

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Tuesday, February 19, 2013 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Dean Karsky  
Council Member Rex Roling  
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  
Mayor Mike T. Huether

INVOCATION

&#9679; Father Steven Jones, Christ the King Catholic Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Wednesday, February 13, 2013, at 4:00 p.m.

&#9679; City Council Meeting of Wednesday, February 13, 2013, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on February 14, 2013 memo.  
Sponsor: Mayor/Finance
2. Notice of change orders on February 14, 2013 memo.

Sponsor: Mayor/Finance

3. Report of Request for Quotes for Fuel: February 6, 2013; Winter Mix 50/50 #1 & #2 Dyed Diesel; 350 Gallons; Midway Service (\$3.53); Howes Oil (\$3.619); Tammen Oil, no bid. Bid awarded to: Midway Service.  
Sponsor: Mayor/Parks and Recreation
4. Report of Request for Quotes for Fuel: February 11, 2013; #1 & #2 Dyed Diesel Fuel; 6000 Gallons #1 & 9000 Gallons #2; Howes Oil (#1, \$3.5340/#2, \$3.3935) Harms Oil (#1, \$3.5520/#2, \$3.4160); CHS Inc. (#1, \$3.5700/#2, \$3.4100); Midwest Oil and Olson Oil, no bids. Bid awarded to: Howes Oil.  
Sponsor: Mayor/Public Works
5. Report of Request for Quotes for Fuel: February 11, 2013; Unleaded Ethanol; 8500 Gallons; Harms Oil (\$3.2480); Howes Oil (\$3.2505); CHS, Inc. (\$3.2770); Olson Oil, no bid. Bid awarded to: Harms Oil.  
Sponsor: Mayor/Public Works
6. Report of Request for Quotes for Fuel: February 13, 2013; #2 Clear Diesel, 7500 Gallons; CHS, Inc. (\$3.65); Harms Oil (\$3.627); Howes Oil and Midwest Oil, no bids. Bid awarded to: Harms Oil.  
Sponsor: Mayor/Sioux Area Metro
7. A communication was received from AIGA South Dakota (American Institute of Graphic Arts) requesting permission to consume, but not sell, wine and beer at the Sioux Falls Design Center, 108 West 11th Street, on May 3, 2013, from 6:00 p.m. to 9:00 p.m. for the a gallery opening/reception showcasing South Dakota designers and artists' work.  
Sponsor: Sponsor: SDCL 35-1-5.3

#### APPLICATIONS

8. Special One-Day Off-Sale Package Wine Dealer License for the El Riad Shriners to be operated at the El Riad Mosque, 510 South Phillips Avenue, for the 1st Annual Wine Moonshine & Beer Tasting Event on March 9, 2013.  
Sponsor: Mayor/City Attorney
9. Special One-Day Malt Beverage License requests for the Multi-Cultural Center of Sioux Falls to be operated at the Coliseum, 515 North Main Avenue, for RollerDollz performances to be held on March 2, April 6, April 27, September 28, October 19 and November 19, 2013.  
Sponsor: Mayor/City Attorney

The following abatement was 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:

10. Brad and Kathleen Baloun, Parcel 280.98.00.600, Tract 6, Diamond Valley Addition to City of Sioux Falls, Lincoln County, for 2011 property taxes in the amount of \$7,965.12. This tract was platted and the value did not

change.

Sponsor: SDCL 10-18-1

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, March 5, 2013 at 7:00 p.m. on Items 11 through 15:

11. New 2013 Package Liquor License for Luciano s North LTD, Luciano s North to be operated at 431 North Phillips Avenue (CUP not required; this is an addition to an existing license).  
Sponsor: Mayor/City Attorney
12. Transfer of a 2013 Retail Wine License from B&S Japanese Steakhouse, LLC, Tokyo Sushi and Hibachi, 3202 East 10th Street to Tokyo Sushi and Hibachi Steakhouse LLC, Tokyo Sushi and Hibachi Steakhouse, 3202 East 10th Street (full service restaurant; CUP not required).  
Sponsor: Mayor/City Attorney
13. Transfer of a 2012-2013 Retail Malt Beverage License from B&S Japanese Steakhouse, LLC, Tokyo Sushi and Hibachi, 3202 East 10th Street to Tokyo Sushi and Hibachi Steakhouse LLC, Tokyo Sushi and Hibachi Steakhouse, 3202 East 10th Street (full service restaurant; CUP not required).  
Sponsor: Mayor/City Attorney
14. Special One-Day Liquor License request for the Avera McKennan Foundation to be operated at the Avera Prairie Center, 1000 East 23rd Street, for The Big Grape fundraiser on April 12, 2013.  
Sponsor: Mayor/City Attorney
15. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Sioux Falls Area Community Foundation to be operated at CNA Surety, 101 South Reid Street, Suite 300, for a fundraiser on May 2, 2013.  
Sponsor: Mayor/City Attorney

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

#### PUBLIC INPUT

#### UNFINISHED BUSINESS

16. New 2012-2013 Retail Malt Beverage License for Paul Saxton, Bogtrotters Pub, Grub & Tap to be operated at 201 East 11th Street with the Conditional Use Permit (2012-11-15) being approved on January 9, 2013. Pending final inspections by Fire, Health and Building Services.  
Sponsor: Mayor/City Attorney

17. New 2013 Retail Wine License for Dollar Bill s Casino Inc., Dollar Bill s Casino to be operated at 4920 North Cliff Avenue with Conditional Use Permit (96-10-4) being approved on November 18, 1996.  
Sponsor: Mayor/City Attorney
18. Transfer of 2012-2013 Retail Malt Beverage License from Lucky Buck s Casino Inc., Lucky Buck s Casino to MG Oil Company, Happy Jacks Sioux Falls III to be operated at 3705 South Western Avenue (CUP not required; this is an existing license which predates the ordinance).  
Sponsor: Mayor/City Attorney
19. Transfer of 2013 Package Liquor License from Runco, Amoco Food Shop to JKB Enterprises LLC, J&K Kwik Stop to be operated at 1200 East 10th Street (CUP not required).  
Sponsor: Mayor/City Attorney
20. Transfer of 2013 Retail Liquor License from Cash Inn on Benson Inc., Cash Inn II, to Brett Erickson, Happy Jacks Sioux Falls IV to be operated at 1211 East Benson Road with Conditional Use Permit (2006-01-13) being approved on February 1, 2006.  
Sponsor: Mayor/City Attorney
21. Special One-Day Wine License request from Good Shepherd Ministry Center Inc., to be operated at the Avera Prairie Center, 1000 East 23rd Street, for a fundraiser on May 7, 2013.  
Sponsor: Mayor/City Attorney
22. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Sioux Falls Jazz & Blues Society, to be operated at Vern Eide Acura, 4030 South Grange Avenue, for a fundraiser on June 20, 2013.  
Sponsor: Mayor/City Attorney
23. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Sioux Falls Jazz & Blues Society, to be operated at Yankton Trail Park, 3901 South Minnesota Avenue, for the Jazz Fest on July 18-20, 2013.  
Sponsor: Mayor/City Attorney

#### INTRODUCTION AND ADOPTION OF ORDINANCES

24. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING SECTION 32.022 OF CHAPTER 32, CITY ORGANIZATIONS, TO REFLECT UPDATED TITLE OF INTERNAL AUDIT MANAGER.  
Sponsor: City Council

Set a date of hearing and 2nd Reading for Tuesday, March 5, 2013 at 7:00 p.m. on Item 25:

25. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING

SUPPLEMENTAL APPROPRIATIONS. (Parks/Recreation \$39,518)  
Sponsor: Mayor/Finance

Set a date of hearing and 2nd Reading for Tuesday, March 5, 2013 at 7:00 p.m.  
on Item 26:

26. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE  
CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 53 PUBLICLY OWNED  
TREATMENT WORKS SECTION 53.023 REGULATION OF USE OF PUBLIC SEWERS.  
Sponsor: Mayor/Public Works/Engineering

Set a date of hearing and 2nd Reading for Tuesday, March 5, 2013 at 7:00 p.m.  
on Item 27:

27. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR  
AMENDMENT, PETITION NO. 2013-01-02, TO SECTION 160.446, PLANNED DEVELOPMENT  
DISTRICTS, AT E. 57TH ST. BETWEEN S. BAHNSON AVE. AND S. GRAYSTONE AVE.  
ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA B  
REGULATIONS AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX  
FALLS.  
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, March 5, 2013 at 7:00 p.m.  
on Item 28:

28. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE  
CODE OF ORDINANCES OF THE CITY BY AMENDING SECTION 157 OF THE SUBDIVISION  
ORDINANCE. Planning Commission recommends approval.  
Sponsor: Mayor/Planning and Building Services

#### HEARINGS AND RESOLUTIONS

29. A RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON W. BROEK DR. FROM W. 32ND  
ST. TO S. KIERRA CT. AS SHOWN ON THE ATTACHED EXHIBIT.  
Sponsor: Mayor/Public Works

30. A RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON THE WEST 20' OF W. BROEK  
DR. ADJACENT TO LOTS 1A THROUGH 6A AND LOT 14A BLOCK 11 AND LOTS 15 AND 16  
BLOCK 12 ALL OF WESTWOOD VALLEY ADDITION AS SHOWN ON ATTACHED EXHIBIT.  
Sponsor: Mayor/Public Works

31. A RESOLUTION ADOPTING THE INTERNAL AUDIT CHARTER FOR THE CITY AS AMENDED.  
Sponsor: City Council

32. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE  
LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. ANNEXATION 2012-12-05 W.  
12TH ST. AND N. ELLIS RD.  
Sponsor: Mayor/Planning and Building Services

33. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.  
Sponsor: Mayor

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 ON TUESDAYS EACH MONTH AT 4:00 P.M. COUNCIL COMMITTEE MEETINGS AIR LIVE THE FIRST, SECOND, AND THIRD 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 FOURTH TUESDAY OF EACH MONTH AT 5:00 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 MEETING S VIDEO ARE POSTED ON THE MEETING MINUTES AND AGENDAS PAGE.

CLOSED CAPTIONING: CITY COUNCIL MEETINGS ARE CLOSE CAPTIONED ON CITYLINK.

CITYLINK REBROADCAST: INFORMATIONAL MEETINGSAT 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.