

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Tuesday, June 19, 2012 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Jim Entenman

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rex Rolwing

Council Member Kermit L. Staggers

Council Member Sue Aguilar

Council Member Kenny Anderson Jr.

Mayor Mike T. Huether

INVOCATION

&#9679; Alan Greene, Evangelist, LifeLight Communications

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Tuesday, June 12, 2012, at 4:00 p.m.

&#9679; City Council Meeting of Tuesday, June 12, 2012, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on June 14, 2012 memo.  
Sponsor: Mayor/Finance
2. Notice of change orders on June 14, 2012 memo.

Sponsor: Mayor/Finance

3. Report of Request for Quotes for Fuel: June 7, 2012; #2 Dyed Diesel, 7500 Gallons; Harms Oil (\$2.8440); CHS, Inc. (\$2.8500); Howes Oil (\$2.8640); Midwest Oil and Olson Oil, both no bids. Bid awarded to: Harms Oil.  
Sponsor: Mayor/Public Works
4. A communication was received from Mark Burk and Jessica Jensen requesting permission to consume, but not sell, beer, wine, and liquor at The Old Courthouse Museum, 200 West Sixth Street, on Saturday, September 8, 2012, from 5:00 p.m. to 1:00 a.m. for a wedding reception dinner and dance.  
Sponsor: SDCL 35-1-5.3
5. A communication was received from Johnay Fanning requesting permission to consume, but not sell, beer and wine at The Old Courthouse Museum, 200 West Sixth Street, on Saturday, December 29, 2012, from 6:00 p.m. to midnight for a surprise party.  
Sponsor: SDCL 35-1-5.3
6. A communication was received from the North Central Chapter of the Paralyzed Veterans of America stating their intent to sell raffle tickets from July 16, 2012 until September 10, 2012 for a prize of a Henry Golden Boy .17 Cal HMR Rifle (valued at \$650.00). Tickets will be sold for 1 for \$10.00 or 3 for \$20.00. The proceeds will help to support the Annual Paralyzed Veterans of America Trapshoot in September 2012.  
Sponsor: SDCL 22-25-25

#### APPLICATIONS

7. Special One-Day Liquor License requests for Washington Pavilion Management Inc., Washington Pavilion, 301 South Main Avenue, for wedding receptions on July 7, 21; August 10, 11, and 25, 2012.  
Sponsor: Mayor/Attorney
8. Special One-Day Liquor License for Great Bear Recreation Park Inc., Great Bear Recreation Park, to be operated at the Great Bear Recreation Park, 5901 East Rice Street, for a wedding reception on July 21, 2012.  
Sponsor: Mayor/Attorney
9. Special One-Day Liquor License for Falls Landing Inc., Falls Landing, to be operated at the Old Courthouse Museum, 200 West 6th Street, for a wedding reception on August 10, 2012.  
Sponsor: Mayor/Attorney
10. Special One-Day Liquor License for SMG to be operated at the Orpheum Theater, 315 North Phillips Avenue, for a wedding reception on October 12, 2012.  
Sponsor: Mayor/Attorney
11. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the

Sioux Falls Jazz & Blues Society to be operated at the Sioux Falls Convention Center, 1101 North West Avenue, for the Expo for Her on October 19-20, 2012.

Sponsor: Mayor/Attorney

12. Various Retail Malt Beverage and Retail Malt Beverage/South Dakota Farm Winery License renewals for 2012-13 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit C.

Sponsor: Mayor/Attorney

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, July 3, 2012, at 7:00 p.m. for Items 13 through 23:

13. Transfer of a 2011-2012 Retail Malt Beverage License from Frannea, Inc., King s Casino, 721 West 11th Street, to Frannea Inc., King s Casino, to be operated at 721 West 11th Street, including video lottery terminals (CUP not required; this predates the ordinance).

Sponsor: Mayor/Attorney

14. Renewal of the 2012-2013 Retail Malt Beverage for Frannea Inc., King s Casino to be operated at 721 West 11th Street, including video lottery terminals.

Sponsor: Mayor/Attorney

15. Transfer of a 2011-2012 Retail Malt Beverage License from Honesty Counts, LLC, Aces Casino, 1316 South Cliff Avenue, to Honesty Counts, LLC, Aces Casino, 1316 South Cliff Avenue, including video lottery terminals (CUP not required; this predates the ordinance).

Sponsor: Mayor/Attorney

16. Renewal of the 2012-2013 Retail Malt Beverage for Honesty Counts, LLC, Aces Casino to be operated at 1316 South Cliff Avenue, including video lottery terminals.

Sponsor: Mayor/Attorney

17. Transfer of a 2011-2012 Retail Malt Beverage License from Interstate Gaming Inc., Boxcars, 1400 East 10th Street, to Interstate Gaming, Inc., Boxcars, 1400 East 10th Street, including video lottery terminals (CUP not required; this predates the ordinance).

Sponsor: Mayor/Attorney

18. Renewal of the 2012-2013 Retail Malt Beverage for Interstate Gaming Inc., Boxcars to be operated at 1400 East 10th Street, including video lottery terminals.

Sponsor: Mayor/Attorney

19. Transfer of a 2011-2012 Retail Malt Beverage License from Wayne D. Jones, Waterhole #1, 2400 West Madison Street, to Waterhole 2400 LLC, Waterhole

#1, 2400 West Madison Street, including video lottery terminals.  
Sponsor: Mayor/Attorney

20. Renewal of the 2012-2013 Retail Malt Beverage for Waterhole 2400 LLC, Waterhole #1 to be operated at 2400 West Madison Street, including video lottery terminals.  
Sponsor: Mayor/Attorney
21. Special One-Day Malt Beverage and Special One-Day Wine License requests for Downtown Sioux Falls for Hot Summer Nites on Phillips Avenue from 9th to 14th Streets; Main Avenue from 10th to 13th Streets, 12th Street from Main to Phillips Avenues, 11th Street from Dakota to Mall Avenues, 10th Street from Main to Mall Avenues, Parking Ramp by Main & 12th, Surface lot behind Diner, and Plaza by 12th & Phillips on July 18, 2012.  
Sponsor: Mayor/Attorney
22. 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 28, 2012.  
Sponsor: Mayor/Attorney
23. Special One-Day Liquor License for Downtown Sioux Falls to be operated at Falls Park West and Phillips Avenue from 6th Street north to 2nd Street, for Downtown LIVE on August 18, 2012.  
Sponsor: Mayor/Attorney

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

#### PUBLIC INPUT

#### UNFINISHED BUSINESS

24. New 2012-2013 Retail Malt Beverage License for Philanthropy Promotions Inc., J & L Harley Davidson, to be operated at 2601 W 60th St N, effective July 1, 2012, with the Special Use Permit (2007-04-22) being approved on May 2, 2007 (previously licensed as Retail Malt Beverage/South Dakota Farm Winery).  
Sponsor: Mayor/City Attorney
25. New 2012-2013 Retail Malt Beverage License for Main and Main LLC, Springhill Suites, to be operating at 4304 West Empire Place, effective July 1, 2012, with the Special Use Permit (2008-03-06) being approved on April 2, 2008 (previously licensed as Retail Malt Beverage/South Dakota Farm Winery).  
Sponsor: Mayor/City Attorney
26. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the

Sioux Falls Area Humane Society to be operated at Landscape Garden Center, 7201 South Minnesota Avenue, for the Paws to Celebrate Fundraiser on June 23, 2012.

Sponsor: Mayor/City Attorney

27. Special One-Day Wine License for Senior Citizens Services Inc., to be operated at Active Generations, 2300 West 46th Street, for the Cocktails and Canvas Art Class on June 26, 2012.

Sponsor: Mayor/City Attorney

28. 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 S. Grange Avenue, for the Jazz & Brews Fundraiser on June 28, 2012.

Sponsor: Mayor/City Attorney

29. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Home Builders Association of the Sioux Empire to be operated at Timber Oak Estates & Addition (First Choice Development), 2601 W 90th Street, for the Associates Appreciation Night on August 1, 2012.

Sponsor: Mayor/City Attorney

30. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Home Builders Association of the Sioux Empire to be operated at Home Builders Association of the Sioux Empire, 6904 South Lyncrest Place, for the General Membership Meetings on September 27 and November 15, 2012.

Sponsor: Mayor/City Attorney

31. Various Retail Malt Beverage, Retail Malt Beverage/South Dakota Farm Winery, Package Malt Beverage, and Package Malt Beverage/South Dakota Farm Winery License renewals for 2012-13 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit B.

Sponsor: Mayor/City Attorney

#### INTRODUCTION AND ADOPTION OF ORDINANCES

32. DEFERRED (from the meeting of June 12, 2012, the vote on the amended version) 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING ARTICLE IX, CHAPTER 38 OF THE REVISED ORDINANCES OF THE CITY BY DEFINING AND ESTABLISHING PROCEDURES FOR SPECIAL EVENTS.

Sponsor: Mayor/Parks and Recreation

33. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING CHAPTERS 10 AND 40 OF THE REVISED ORDINANCES OF THE CITY OF SIOUX FALLS, SD, BY AMENDING ON-STREET BICYCLE ORDINANCES.

Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, July 3, 2012, at 7:00 p.m. for Item 34:

34. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY

AT 1826 S. GRANGE AVE. FROM THE RS-2, RESIDENTIAL DISTRICT TO THE S, INSTITUTIONAL DISTRICT, PETITION NO. 2012-05-01, 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, July 3, 2012, at 7:00 p.m. for Item 35:

35. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1904 S. GRANGE AVE. FROM THE RS-2, RESIDENTIAL DISTRICT TO THE S, INSTITUTIONAL DISTRICT, PETITION NO. 2012-05-02, 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, July 3, 2012, at 7:00 p.m. for Item 36:

36. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2012-05-09, TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT 8000 E. HWY 42 AMENDING THE WILLOW RUN PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, July 3, 2012, at 7:00 p.m. for Item 37:

37. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2012-05-14, TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT N. BOBHALLA DR. AND W. BENSON RD. AMENDING THE SANFORD SPORTS COMPLEX PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, July 3, 2012, at 7:00 p.m. for Item 38:

38. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3400 S. GRANGE AVE. FROM THE RC, RECREATION/CONSERVATION, THE RA-2, RESIDENTIAL, AND THE I-1, LIGHT INDUSTRIAL DISTRICT TO THE C-4, PLANNED COMMERCIAL, THE RC, RECREATION/CONSERVATION AND THE RA-2, RESIDENTIAL DISTRICT, PETITION NO. 2012-05-06, 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, July 3, 2012, at 7:00 p.m. for Item 39:

39. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. 57TH ST. AND S. OLD YANKTON TRL. FROM THE RS-1, RESIDENTIAL DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT, PETITION NO. 2012-05-18, 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

40. A RESOLUTION PROVIDING RECOMMENDATIONS AND SUPPORT FOR PENSION PLAN CHANGES FOR CITY OF SIOUX FALLS EMPLOYEES (South Dakota Retirement System recommendation).  
Sponsor: Mayor/Human Resources
41. A RESOLUTION PROVIDING RECOMMENDATIONS AND SUPPORT FOR PENSION PLAN CHANGES FOR CITY OF SIOUX FALLS EMPLOYEES (Employee s Retirement System Board of Trustees and Firefighters Pension Fund Board of Trustees recommendation).  
Sponsor: Mayor/Human Resources
42. A RESOLUTION DECLARING CITY SUPPORT FOR THE ADOPTION OF THE LINCOLN COUNTY AND MINNEHAHA COUNTY MULTI-HAZARD PRE-DISASTER MITIGATION PLAN 2011 UPDATE.  
Sponsor: Mayor/Fire Rescue
43. A RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPER FOR THE CITY OF SIOUX FALLS, SD.  
Sponsor: City Council
44. 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 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.