

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

REGULAR MEETING OF Monday, February 6, 2012, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rex Roling

Council Member James Entenman

Council Member Sue Aguilar

Council Member Kenny Anderson Jr.

Council Member Vernon Brown

Mayor Mike T. Huether

INVOCATION

Reverend Ryan H. Otto, First Congregational United Church of  
\* Christ

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Rare Disease Day - February 6, 2012  
\*

Congenital Heart Defect Awareness Week  
\*

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean

Karsky, Rex Rolwing, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, 7.  
Noes, 0.

Motion Passed.

#### MINUTES

Informational Meeting of Tuesday, January 17, 2012, at 4:00 p.m.

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City Council Meeting of Tuesday, January 17, 2012, at 7:00 p.m.

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Joint City Council/Lincoln County Commission of Monday, January 23,  
\* 2012, at 7:00 p.m.

Informational Meeting of Monday, January 30, 2012, at 4:00 p.m.

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#### COMMUNICATIONS

1. Approval of Contracts/Agreements on February 1, 2012 memo.

Sponsor: Mayor/Finance

2. Report of Requests for Quotes for Fuel: December 29, 2011;  
Unleaded; 550 gallons; Howe's Oil (\$1,574.37); Midway Service  
(\$1,601.88); Palisades Oil, no bid. Bid awarded to Howe's  
Oil.

Sponsor: Fire Rescue

3. Report of Requests for Quotes for Fuel: December 29, 2011; Diesel  
(#1 and #2 blend); 600 gallons; Howe's Oil (\$1,994.55); Midway Service  
(\$2,024.25); Palisades Oil, no bid. Bid awarded to: Howe's Oil.

Sponsor: Fire Rescue

4. Report of Requests for Quotes for Fuel: January 10, 2012; #2 Clear  
Diesel; 8,500 gallons; Harms Oil (\$3.3426); CHS, Inc., Howes Oil,  
Midwest Oil, all no bids. Bid awarded to: Harms Oil.

Sponsor: Planning and Building Services

5. Report of Requests for Quotes for Fuel: January 10, 2012; Winter  
Mix 50/50 #1 & #2 Dyed Diesel; 300 gallons; Midway Service  
(\$1,011.00); Howes Oil (\$1,040.70); Midwest Oil, no bid. Bid  
awarded to: Midway Service.

Sponsor: Parks and Recreation

6. Report of Requests for Quotes for Fuel: January 10, 2012;  
Diesel (#1 & #2 Blend); 700 gallons; Howe's Oil (\$2,404.50); Midway  
Service (\$2,425.50); Palisades Oil, no bid. Bid awarded to:  
Howe's Oil.

Sponsor: Fire Rescue

7. Report of Requests for Quotes for Fuel: January 12, 2012; Unleaded  
Ethanol; 8,500 gallons; CHS, Inc. (\$2.9030); Howes Oil (\$2.9450); Harms

Oil, Olson Oil, both no bids. Bid awarded to: CHS, Inc.

Sponsor: Public Works

8. Report of Requests for Quotes for Fuel: January 12, 2012; #1 and #2 Dyed Diesel Fuel; 15,000 Gallons (7,500 gallons each #1 & #2); CHS, Inc. (#1 - \$3.3370 / #2 - \$3.1440); Howes Oil (#1 - \$3.4805 / #2 - \$3.1935); Harms Oil, Olson Oil, Midwest Oil, all no bids. Bid awarded to: CHS, Inc.

Sponsor: Planning and Building Services

9. Report of Requests for Quotes for Fuel: January 17, 2012; Winter Mix 50/50 #1 & #2 Dyed Diesel; 400 gallons; Midway Service (\$1,315.20); Howes Oil (\$1,387.60); Midwest Oil (\$1,400.00). Bid awarded to: Midway Service.

Sponsor: Parks and Recreation

10. Report of Requests for Quotes for Fuel: January 18, 2012; #2 Clear Diesel; 7,500 gallons; CHS, Inc. (\$3.314); Harms Oil (\$3.295); Midwest Oil (\$3.43); Howes Oil, no bid. Bid awarded to: Harms Oil.

Sponsor: Planning and Building Services

11. Report of Requests for Quotes for Fuel: January 20, 2012; Unleaded ethanol; 8,500 gallons; Harms Oil (\$2.8614); Howes Oil (\$2.8960); CHS, Inc. (\$2.9120); Olson Oil (\$3.0788). Bid awarded to: Harms Oil.

Sponsor: Public Works

12. Report of Requests for Quotes for Fuel: January 20, 2012; #1 & #2 Dyed Diesel Fuel; 7,500 gallons (3,750 gallons each #1 & #2); Harms Oil (#1 - \$3.2146 / #2 - \$3.0246); Howes Oil (#1 - \$3.2625 / #2 - \$3.0975); CHS, Inc. (#1 - \$3.2700 / #2 - \$3.0900); Olson Oil, Midwest Oil, both no bids. Bid awarded to Harms Oil.

Sponsor: Public Works

13. Report of Requests for Quotes for Fuel: January 24, 2012; #1 & #2 Dyed Diesel Fuel; 15,000 Gallons; (7,500 gallons each #1 & #2); Howes Oil (#1 - \$3.2075 / #2 - \$3.0195); CHS, Inc. (#1 - \$3.2670 / #2 - \$3.0890); Harms Oil (#1 - \$3.2250 / #2 - \$3.0350); Harms Oil (#1 - \$3.2300 / #2 - \$3.040); Harms Oil bid different prices for the 2 different loads. Olson Oil and Midwest Oil, both no bids. Bid Awarded to Howes Oil.

Sponsor: Public Works

14. Report of Requests for Quotes for Fuel: January 24, 2012; Winter Mix 50/50 #1 & #2 Dyed Diesel; 500 gallons; Midway Service (\$1,635.00); Howes Oil (\$1,699.50); Midwest Oil (\$1,715.00). Bid awarded to: Midway Service.

Sponsor: Parks and Recreation

Report of Requests for Quotes for Fuel: January 27, 2012; #1

- & #2 Dyed Diesel Fuel; 7,500Gallons; (3,750gallons each #1 & #2); Harms Oil (#1 - \$3.2530 / #2 - \$3.0770); Howes Oil (#1 - \$3.3250 /#2 - \$3.1420); CHS, Inc. (#1 - \$3.1515/ #2 - \$3.3200);Olson Oiland Midwest Oil, both no bids. Bid Awarded to Harm's Oil.

Sponsor: Mayor/Public Works

- Report of Requests for Quotes for Fuel: January 27, 2012;  
Unleaded Ethanol; 8,500 Gallons;Harms Oil  
16. (\$2.9200);Howes Oil (\$2.9945);CHS, Inc.  
(\$3.0250);Olson Oil,no bid. Bid Awarded  
to: Harm's Oil.

Sponsor: Mayor/Public Works

- Communications were received from the Great Plains Zoo and Delbridge Museum of Natural History requesting permission to consume, but not sell, liquor, wine, and/or malt beverages at the Great Plains Zoo, 805 South Kiwanis Avenue on the dates indicated from 4:00 p.m. - 6:00 p.m. for the purpose of hosting "Drinks with the Dinosaurs". The dates are: Thursday, February 9, 2012; Thursday, February 16, 2012; and Thursday, February 23, 2012.

Sponsor: SDCL 35-1-5.3

- A communication wasreceived from Shellie Reitzelrequesting permission to consume, but not sell, liquor, wine, and malt beverages at the Old Courthouse Museum, 200 West 6th Street,on Saturday, July 28, 2012, from 6:30 p.m. to 12:00 a.m.The purpose is the wedding of Briana Boskey and Chad Frislie.

Sponsor: SDCL 35-1-5.3

- A communication wasreceived from the Museum of Visual Materialsrequesting permission to consume, but not sell, liquorat the Museum of Visual Materials, 500 N. Main Avenue, on Wednesday, March 28, 2012, from 7:00 p.m. to 9:00 p.m. The purpose is an educational event hosted by the Museum of Visual Materials.

Sponsor: SDCL 35-1-5.3

- A communication was received from Cathedral Club 54 stating their intent to sell raffle tickets on Friday, February 10, 2012, for a cash prize of \$26.00. Tickets will be sold for \$1.00 each. The proceeds will be used for the upkeep and preservation of St. Joseph's Cathedral.

Sponsor: SDCL 22-25-25

- A communication was received from Senior Companions of South Dakotastating their intent to sell raffle tickets starting on Wednesday, March 7, 2012,for the following prizes:One handmade quilt (valued at \$250.00); Eightgift certificates (valued between \$20.00 to \$50.00); Handmade jewelry (valued at \$25.00); A gift basket (valued at \$50.00); and food coupons (valued at \$20.00).Tickets will be sold for \$2.00 each or three for \$5.00.The proceeds will be used to support the work of the Senior Companion Program.

Sponsor: SDCL 22-25-25

APPLICATIONS

22. Special One-Day Liquor License requests for Washington Pavilion Management Inc., Washington Pavilion, 301 South Main Avenue, for various special events on March 2, 9, 10, 23, 24, and 31, 2012.

Sponsor: Mayor/Attorney

23. Special One-Day Malt Beverage and Wine Licenses for Hy-Vee Inc., All Occasions by Hy-Vee, to be operated at the Delbridge Museum of Natural History, 805 South Kiwanis Avenue, for a special event on February 24, 2012.

Sponsor: Mayor/Attorney

24. Special One-Day Liquor License requests for Hy-Vee Inc., All Occasions by Hy-Vee, to be operated at the Delbridge Museum of Natural History, 805 South Kiwanis Avenue, for various special events on May 26, August 25, September 8 and 29, 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:

Items 26-48: The amount requested is the difference between the elderly freeze and non-elderly freeze.

25. Sioux Falls School District, property at 1800 E. 8th Street, for 2011 property taxes in the amount of \$821.31. The District received this property on March 15, 2011. They are requesting an abatement for the time the property was exempt in 2011.

Sponsor: Attorney/SDCL 10-18-1

26. Adelaide (Ertz)Donaldson, 616 S. 3rd Avenue, for 2011 property taxes in the amount of \$821.39.

Sponsor: Attorney/SDCL 10-18-1

27. Shirley Moore, 2409 S. Blauvelt Avenue, for 2011 property taxes in the amount of \$846.00.

Sponsor: Attorney/SDCL 10-18-1

28. George N. Lamp, 5309 W. 45th Street, for 2011 property taxes in the amount of \$953.98.

Sponsor: Attorney/SDCL 10-18-1

29. Gwen Winter, 1301 N. Dakota Avenue, for 2011 property taxes in the amount of \$138.06.

Sponsor: Attorney/SDCL 10-18-1

Edith Powell McKinnon, 1405 S. Bruce Road, for 2011 property taxes

30. in the amount of \$480.42.

Sponsor: Attorney/SDCL 10-18-1

31. Guenter Newman, 4705 W. 37th Street, for 2011 property taxes in the amount of \$936.22.

Sponsor: Attorney/SDCL 10-18-1

32. Richard Petersen, 817 N. Lincoln Avenue, for 2011 property taxes in the amount of \$564.07.

Sponsor: Attorney/SDCL 10-18-1

33. Vivian Bosch, 829 N. Van Eps Avenue, for 2011 property taxes in the amount of \$336.34.

Sponsor: Attorney/SDCL 10-18-1

34. Ruth Hanisch, 5320 W. Birnhamwood Drive, for 2011 property taxes in the amount of \$432.00.

Sponsor: Attorney/SDCL 10-18-1

35. Dorothy Valland, 5405 W. 53rd Street, for 2011 property taxes in the amount of \$734.79.

Sponsor: Attorney/SDCL 10-18-1

36. Gerald Meyer, 2212 E. Tricia Lane, for 2011 property taxes in the amount of \$48.86.

Sponsor: Attorney/SDCL 10-18-1

37. Jack Harris, 1512 S. Dakota Avenue, for 2011 property taxes in the amount of \$944.19.

Sponsor: Attorney/SDCL 10-18-1

38. Dorothy Christensen, 827 N. Cliff Avenue, for 2011 property taxes in the amount of \$322.08.

Sponsor: Attorney/SDCL 10-18-1

39. Valerie Sanders, 126 S. Lyndale Avenue, for 2011 property taxes in the amount of \$806.97.

Sponsor: Attorney/SDCL 10-18-1

40. Han Schjodt, 419 N. Grange Avenue, for 2011 property taxes in the amount of \$168.28.

Sponsor: Attorney/SDCL 10-18-1

41. James Madsen, 2605 E. 12th Street, for 2011 property taxes in the amount of \$659.50.

Sponsor: Attorney/SDCL 10-18-1

42. Clara Fink, 3014 S. Phillips Avenue, for 2011 property taxes in the amount of \$81.82.

Sponsor: Attorney/SDCL 10-18-1

43. Elaine Hicks, 1905 S. Cambridge Avenue, for 2011 property taxes in the amount of \$367.95.

Sponsor: Attorney/SDCL 10-18-1

44. Eleanor Lorenzen, 4609 E. 33rd Street, for 2011 property taxes in the amount of \$151.13.

Sponsor: Attorney/SDCL 10-18-1

45. Kimberly Moulton Pettibone, 6900 W. 7th Street, for 2011 property taxes in the amount of \$372.81.

Sponsor: Attorney/SDCL 10-18-1

46. Jacqueline Fure, 3936 S. Morrow Drive, for 2011 property taxes in the amount of \$296.52.

Sponsor: Attorney/SDCL 10-18-1

47. George Lair, 1832 S. Western Avenue, for 2011 property taxes in the amount of \$254.01.

Sponsor: Attorney/SDCL 10-18-1

48. Betty Mott, 1604 W. 39th Street, for 2011 property taxes in the amount of \$601.64.

Sponsor: Attorney/SDCL 10-18-1

49. Donna Soldatke, Ascot Park Sec 9 Block 9, Huntington Hills, for 2010 property taxes in the amount of \$1,428.37 and 2011 property taxes in the amount of \$1,431.69. She is the surviving spouse of Melvin Soldatke and qualifies for the tax exemption under 10-4-40.

Sponsor: Attorney/SDCL 10-18-1

50. Bette Kinsella, Tract 1 N 1/2 SW 1/4 14 101 50 - 3 Block 2 Halls Park Addition, for 2010 property taxes in the amount of \$1,428.37 and 2011 property taxes in the amount of \$1,431.69. She is the surviving spouse of Lloyd Kinsella and qualifies for the tax exemption under 10-4-40.

Sponsor: Attorney/SDCL 10-18-1

51. Patricia Keleher, 1009 N. Redbud Place, for 2011 property taxes in the amount of \$431.84. The taxpayer correctly applied for owner occupied reduction but the title company used the wrong legal description and applied an incorrect parcel number.

Sponsor: Attorney/SDCL 10-18-1

Country View MHC, 221 N. Marion Road, for 2010 property taxes in the amount of \$265.00 and 2011 property taxes in the amount of

52. \$226.82. The property was being assessed on two separate record numbers. The property owner is requesting an abatement for this double assessment.

Sponsor: Attorney/SDCL 10-18-1

53. R & D Properties, LLC., #34273, Tract 8 Harris Addition, for 2011 property taxes in the amount of \$6,407.49 (for 343 days). Fire destroyed the structure in 2011. Taxpayer is requesting an abatement for the time the structure was gone in 2011.

Sponsor: Attorney/SDCL 10-18-1

54. Minnehaha County, 415 N. Dakota Avenue, for 2011 property taxes for the properties and amounts listed: Parcel #79505 at Lot PE1, Lot 3A, Blk1 Cottonwood Heights (\$53.18); Parcel #67040 at 821 N. Sherwood Avenue (\$668.07); Parcel #53734 at 190 E. 2nd Street (\$154.95); Parcel #62594 at 5202 W. 49th Street (\$183.02); Parcel #58318 at E 12 W112 E297.3 S64 CAS Tr. 2 (\$11.61); and Parcel #39640 at 909 N. Walts Avenue (\$1,136.77).

Sponsor: Attorney/SDCL 10-18-1

55. City of Sioux Falls, 224 W. 9th Street, for 2011 property taxes for the properties and amounts listed. The properties were received in 2011. The City is asking for abatements for the time the properties were in the City's name. Parcel #76690 at 1401 E. 67th St. N. (\$79.69); Parcel #83922 at 1313 E. Dike Drive (\$147.72); Parcel #83912 at 1312 E. Dike Drive (\$113.03); Parcel #48870 at 1018 N. 1st Avenue (\$793.48); Parcel #80384 at 5501 E. Red Oak Drive (\$77.38); Parcel #72041 at Lot E-5, SW 1/4 28-102-49 SF City Unplatted (\$24.63); Parcel #55714 at 1201 N. Sycamore Avenue (\$591.87); Parcel #11761 at 7700 W. 22nd Street (\$220.23); and Parcel #53588 at 2000 N. Wayland Avenue (\$159.87).

Sponsor: Attorney/SDCL 10-18-1

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, February 21, 2012, at 7:00 p.m. for Items 56 through 64:

56. New 2012 Retail Liquor License for Icon Entertainment LLC, Icon Lounge & Event Hall, to be operated at 402 North Main Avenue, including Sunday Sales, with the Conditional Use Permit (2011-11-03) being approved on 12-07-11.

Sponsor: Mayor/Attorney

57. New 2012 Retail Wine License for dFINE LLC, dFINE Private Fitness Club, to be operated at 421 West 69th Street, with the Special Use Permit (2011-12-04) being approved on 01-04-12, with the following stipulations: 1) Restricting the serving and consumption only during the staffing hours of 8 a.m. to 10 p.m. Monday through Friday and 10 a.m. to 6 p.m. on Saturday and 2) That no one under the age of 21 is allowed on the premises when alcohol is served or consumed.

Sponsor: Mayor/Attorney

New 2011-2012 Retail Malt Beverage License for dFINE LLC, dFINE Private

58. Fitness Club, to be operated at 421 West 69th Street, with the Special Use Permit (2011-12-04) being approved on 01-04-12, with the following stipulations: 1) Restricting the serving and consumption only during the staffing hours of 8 a.m. to 10 p.m. Monday through Friday and 10 a.m. to 6 p.m. on Saturday and 2) That no one under the age of 21 is allowed on the premises when alcohol is served or consumed.

Sponsor: Mayor/Attorney

59. New 2012 Package Liquor License for Runco Inc., The Gas Stop, to be operated at 1200 East Tenth Street.

Sponsor: Mayor/Attorney

60. Special One-Day Wine License requests for Senior Citizens Services Inc., to be held at Active Generations, 2300 West 46th Street, for the Festival of Tables on March 22, 2012, and the Cocktails and Canvas Art Class on March 27, 2012.

Sponsor: Mayor/Attorney

61. Special One-Day Wine License for the Good Shepherd Ministry Center Inc., to be held at the Avera Prairie Center, 1000 East 23rd Street, for a fundraiser on May 1, 2012.

Sponsor: Mayor/Attorney

62. Special One-Day Wine License requests for Downtown Sioux Falls Inc., for the First Friday Artwalk to be held on March 2, 2012, at the following locations:

Great Outdoor Store, 201 East Tenth Street, Lillian's Shoppe, 311 South Phillips Avenue Suite 101, Young & Richard's, 236 South Main Avenue, 8th & Railroad Center Lobby, 401 East 8th Street, Bead Co., 319 South Phillips Avenue, Zandbroz, 209 South Phillips Avenue, Sticks and Steel, 401 East 8th Street Suite 118, Rehfeld's Art & Framing, 210 South Phillips Avenue, Susanne's on Phillips, 216 South Phillips Avenue, Rug & Relic, 401 East 8th Street Suites 112/114, and Artisan House, 229 South Phillips Avenue.

Sponsor: Mayor/Attorney

63. Special One-Day Malt Beverage and Special One-Day Wine License requests for Downtown Sioux Falls Inc. for the Downtown Block Party on the East Bank at the 8th and Railroad parking lot, 401 East 8th Street, on June 1, July 6, and August 3, 2012.

Sponsor: Mayor/Attorney

64. Special One-Day Malt Beverage License for the Siouxland Heritage Museums to be operated at the Old Courthouse Museum, 200 West Sixth Street, on March 17, 2012, for the St. Patrick's Day Family Dance.

Sponsor: Mayor/Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Vernon Brown and seconded by Council Member Michelle Erpenbach to approve the Regular Agenda.

Vote to approve: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, 7.  
Noes, 0.

Motion Passed.

PUBLIC INPUT

Scott Ehrisman and Tim Stanga spoke regarding Public Input.

Rodney Fitz spoke regarding how landlords are treated in Sioux Falls.

UNFINISHED BUSINESS

2012 Renewal of the Package Liquor License for Gilbertson Enterprises  
65. Inc., MX Liquors, to be operated at 709 South Cliff Avenue, with an underage sales conviction in 2011.

Sponsor: Mayor/City Attorney

Special One-Day Liquor License for St. Therese Catholic Church to be  
66. held at the St. Therese Catholic Church Gathering Place, 901 North Tahoe Trail, for a Parish Social Activity - Fiesta, on February 11, 2012.

Sponsor: Mayor/City Attorney

Special One-Day License requests for Prairie Pasta Inc., Johnny's Carino'  
s, to be  
67. operated at the Old Courthouse Museum, 200 West Sixth Street, for wedding receptions on March 3 and April 28, 2012.

Sponsor: Mayor/City Attorney

Special One-Day Liquor License for Philanthropy Promotions Inc., J&L  
Harley Davidson, for Hot Harley Nights, on July 14, 2012, at Falls Park  
68. West (park area north of the Sioux Falls Park and Recreation Office leading to Falls Park along Phillips Avenue) with a north boundary of Falls Park Drive, south boundary to 8th Street, east boundary is to the chain link fence on the east side of the park (the street will be closed on 6th Street from Dakota to Weber Avenues), and the west boundary of Dakota Avenue.

Sponsor: Mayor/Attorney

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Sue Aguilar to approve Items 65 through 68 with one vote.

Vote to approve: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, 7.  
Noes, 0.

Motion Passed.

INTRODUCTION AND ADOPTION OF ORDINANCES

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2011-12-01, TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT 5124S. SOLBERG AVE., AMENDING THE INTERSTATE CROSSINGS PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Dean Karsky and seconded by Council Member Rex Rolwing to adopt said Ordinance 6-12.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolwing, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, 7. Noes, 0.

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING APPENDIX B, THE ZONING ORDINANCE OF THE REVISED ORDINANCES OF THE CITY, BY AMENDING BOARD OF ADJUSTMENT PUBLIC NOTICE. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Dean Karsky and seconded by Council Member Rex Rolwing to adopt said Ordinance 7-12.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolwing, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, 7. Noes, 0.

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT EAST SIDE OF SPRING AVE. BETWEEN 13TH ST. AND 14TH ST. FROM THE RA-2, RESIDENTIAL DISTRICT TO THE GIGGLEBEE'S REDEVELOPMENT PLANNED DEVELOPMENT DISTRICT, PETITION NO.2011-12-06, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Vernon Brown to adopt said Ordinance 8-12.

A motion was made by Council Member Vernon Brown and seconded by Council Member Dean Karsky to amend the main motion by adding "except the south 12.5' of Lot 5 " after "Lots 1-5" and before "Block 2".

Vote to amend: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolwing, Sue Aguilar, Kenny Anderson Jr., Vernon Brown 7. Noes, 0. Motion Passed.

Vote to adopt, as amended: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., Vernon Brown

7. Noes, 0. Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE  
72. REVISED ORDINANCES OF THE CITY BY REVISING CHAPTER 14 OF THE CAMPAIGN  
FINANCE ORDINANCE FOR MUNICIPAL ELECTIONS.

Sponsor: City Council

A motion was made by Council Member Vernon Brown and seconded by Council Member Sue Aguilar to adopt said Ordinance 9-12.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Kenny Anderson Jr. to amend the main motion by amending Section 14-78 to read as follows: "Sec. 14-78 Investigation and prosecution of violations by Board of Ethics. The Sioux Falls Board of Ethics shall hear any complaints of possible violations of the provisions of this chapter relating to a city elected office or a ballot question and may take such action as provided by the Ethics Ordinances of this Code."

Vote to amend: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, 7. Noes, 0.

Motion Passed.

Vote to adopt, as amended: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Monday, February 13, 2012, at 7:00 p.m. for Item 73:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD,  
73. AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT FOR THE SALE OF THE RIVER RAMP PARKING STRUCTURE TO RIVER GREENWAY HOSPITALITY, LLC.

Sponsor: Mayor/Community Development

A motion was made by Council Member Greg Jamison and seconded by Council Member Kenny Anderson Jr. to set a date of hearing and 2nd Reading for Monday, February 13, 2012, at 7:00 p.m. for Item 73.

Vote to set a date: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Monday, February 13, 2012, at 7:00 p.m. for Item 74:

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

74. PROVIDING SUPPLEMENTAL APPROPRIATIONS. (Health - \$500,000.00); (Police -\$8,000.00); (Transit - \$5,664.00 and \$22,656.00).

Sponsor: Mayor/Health, Police and Planning and Building Services

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Greg Jamison to set a date of hearing and 2nd Reading for Monday, February 13, 2012, at 7:00 p.m. for Item 74.

Vote to set a date: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, February 21, 2012, at 5:30 p.m. at the Joint City Council/Minnehaha County Commission Meeting for Item 75:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF SAID CITY BY REZONING PROPERTY AT THE WEST SIDE OF SIOUX FALLS FROM THE A-1, AGRICULTURAL DISTRICT TO THE RS-1, RESIDENTIAL DISTRICT. (The Planning Commission recommends approval).

75.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Dean Karsky and seconded by Council Member Rex Roling to set a date of hearing and 2nd Reading for Tuesday, February 21, 2012, at 5:30 p.m. at the Joint City Council/Minnehaha County Commission Meeting for Item 75.

Vote to set a date: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Monday, February 27, 2012, at 7:00 p.m. at the Joint City Council/Lincoln County Commission Meeting for Item 76:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF SAID CITY BY REZONING PROPERTY AT NW1/4 OF SECTION 14, TOWNSHIP 100, RANGE 49 LINCOLN COUNTY FROM THE AG, AGRICULTURAL DISTRICT TO THE RR, RURAL RESIDENTIAL DISTRICT. (The Planning Commission recommends approval).

76.

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Vernon Brown to set a date of hearing and 2nd Reading for Monday, March 26, 2012, at 7:00 p.m. at the Joint City Council/Lincoln County Commission Meeting for Item 76.

Vote to set a date: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, 7. Noes, 0.

Motion Passed.

HEARINGS AND RESOLUTIONS

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

Sponsor: Mayor

A motion was made by Council Member Vernon Brown and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution 4-12.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 4-12

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

BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That it gives its advice and consent to the following Mayoral appointment:

Name	Board	Term
Reid Christopherson	Sioux Falls Convention and Visitors Bureau Business Improvement District (the BID)	Appointed for a term from February 2012 to February 2014 (to fill the unexpired term of Kraig Pomrenke).

Date adopted: 02/06/12 .

Mike T. Huether

Mayor

ATTEST:

Sue Roust, Interim

City Clerk

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)

78. REPORT OF THE JANUARY 30, 2012, NOTICE OF TRANSFERS OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

Sponsor: Mayor/Finance

NEW BUSINESS

79. AGREEMENT TO SHARE EXPENSES OF JOINT CITY/SCHOOL DISTRICT ELECTIONS.

Sponsor: City Council

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Sue Aguilar to approve the agreement to share expenses of Joint City/

School District Elections.

Vote to approve: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, 7.  
Noes, 0.

Motion Passed.

80. AGREEMENT FOR USE OF LAPTOPS AND SCHOOL FACILITIES.

Sponsor: City Council

A motion was made by Council Member Rex Roling and seconded by Council Member Sue Aguilar to approve the agreement for use of laptops and school facilities.

Vote to accept: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, 7.  
Noes, 0.

Motion Passed.

ADJOURNMENT

A motion was made by Council Member Dean Karsky and seconded by Council Member Michelle Erpenbach to adjourn the meeting at 8:35 p.m.

Vote to adjourn: Roll Call: Yeses, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., Vernon Brown, 7.  
Noes, 0.

Motion Passed.

Tamara Jorgensen, CMC

Assistant City Clerk

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 16: INFORMATIONAL MEETINGS AIR LIVE THE FIRST, SECOND, THIRD, AND LAST MONDAYS OF EACH MONTH AT 4:00 P.M. COUNCIL COMMITTEE MEETINGS AIR LIVE THE FIRST, SECOND, AND LAST MONDAYS OF EACH MONTH IMMEDIATELY FOLLOWING THE INFORMATIONAL MEETING. CITY COUNCIL MEETINGS AIR LIVE THE FIRST, SECOND, AND THIRD MONDAYS OF EACH MONTH AT 7:00 P.M. THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AIR LIVE THE THIRD MONDAY 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'S VIDEO ARE POSTED ON THE MEETING MINUTES AND AGENDAS PAGE.

CLOSED CAPTIONING: CITY COUNCIL MEETINGS ARE CLOSE CAPTIONED ON CITYLINK 16.

CITYLINK 16 REBROADCAST: INFORMATIONAL MEETINGS AT 9:00 A.M. ON

WEDNESDAYS, 1:30 A.M ON THURSDAYS, AND 6:00 P.M. ON SATURDAYS. COUNCIL COMMITTEE MEETINGS AT 8:00 A.M. ON WEDNESDAYS, 12:30 A.M. ON THURSDAYS, AND 5:00 P.M. ON SATURDAYS. CITY COUNCIL MEETINGS AT 10:00 A.M. ON WEDNESDAYS, 2:30 A.M. ON THURSDAYS, AND 7:00 P.M. ON SATURDAYS. JOINT CITY COUNCIL/ MINNEHAHA COUNTY COMMISSION MEETINGS AT 10:00 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1:00 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.