn Street, for 2011 property taxes in the amount of \$2,094.48.

Sponsor: Attorney/SDCL 10-18-1

30. DakotAbilities, Parcel 34054, 517 S. Spring Avenue, for 2011 property taxes in the amount of \$641.65.

Sponsor: Attorney/SDCL 10-18-1

31. Southeastern Behavioral Healthcare, Parcel 38872, 2204 E. 11th Street, for 2011 property taxes in the amount of \$2,421.11.

Sponsor: Attorney/SDCL 10-18-1

32. Special Olympics South Dakota Inc., Parcel 84861, 800 E. I-90 Ln, for 2011 property taxes in the amount of \$1,257.56.

Sponsor: Attorney/SDCL 10-18-1

The following abatements were recommended for approval by the Director of Equalization and the State's Attorney's Office for Lincoln County; and the City Attorney for Sioux Falls:

33. Edges LLC, Parcel 281.36.00.100, SF-The Edges Addn Tract 1 \*Except part sold\* for 2011 property taxes in the amount of \$483.84.

Sponsor: Attorney/SDCL 10-18-1

34. Edges LLC, Parcel 281.36.00.200, SF-The Edges Addn Tract 2, for 2011 property taxes in the amount of \$500.46.

Sponsor: Attorney/SDCL 10-18-1

35. Edges LLC, Parcel 281.36.01.004, SF-The Edges Addn Lot 4-Blk 1, for 2011 property taxes in the amount of \$55.78.

Sponsor: Attorney/SDCL 10-18-1

36. Edges LLC, Parcel 281.36.01.005, SF-The Edges Addn Lot 5-Blk 1, for 2011 property taxes in the amount of \$1,287.56.

Sponsor: Attorney/SDCL 10-18-1

37. Edges LLC, Parcel 280.58.06.001, SF-Interstate Crossing Business Park Addn Lot 1-Blk 6, for 2011 property taxes in the amount of \$173.10.

Sponsor: Attorney/SDCL 10-18-1

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, May 15, 2012, at 7:00 p.m. for Items 38 through 43:

38. New 2012 Retail Wine License for JLB-SF, Inc, JL Beers, to be operated at 323 South Phillips Avenue, Main Floor, Suite A, with the Conditional Use Permit (2011-10-02) being approved on 11-02-11.  
Sponsor: Mayor/Attorney
39. New 2012 Retail Wine License for Zing, Inc., Zing, to be operated at 524 North Main Avenue, Suite 110, with the Conditional Use Permit (2012-03-11) being approved on 04-04-12.  
Sponsor: Mayor/Attorney
40. Special One-Day Wine License requests for Downtown Farmers Market, Inc., to be held at Falls Park Picnic Pavillion, 900 North Phillips Avenue, for the Centennial Picnic on August 7, 2012.  
Sponsor: Mayor/Attorney
41. Special One-Day Malt Beverage and Special One-Day Wine Licenses for South Dakota Achieve to be operated at South Dakota Achieve, 4100 South Western Avenue, for a public awareness event on September 11, 2012.  
Sponsor: Mayor/Attorney
42. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls to be operated at Big Sioux River Greenway between 6th & 8th (Cherapa) Amphitheatre, for a Greenway Grand Opening on June 8, 2012.  
Sponsor: Mayor/Attorney
43. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Augustana College to be operated at the Sanford Center, 2301 East 60th Street North, for a scholarship fundraiser on July 22, 2012.  
Sponsor: Mayor/Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

PETITIONS

44. APPEAL OF CONDITIONAL USE PERMIT (2012-08-04) in the RD, Residential District to construct four-unit residential buildings at 6808 and 6816 S. Witzke Avenue. (Legal Description: Lots 8 & 9, Block 21, Platinum Valley Addition). (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

#### UNFINISHED BUSINESS

45. 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

46. 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

47. 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

#### INTRODUCTION AND ADOPTION OF ORDINANCES

48. 2nd 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

49. 2nd 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

50. 2nd 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

Set a date of hearing and 2nd Reading for Monday, May 21, at 5:30 p.m. at the Joint City Council/Minnehaha County Commission Meeting for Item 51:

51. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING APPENDIX C OF THE CODE OF ORDINANCES OF SAID CITY BY REZONING PROPERTY AT 9101 E. 10TH FROM THE RC, RECREATION/CONSERVATION DISTRICT TO THE RR, RURAL RESIDENTIAL DISTRICT. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

#### HEARINGS AND RESOLUTIONS

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

Sponsor: Mayor

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)

53. REPORT OF THE APRIL 20, 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: 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 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.