

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

REGULAR MEETING OF Tuesday, July 2, 2013, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member James Entenman

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Kermit L. Staggers

Council Member Rex Roling

Council Member Sue Aguilar

Council Member Kenny Anderson Jr.

Mayor Mike T. Huether

INVOCATION

Dr. Erich McCandless, Empire Baptist Temple

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PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member James Entenman and seconded by Council Member Dean Karsky to approve the Consent Agenda.

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

Motion Passed.

MINUTES

Informational Meeting of Tuesday, June 18, 2013, at 4:00 p.m.

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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 Roserequesting 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. on Items 10 through 13:

Transfer of 2013 Package Liquor License from WK Suppliers Inc., Wolfies Liquor
10. Spot to JD's Liquor Locker Inc., JD's Liquor Locker to be operated at 471
9 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

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to approve the Regular Agenda.

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

Motion Passed.

PUBLIC INPUT

Sandy Dean, an appointee to the Minnehaha County Historical Society and a member of the Siouxland Heritage Museum Board, spokeregarding the Siouxland Heritage Museums storage collection needs and asked for the Council to support the proposed archival/storage facility at54th Street and Westport Avenueon land donated by Bob and Kari Hall.

Tim Stanga spoke on the CIP budget presentation,specifically regarding the indoor swimming pool. He also addressed the financial struggles of people in Sioux Falls.

UNFINISHED BUSINESS

13).
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 Eve rest Gas

and Convenience, LLC, Everest Gas and Convenience, LLC, to be operated at
3501
West 49th Street (CUP not required).

Sponsor: Mayor/City Attorney

A motion was made by Council Member James Entenman and seconded by Council
Member Dean Karsky to withdraw Item No. 14.

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

Motion Passed.

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 Caf to be operated at 825 North Weber Avenue.

Sponsor: Mayor/City Attorney

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

Sponsor: Mayor/City Attorney

A motion was made by Council Member Rex Roling and seconded by Council Member

Michelle Erpenbach to approve Items 15 through 21.

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

Motion Passed.

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

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Dean Karsky to adopt said Ordinance No. 38-13.

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

Motion Passed.

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

A motion was made by Council Member Sue Aguilar and seconded by Council Member James Entenman to adopt said Ordinance No. 39-13.

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

Motion Passed.

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

A motion was made by Council Member James Entenman and seconded by Council Member Sue Aguilar to adopt said Ordinance No. 40-13.

Vote to adopt: Roll Call: Yeses, James Entenman, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Sue Aguilar, Kenny Anderson Jr., 7.

Noes, 0.

Motion Passed.

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
25. 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

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Dean Karsky to adopt said Ordinance No. 41-13.

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

Motion Passed.

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/
26. 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

A motion was made by Council Member James Entenman and seconded by Council Member Rex Roling to adopt said Ordinance No. 42-13.

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

Motion Passed.

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.
27. 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

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to adopt said Ordinance No. 43-13.

Vote to adopt: Roll Call: Yeses, James Entenman, Michelle Erpenbach, Greg Jamison, Sue Aguilar, Kenny Anderson Jr., 5. Noes, Dean Karsky, Rex Roling, 2.

Motion Passed.

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,
28. 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

A motion was made by Council Member James Entenman and seconded by Council Member Kenny Anderson Jr. to adopt said Ordinance No. 44-13.

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

Motion Passed.

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

A motion was made by Council Member Dean Karsky and seconded by Council Member Rex Roling to adopt said Resolution No. 47-13.

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

Motion Passed.

RESOLUTION NO. 47-13

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

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

That the preliminary plan of [Dakota Prairie Addition] to the City of Sioux Falls, [Lincoln] County, SD, is hereby approved, and the City Clerk of the City of Sioux Falls is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Date adopted: 07/02/13 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

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

Sponsor: Mayor/Planning and Building Services

A motion was made by Council Member James Entenman and seconded by Council Member Rex Roling to adopt said Resolution No. 48-13.

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

Motion Passed.

RESOLUTION NO. 48-13

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

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

That the preliminary plan of [Quarry II Addition] to the City of Sioux Falls, [Minnehaha] County, SD, is hereby approved, and the City Clerk of the City of Sioux Falls is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Date adopted: 07/02/13 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

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

Sponsor: Mayor

A motion was made by Council Member James Entenman and seconded by Council Member Sue Aguilar to adopt said Resolution No. 49-13.

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

Motion Passed.

RESOLUTION NO. 49-13

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 appointments:

Name	Board	Term
Melanie Carpenter	Civil Service Board	Appointed for a term from July 2013 to July 2018 (to replace James Moore)
		Appointed for a term from July

Scott Anderson Solid Waste Planning Board 2013 to July 2016 (to replace Ryan Streff, Minnehaha Co. Planning Rep.)

Steve Brummond Visual Arts Commission Appointed for a term from July 2013 to February 2015 (to fill the unexpired term of Vickie Schumacher)

Date adopted: 07/02/13 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

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)

32. REPORT OF THE JUNE 25, 2013, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

Sponsor: Mayor/Finance

ADJOURNMENT

A motion was made by Council Member Dean Karsky and seconded by Council Member James Entenman to adjourn the meeting at 7:50 p.m.

Mayor Mike Huether called for a voice vote. All members present voted yes.

Motion Passed.

Lorie Hogstad, CMC

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: 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/ MINNEHABA 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. 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.