

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Tuesday, August 21, 2012 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Kermit L. Staggers

Council Member Sue Aguilar

Council Member Kenny Anderson Jr.

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; City Council Meeting of Tuesday, August 14, 2012, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on August 16, 2012 memo.  
Sponsor: Mayor/Finance
2. Notice of change orders on August 16, 2012 memo.  
Sponsor: Mayor/Finance

3. Report of Request for Quotes for Fuel: August 8, 2012; #2 Dyed Diesel Fuel, 7500 Gallons; CHS Inc. (\$3.3450); Harms Oil, Howes Oil, Midwest Oil, and Olson Oil, all no bids. Bid awarded to: CHS Inc.  
Sponsor: Mayor/Public Works
4. A memorandum dated August 14, 2012, declaring surplus a capital item that will be disposed of as junk.  
Sponsor: Mayor/Finance
5. A communication was received from the Home Builders Association of the Sioux Empire stating their intent to sell raffle tickets on October 25, 2012 for a prize of half the value of the 50/50 raffle. Tickets will be sold for \$5.00 for one ticket, \$10.00 for three tickets, or \$20.00 for the length of wingspan. The proceeds will go to support the educational and charitable activities of the Home Builders Association of the Sioux Empire.  
Sponsor: SDCL 22-25-25
6. A communication was received from St. Therese Parish stating their intent to sell raffle tickets from September 8-30, 2012, with a letter being mailed to the parishioners on August 15, 2012 for a prize of a 32" Vizio HDTV valued at \$279.00; a Kindle Fire valued at \$199.00; Walmart Gift Card for \$100.00; and Spezia/Bracco Gift Card valued at \$100.00. Tickets will be sold for \$1.00 per ticket or \$10.00 for 12 tickets. The proceeds will go toward Youth Ministry Programs and St. Therese s operating fund.  
Sponsor: SDCL 22-25-25
7. A communication was received from the South Dakota Interior Designers Group requesting permission to consume, but not sell, malt beverage and/or wine, at the Sioux Falls Design Center, 108 West 11th Street, on Tuesday, August 28, 2012 from 6:00 p.m. to 9:00 p.m. for a special event.  
Sponsor: SDCL 35-1-5.3

#### APPLICATIONS

8. Special One-Day Liquor License request for SMG to be operated at the Orpheum Theater, 315 North Phillips Avenue, for a Juke Box Zeroes concert on September 8, 2012.  
Sponsor: Mayor/City Attorney
9. Special One-Day Wine License request for Dakota Golf Management Inc., to be operated at Elmwood Golf Course, 2604 West Russell Avenue, for a Golf Banquet on September 16, 2012.  
Sponsor: Mayor/City Attorney
10. Special One-Day Liquor License request for Great Bear Recreation Park Inc., Great Bear Recreation Park, to be operated at 5901 East Rice Street, for a wedding reception on September 28, 2012.  
Sponsor: Mayor/City Attorney
11. Special One-Day Liquor License request for Prairie Pasta Inc., d/b/ a Carino s Italian, to be operated at the Old Courthouse Museum, 200 West

6th Street, for a wedding reception on October 13, 2012.  
Sponsor: Mayor/City Attorney

12. Special One-Day Liquor License requests for Washington Pavilion Management Inc., to be operated at Washington Pavilion of Arts & Science, 301 South Main Avenue, for a Washington High School Class of '62 Reunion on September 8, 2012, and wedding receptions on October 12th and 13th, 2012 and a RASE Realtors for Kids Auction on October 25th, 2012.  
Sponsor: Mayor/City Attorney

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, September 4, 2012, at 7:00 p.m. for Items 13 through 22:

13. Transfer of a 2012 Retail Liquor License from Dakota Billiards Inc, Bigs Sports Bar & Casino, 3100 West 12th Street, to D & K Enterprises, LLC, Bigs Sports Bar & Billiards, 3100 West 12th Street, with Conditional Use Permit (2012-07-02) being approved on August 1, 2012.  
Sponsor: Mayor/City Attorney
14. New 2012 Retail Wine License for WR Golf Management Inc., Willow Run Golf Course, 8000 East Highway 42 (CUP not required; this is addition to an existing license which predates the ordinance).  
Sponsor: Mayor/City Attorney
15. New 2012-13 Retail Malt Beverage License for Sid's Crown Liquor, LLC, Sid's Crown Liquor, 330 South 1st Avenue with the Conditional Use Permit (2012-07-03) being approved on 08-01-12.  
Sponsor: Mayor/City Attorney
16. New 2012 Retail Wine License for Sid's Crown Liquor, LLC, Sid's Crown Liquor, 330 South 1st Avenue with the Conditional Use Permit (2012-07-03) being approved on 08-01-12.  
Sponsor: Mayor/City Attorney
17. New 2012-13 Retail Malt Beverage License for Starz, LLC, Starz, 2209 West 57th Street, with the Conditional Use Permit (2012-07-06) being approved on August 1, 2012.  
Sponsor: Mayor/City Attorney
18. New 2012 Retail Wine License for Starz, LLC, Starz, 2209 West 57th Street, with the Conditional Use Permit (2012-07-06) being approved on August 1, 2012.  
Sponsor: Mayor/City Attorney
19. New 2012-13 Package Malt Beverage for B&D Group Investments LLC, Nutty's Pub & Casino, 3400 West 49th Street (CUP not required; this is an addition to an existing license which predates the ordinance).  
Sponsor: Mayor/City Attorney

20. New 2012 Retail Wine License for B&D Group Investments LLC, Nutty s Pub & Casino, 3400 West 49th Street (CUP not required; this is an addition to an existing license which predates the ordinance).  
Sponsor: Mayor/City Attorney
21. New 2012-13 Package Malt Beverage License for Hy-Vee, Inc., Hy-Vee Gas #4, 5201 West 26th Street with Conditional Use Permit (2012-04-01) being approved on May 2, 2012.  
Sponsor: Mayor/City Attorney
22. 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 September 25, 2012.  
Sponsor: Mayor/City Attorney

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

#### PUBLIC INPUT

#### UNFINISHED BUSINESS

23. Transfer of a 2011-2012 Retail Wine License from Tokyo Sushi and Hibachi LLC, Tokyo Sushi and Hibachi, 3202 East 10th Street, to B&S Japanese Steakhouse, LLC, Tokyo Sushi and Hibachi, 3202 East 10th Street, (full service restaurant; CUP not required).  
Sponsor: Mayor/City Attorney
24. Transfer of a 2011-2012 Retail Malt Beverage License from Tokyo Sushi and Hibachi LLC, Tokyo Sushi and Hibachi, 3202 East 10th Street, to B&S Japanese Steakhouse, LLC, Tokyo Sushi and Hibachi, 3202 East 10th Street, (full service restaurant; CUP not required).  
Sponsor: Mayor/City Attorney
25. Renewal of the 2012-2013 Retail Malt Beverage for B&S Japanese Steakhouse, LLC, Tokyo Sushi and Hibachi, 3202 East 10th Street, (full service restaurant; CUP not required).  
Sponsor: Mayor/City Attorney
26. New 2012 Retail Wine License for Olive Destination, Inc., Olive Destination, to be operated at 5023 South Louise Avenue, with the special use permit (2012-06-16) being approved on July 18, 2012.  
Sponsor: Mayor/City Attorney
27. Special One-Day Liquor License for Southeastern Behavioral Healthcare to be operated at the Avera Prairie Center, 1000 East 23rd Street, for the

Festival of Trees on November 16, 2012.  
Sponsor: Mayor/City Attorney

28. Special One-day Beer and Special One-day Wine Licenses for Avera McKennan Foundation to be operated at Perspective, 196 East 6th Street, for the Paint the Night Pink fundraiser event on October 19, 2012.  
Sponsor: Mayor/City Attorney
29. Special One-Day Liquor License for Hy-Vee Inc., All Occasions by Hy-Vee, to be operated at the Point is to Serve Church, 506 North Kiwanis Avenue, for a wedding on September 29, 2012.  
Sponsor: Mayor/City Attorney
30. Special One-Day Liquor Licenses 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 weddings on June 1, 2013 and September 28, 2013.  
Sponsor: Mayor/City Attorney

#### INTRODUCTION AND ADOPTION OF ORDINANCES

31. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING SECTION 2-5 REGARDING INFORMATIONAL MEETINGS AND WORKING SESSIONS OF THE CITY COUNCIL.  
Sponsor: City Council
32. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING CHAPTER 40 TO RESTRICT THE USE OF WIRELESS COMMUNICATION DEVICES AND AMENDING THE ESTABLISHMENT OF SPEED ZONES.  
Sponsor: City Council

Set a date of hearing and 2nd Reading for Tuesday, September 4, 2012, at 7:00 p.m. on Item 33:

33. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS TO PERFORM MARKETING SERVICES FOR THE NEW EVENTS CENTER AND THE SIOUX FALLS ARENA AND CONVENTION CENTER.  
Sponsor: Mayor/Community Development

Set a date of hearing and 2nd Reading for Tuesday, September 4, 2012, at 7:00 p.m. on Item 34:

34. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 18TH ST. AND 22ND ST., BETWEEN MENLO AVE. AND PRAIRIE AVE., FROM THE RS-2 AND RD, RESIDENTIAL DISTRICTS TO THE SANFORD USD MEDICAL CENTER PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2012-06-17, 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, September 4, 2012, at 7:00 p.m. on Item 35:

35. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2012-07-08, TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT W. 58TH ST. AND S. ROLLING GREEN AVE. 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, September 4, 2012, at 7:00 p.m. on Item 36:

36. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING ARTICLE II OF CHAPTER 23 AND ARTICLE VII OF CHAPTER 26 OF THE REVISED ORDINANCES OF SIOUX FALLS, SD.  
Sponsor: Mayor/Police

#### HEARINGS AND RESOLUTIONS

37. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND SANFORD HEALTH AND UNITED NATIONAL CORPORATION FOR THE TITLE SPONSORSHIP OF THE EVENTS CENTER AND THE EVENTS CENTER COMPLEX.  
Sponsor: Mayor/Community Development

#### 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](http://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.