

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Tuesday, July 17, 2012 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Greg Jamison  
Council Member Dean Karsky  
Council Member Rex Rolfing  
Council Member Kermit L. Staggers

Council Member Sue Aguilar

Council Member Kenny Anderson Jr.

Council Member Jim Entenman

Council Member Michelle Erpenbach  
Mayor Mike T. Huether

INVOCATION

&#9679; Pastor Kirk Flaa, Abiding Savior Lutheran Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

&#9679; Cancer Prevention Month, August 2012

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Tuesday, July 10, 2012, at 4:00 p.m.

&#9679; City Council Meeting of Tuesday, July 10, 2012, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on July 12, 2012 memo.  
Sponsor: Mayor/Finance
2. Notice of change orders on July 12, 2012 memo.  
Sponsor: Mayor/Finance
3. Report of Request for Quotes for Fuel: July 9, 2012; Unleaded Ethanol, 8500 Gallons; CHS, Inc. (\$3.0750); Harms Oil, Howes Oil, and Olson Oil, all no bids. Bid awarded to: CHS, Inc.  
Sponsor: Mayor/Public Works
4. A communication was received from Junior Achievement of South Dakota stating their intent to sell raffle tickets from September 27, 2012 until the spring of 2013 for a prize of half the value of the 50/50 drawing. Tickets will be sold for \$1.00 per ticket, \$5.00 for tickets held the length of nose to waist, or \$10.00 for tickets held the length of nose to toes. The proceeds will go toward the Junior Achievement Programming in Sioux Falls for the 2013/2014 School Year.  
Sponsor: Sponsor: SDCL 22-25-25
5. An amended communication was received from Diane Andresen, Sioux Falls Development Foundation, requesting permission to consume, but not sell, beer and wine at the Avera Prairie Center, 1000 East 23rd Street, on Tuesday, July 31, 2012 from 3:00 p.m. to 6:00 p.m. for the Sioux Falls Development Foundation 2012 Membership Drive Wrap-Up (previously approved for July 10, 2012, at the City Council Meeting of 07/10/12).  
Sponsor: SDCL 35-1-5.3
6. A communication was received from Vince Vongkhamchanh and Phuong Anh Nguyen requesting permission to consume, but not sell, liquor, wine, and malt beverage at the Multi-Cultural Center of Sioux Falls, 515 North Main Avenue, on Saturday, September 29, 2012 from 3:00 p.m. to 1:00 a.m., for a wedding reception.  
Sponsor: SDCL 35-1-5.3
7. A communication was received from Roger Oleson requesting permission to consume, but not sell, malt beverage and/or wine, at the Old Courthouse Museum, 200 West Sixth Street, on Saturday, September 29, 2012 from 4:00 p.m. to 12:00 p.m. for a wedding reception.  
Sponsor: SDCL 35-1-5.3

#### APPLICATIONS

8. Renewal of the 2012-2013 Retail Malt Beverage for Big 19 Inc., Stubbies Bar & Grill to be operated at 5024 South Cliff Avenue.  
Sponsor: Mayor/Attorney
9. Special One-Day Liquor License for the Sioux Falls Men s Slow-Pitch Softball Association to be operated at Harmodon Park East, 5721 East 41st Street, for a National Men s Slow-Pitch Softball Tournament on September 1-2, 2012.

Sponsor: Mayor/Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

10. Transfer of a 2012 Retail Liquor License from Soft Egg Inc., Whisk & Chop, 108 South Minnesota Avenue, to Porter Apple Company B Inc., Applebee s Neighborhood Grill & Bar, to be operated at 108 South Minnesota Avenue, including Sunday Sales (full service restaurant; CUP not required).  
Sponsor: Mayor/City Attorney
11. Transfer of a 2011-2012 Retail Malt Beverage/South Dakota Farm Winery License from LIDA Investment Corp., Easy Dough Casino, 2309 West 12th Street, to LIDA Investment Corp., Easy Dough Casino, 2309 West 12th Street, including video lottery terminals (with the Conditional Use Permit (2012-05-11) being approved on June 6, 2012).  
Sponsor: Mayor/City Attorney
12. Renewal of the 2012-2013 Retail Malt Beverage/South Dakota Farm Winery License for LIDA Investment Corp., Easy Dough Casino, to be operated at 2309 West 12th Street, including video lottery terminals (with the Conditional Use Permit (2012-05-11) being approved on June 6, 2012).  
Sponsor: Mayor/City Attorney
13. Renewal of the 2012-2013 Retail Malt Beverage for Royal Palace Inc., Royal Palace to be operated at 5015 South Louise Avenue.  
Sponsor: Mayor/City Attorney
14. Special One-Day Wine License for Avera Mckennan Hospital and University Health Center, to be held at the Avera Prairie Center, 1000 East 23rd Street, for a Rock Garden Tour fundraiser on July 19, 2012.  
Sponsor: Mayor/City Attorney
15. Special One-Day Liquor Licenses for Hy-Vee Inc., All Occasions by Hy-Vee, to be operated at the Point is to Serve Church, 506 North Kiwanis Avenue, for weddings on August 11, 2012 and May 18, 2013.  
Sponsor: Mayor/City Attorney
16. Special One-Day Beer and Wine Licenses for Sanford Health to be operated at the Sanford Center Great Lawn, 2301 East 60th Street North, for an Employee Appreciation Event on August 3, 2012.  
Sponsor: Mayor/City Attorney

17. 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 South Kiwanis Avenue, for a Zoo fundraiser on August 9, 2012.  
Sponsor: Mayor/City Attorney
  
18. Special One-Day Liquor License for Avera McKennan Hospital and University Health Center, to be held at the Avera Prairie Center, 1000 East 23rd Street, for an Oncology Symposium Social on September 21, 2012.  
Sponsor: Mayor/City Attorney

INTRODUCTION AND ADOPTION OF ORDINANCES

19. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY TO ESTABLISH SINGLE-STREAM RECYCLING.  
Sponsor: Mayor/Public Works
  
20. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING SECTION 26-18 OF THE REVISED ORDINANCES OF THE CITY BY BRINGING THE PENALTY SECTION INTO COMPLIANCE WITH STATE LAW LIMITATIONS PLACED ON CITY ORDINANCE PENALTIES.  
Sponsor: Mayor/Police

Set a date of hearing and 2nd Reading for Tuesday, August 7, 2012, at 7:00 p.m. on Item 21:

21. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING CHAPTER 12 1/2, CONFLICTS OF INTEREST OF OFFICERS AND EMPLOYEES AND ETHICS BOARD.  
Sponsor: City Council/Attorney

Set a date of hearing and 2nd Reading for Tuesday, August 7, 2012, at 7:00 p.m. on Item 22:

22. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REPEALING SUBSECTION 4 OF CHAPTER 15.59.306 OF APPENDIX B OF THE ZONING ORDINANCE OF SAID CITY. (Planning Commission recommends approval.)  
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, August 7, 2012, at 7:00 p.m. on Item 23:

23. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. SOUTHEASTERN AVE. AND E. STONEY BROOK TRL. FROM THE RS-2, RESIDENTIAL DISTRICT TO THE RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2012-05-20, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (Planning Commission recommends approval.)  
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, August 7, 2012, at 7:00 p.m. on Item 24:

24. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 105 S. BLAUVELT AVE. FROM THE C-2, GENERAL COMMERCIAL DISTRICT TO THE RD, RESIDENTIAL DISTRICT, PETITION NO. 2012-05-21, AND AMENDING THE

OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

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

25. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 5204 AND 5208 S. LOOP PL. FROM THE C-4, PLANNED COMMERCIAL DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2012-06-05, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

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

26. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 2003 N. WAYLAND AVE. FROM THE I-1, LIGHT INDUSTRIAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2012-06-07, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

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

27. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. 69TH ST. AND S. LOUISE AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE AVERA PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2012-06-10, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

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

28. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2012-05-23, TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT E. SIXTH ST. AND N. POWDER HOUSE RD. (SD HWY. 100) ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA REGULATIONS, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

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

29. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT SOUTHWEST CORNER OF W. SECOND ST. AND N. KIWANIS AVE. FROM THE O, OFFICE DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2012-06-03, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

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

30. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 226 W. 41ST ST. AND 233 AND 229 W. 40TH ST. FROM THE RD, RESIDENTIAL

DISTRICT TO THE C-2, GENERAL COMMERCIAL DISTRICT, PETITION NO. 2012-06-08, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (Planning Commission recommends approval.)  
Sponsor: Mayor/Planning and Building Services

#### HEARINGS AND RESOLUTIONS

31. DEFERRED (from the meeting of 06/19/12): A RESOLUTION DECLARING CITY SUPPORT FOR THE ADOPTION OF THE LINCOLN COUNTY AND MINNEHAHA COUNTY MULTI-HAZARD PRE-DISASTER MITIGATION PLAN 2011 UPDATE.  
Sponsor: Mayor/Fire Rescue
32. A RESOLUTION DECLARING IT NECESSARY TO LEVY AND LEVYING A FRONTAGE ASSESSMENT AGAINST THE LOTS, TRACTS, AND PARCELS OF LAND FRONTING AND ABUTTING UPON 21ST ST. FROM PHILLIPS AVE. TO SEVENTH AVE. IN THE CITY OF SIOUX FALLS FOR THE PURPOSE OF MAINTAINING, PLANTING, AND OTHERWISE IMPROVING AND CARING FOR THE CENTER PARKWAYS AND BOULEVARD THEREON.  
Sponsor: Mayor/Parks and Recreation
33. A RESOLUTION SUPPORTING THE CANDIDACY OF MICHAEL M. HALL FOR A POSITION ON THE BOARD OF DIRECTORS OF THE SOUTH DAKOTA PUBLIC ASSURANCE ALLIANCE (SDPAA).  
Sponsor: Mayor/Central Services

#### 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.