

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
REGULAR MEETING OF Tuesday, July 2, 2013 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

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

Council Member Kermit L. Staggers

Mayor Mike T. Huether

INVOCATION

&#9679; Dr. Erich McCandless, Empire Baptist Temple

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Tuesday, June 18, 2013, at 4:00 p.m.

&#9679; City Council Meeting of Tuesday, June 18, 2013, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on June 27, 2013 memo.  
Sponsor: Mayor/Finance

2. Notice of change orders on June 27, 2013 memo.

Sponsor: Mayor/Finance

3. Report of Requests for Quotes for Fuel dated: June 13, 2013; Diesel (#1 and #2 blend); 700 gallons; Howes Oil (\$2,321.56); Midway Service (\$2,412.73); Palisades Oil, no bid. Bid awarded to: Howes Oil.

Sponsor: Mayor/Fire Rescue

4. Report of Requests for Quotes for Fuel dated: June 13, 2013; Unleaded; 600 gallons; Howes Oil (\$1,881.60); Midway Service (\$1,929.60); Palisades Oil, no bid. Bid awarded to: Howes Oil.

Sponsor: Mayor/Fire Rescue

5. A communication was received from Alexandra Rose requesting permission to consume, but not sell, liquor, wine and malt beverages at The History Club, 758 S. Phillips Avenue, on Saturday, August 24, 2013, from 4:00 p.m. to 9:00 p.m. for the purpose of a wedding.

Sponsor: SDCL 35-1-5.3

6. A communication was received from Dan Meyer and Amanda Braun requesting permission to consume, but not sell, liquor, wine, and beer at the Old Courthouse Museum, 200 W. Sixth Street, on Friday, October 11, 2013, from 6:00 p.m. to 12:00 a.m. for the purpose of a wedding reception.

Sponsor: Mayor/City Attorney

#### APPLICATIONS

7. Renewal of 2013-14 Retail Malt Beverage License for Isava Inc., Sneaky s Chicken, to be operated at 4211 West 12th Street.

Sponsor: Mayor/City Attorney

8. Special One-Day Liquor License request for TSK LLC, Stogeez, to be operated on Phillips Avenue Between 10th and 11th Streets for the Stogeez Steakout on July 27, 2013.

Sponsor: Mayor/City Attorney

9. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Effayco Inc., Vishnu Bunny Tattoo, to be operated at Falls Park West, Falls Park Drive for the 5K Sioux Glow Run on August 24, 2013.

Sponsor: Mayor/City Attorney

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, July 16, 2013 at 7:00 p.m. for Items 10 through 13:

10. Transfer of 2013 Package Liquor License from WK Suppliers Inc., Wolfies Liquor Spot to JD s Liquor Locker Inc., JD s Liquor Locker to be operated at 4719 East 26th Street (CUP not required).

Sponsor: Mayor/City Attorney

11. Special One-Day Liquor License for Sanford Health to be operated at the Sanford Health Pentagon, 2210 Pentagon Place for a Timberwolves Game on October 10, 2013.

Sponsor: Mayor/City Attorney

12. Special One-Day Liquor License for Sanford Health to be operated at the Sanford Health Pentagon, 2210 Pentagon Place for a Wisconsin NCAA Basketball Game on November 8, 2013.

Sponsor: Mayor/City Attorney

13. Special One-Day Liquor License for Sanford Health to be operated at the Sanford Health Pentagon, 2210 Pentagon Place for the NCAA DII Basketball Tournament November 9-10, 2013.

Sponsor: Mayor/City Attorney

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

#### PUBLIC INPUT

#### UNFINISHED BUSINESS

14. Deferred Action (from the City Council Meetings of June 4 and June 18, 2013). Transfer of 2013 Package Liquor License from Lambo s Inc., Lambo s to Everest Gas and Convenience, LLC, Everest Gas and Convenience, LLC, to be operated at 3501 West 49th Street (CUP not required).

Sponsor: Mayor/City Attorney

15. Renewal of 2013-14 Package Malt Beverage License for OFS Benson Road, LLC, Pump N Pak to be operated at 3700 Potsdam Avenue, Suite 100.

Sponsor: Mayor/City Attorney

16. New 2013-14 Retail Malt Beverage License for Commonwealth Gaming & Holding, Deuces V, to be operated at 4205 South Racket Drive, including video lottery terminals, with the Conditional Use Permit (2013-05-06) being approved on June 5, 2013.

Sponsor: Mayor/City Attorney

17. New 2013 Retail Wine License for Commonwealth Gaming & Holding, Deuces V, to be operated at 4205 South Racket Drive, including video lottery terminals, with the Conditional Use Permit (2013-05-06) being approved on June 5, 2013.

Sponsor: Mayor/City Attorney

18. New 2013-14 Retail Malt Beverage License for Crystal Investment Corp, Black Diamond Casino II, to be operated at 5113 West 41st Street, including video

lottery terminals, with the Conditional Use Permit (2013-05-07) being approved on June 5, 2013.

Sponsor: Mayor/City Attorney

19. New 2013 Retail Wine License for Crystal Investment Corp, Black Diamond Casino II, to be operated at 5113 West 41st Street, including video lottery terminals, with the Conditional Use Permit (2013-05-07) being approved on June 5, 2013.

Sponsor: Mayor/City Attorney

20. New 2013-14 Retail Malt Beverage License for Mikrho Management, Falls Overlook Cafø to be operated at 825 North Weber Avenue.

Sponsor: Mayor/City Attorney

21. New 2013 Retail Wine License for Mikrho Management, Falls Overlook Cafø to be operated at 825 North Weber Avenue.

Sponsor: Mayor/City Attorney

#### INTRODUCTION AND ADOPTION OF ORDINANCES

22. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1-229 AND E. BENSON RD. FROM THE AG, AGRICULTURAL DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2013-04-06 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

23. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. 69TH ST. AND S. BAHNSON AVE. FROM THE S, INSTITUTIONAL, RA-1, RESIDENTIAL AND RC, RECREATION/CONSERVATION DISTRICT TO THE RS-2, RESIDENTIAL, RD, RESIDENTIAL, RA-1, RESIDENTIAL AND RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2013-05-11 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

24. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. 69TH ST. AND S. BAHNSON AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE RS-2, RESIDENTIAL, RD, RESIDENTIAL AND RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2013-05-12 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

25. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 409 S. WILLIAMS AVE. FROM THE RA-1, RESIDENTIAL DISTRICT TO THE C-2, GENERAL COMMERCIAL DISTRICT, PETITION NO. 2013-05-15 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

26. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY

AT W. TEEM DR. AND N. TERIN CIR. FROM THE RC, RECREATION/CONSERVATION DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2013-05-33 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

27. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE NW CORNER OF THE INTERSECTION AT W. 85TH ST. AND S. AUDIE AVE. FROM THE RD, RESIDENTIAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2013-05-34 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

28. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1521 E. 5TH ST. AND 511 N. HIGHLAND AVE. FROM THE RD, RESIDENTIAL DISTRICT TO THE RA-2, RESIDENTIAL DISTRICT, PETITION NO. 2013-05-09 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

29. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF DAKOTA PRAIRIE ADDITION.

Sponsor: Mayor/Planning and Building Services

30. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF QUARRY II ADDITION.

Sponsor: Mayor/Planning and Building Services

31. 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)

32. REPORT OF THE JUNE 25, 2013, NOTICE OF TRANSFER 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 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 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.