

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
REGULAR MEETING OF Tuesday, July 3, 2012 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; Pastor Wade Mobley, Living Word Free Lutheran Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Tuesday, June 19, 2012, at 4:00 p.m.

&#9679; Joint City Council/Minnehaha County Commission Meeting of Tuesday, June 19, 2012, at 5:00 p.m.

&#9679; City Council Meeting of Tuesday, June 19, 2012, at 7:00 p.m.

&#9679; Informational Minutes of Tuesday, June 26, 2012, at 4:00 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the June 28, 2012 memo.  
Sponsor: Mayor/Finance
2. Notice of change orders on the June 28, 2012 memo.  
Sponsor: Mayor/Finance
3. A memorandum dated June 14, 2012 declaring surplus a capital item that will be demolished as part of infrastructure upgrades.  
Sponsor: Mayor/Finance
4. A communication was received from the Sioux Falls Development Foundation, Inc. requesting permission to consume, but not sell, beer and wine at the Avera Prairie Center, 1000 East 23rd Street, on Tuesday, July 10, 2012, from 3:00 p.m. to 6:00 p.m. for the purpose of the 2012 membership drive wrap-up.  
Sponsor: SDCL 35-1-5.3
5. A communication was received from the Sioux Falls Green Project requesting permission to consume, but not sell, beer and wine at the Sioux Falls Design Center, 108 N. Phillips Avenue on Tuesday, July 10, 2012, from 6:00 p.m. to 9:00 p.m. for the purpose of hosting a grand opening of the Sioux Falls Design Center.  
Sponsor: SDCL 35-1-5.3
6. A communication was received from Erika Johnson and Christopher Lee requesting permission to consume, but not sell, wine and malt beverages at the Old Courthouse Museum, 200 W. 6th Street, on Saturday, September 22, 2012, from 5:00 p.m. to 11:00 p.m. for the purpose of a wedding reception.  
Sponsor: SDCL 35-1-5.3
7. A communication was received from Helmets 4 Kids stating their intent to sell raffle tickets from Wednesday, July 25, 2012, to Saturday, August 25, 2012, for the following prizes: Android Smart Phone (valued at \$300.00); Grand Falls Package (valued at \$100.00); Massage (valued at \$50.00 - \$75.00); MP3 players (valued at \$20.00); and restaurant gift cards (valued at \$10.00). The tickets will be sold for \$10.00 each. The proceeds will be used for purchasing bicycle helmets and distributing as funds allow.  
Sponsor: SDCL 22-25-25
8. A communication was received from Preventive Health Strategies ("PHS") stating their intent to sell raffle tickets after August 1, 2012. The cost of the tickets is \$1,000.00 each and a minimum of 50 tickets must be sold prior to the award of any prize. The winner will be awarded the option of a 2012 Harley-Davidson Softtail Deluxe (ARV \$18,900.94) or \$20,000.00 cash. The prize drawing will coordinate with the Sturgis Motorcycle rally during August 6-12, 2012. The proceeds will provide funding for charitable activities within the strategic mission of PHS.  
Sponsor: SDCL 22-25-25
9. A communication was received from the Nelson Classic stating their intent to sell raffle tickets on Friday, August 3, 2012, for a bean bag game (valued

at \$100.00). The tickets will be sold for \$10.00 each or three for \$20.00. The proceeds will be used for scholarships in the Advertising Degree program at South Dakota State University.  
Sponsor: SDCL 22-25-25

10. Report of Requests for Quotes for Fuel dated: June 13, 2012; Unleaded Ethanol; 8,500 gallons; Harms Oil (\$3.0823); CHS, Inc. (\$3.1010); Howes Oil and Olson Oil, both no bids. Bid Awarded to: Harms Oil.  
Sponsor: Mayor/Public Works
11. Report of Requests for Quotes for Fuel dated: June 13, 2012; #2 Dyed Diesel Fuel; 7,500 gallons; Harms Oil (\$2.8060); CHS, Inc. (\$2.8280); Howes Oil, Midwest Oil and Olson Oil, all no bids. Bid awarded to: Harms Oil.  
Sponsor: Mayor/Public Works
12. Report of Requests for Quotes for Fuel dated: June 15, 2012; #2 Clear Diesel; 7,500 gallons; CHS, Inc. (\$3.064); Howes Oil, Harms Oil and Midwest Oil, all no bids. Bid awarded to: CHS, Inc.  
Sponsor: Mayor/Planning and Building Services
13. Report of Requests for Quotes for Fuel dated: June 18, 2012; #2 Dyed Diesel Fuel; 7,500 gallons; Howes Oil (\$2.8495); Harms Oil (\$2.8650); CHS, Inc. (\$2.8920); Midwest Oil (\$2.9500); Olson Oil, no bid. Bid awarded to: Howes Oil  
Sponsor: Mayor/Public Works
14. Report of Requests for Quotes for Fuel dated: June 20, 2012; #2 Clear Diesel; 8,200 gallons; Harms Oil (\$3.3148); CHS, Inc, Howes Oil and Midwest Oil, all no bids. Bid awarded to: Harms Oil.  
Sponsor: Mayor/Planning and Building Services
15. Report of Requests for Quotes for Fuel dated: June 26, 2012; Diesel (#1 and #2 blend); 600 gallons; Howes Oil (\$1,803.00); Midway Service (\$1,832.40); Palisades Oil, no bid. Bid awarded to: Howes Oil.  
Sponsor: Mayor/Fire Rescue
16. Report of Requests for Quotes for Fuel dated: June 26, 2012; Unleaded; 600 gallons; Howes Oil (\$1,810.20); Midway Service (\$1,930.20); Palisades Oil, no bid. Bid awarded to: Howes Oil.  
Sponsor: Mayor/Fire Rescue
17. Report of Requests for Quotes for Fuel dated: June 26, 2012; #2 Dyed Diesel; 1,000 gallons; Midway Service (\$2.9300); Howes Oil (\$2.8990); Midwest Oil (\$3.1090). Bid awarded to: Howes Oil.  
Sponsor: Mayor/Public Works

#### APPLICATIONS

18. Special One-Day Liquor Licenses for Washington Pavilion Management Inc. to be operated at the Washington Pavilion of Arts & Science, 301 South Main

Avenue, for wedding receptions on July 28 and September 1, 2012.  
Sponsor: Mayor/City Attorney

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, July 17, 2012, for Items 19 through 27:

19. Transfer of a 2012 Retail Liquor License from Soft Egg Inc., Whisk & Chop, 108 South Minnesota Avenue, to Porter Apple Company B Inc., Applebee s Neighborhood Grill & Bar, to be operated at 108 South Minnesota Avenue, including Sunday Sales (full service restaurant; CUP not required).  
Sponsor: Mayor/City Attorney
20. Transfer of a 2011-2012 Retail Malt Beverage/South Dakota Farm Winery License from LIDA Investment Corp., Easy Dough Casino, 2309 West 12th Street, to LIDA Investment Corp., Easy Dough Casino, 2309 West 12th Street, including video lottery terminals (with the Conditional Use Permit (2012-05-11) being approved on June 6, 2012).  
Sponsor: Mayor/City Attorney
21. Renewal of the 2012-2013 Retail Malt Beverage/South Dakota Farm Winery License for LIDA Investment Corp., Easy Dough Casino, to be operated at 2309 West 12th Street, including video lottery terminals (with the Conditional Use Permit (2012-05-11) being approved on June 6, 2012).  
Sponsor: Mayor/City Attorney
22. Renewal of the 2012-2013 Retail Malt Beverage for Royal Palace Inc., Royal Palace to be operated at 5015 South Louise Avenue.  
Sponsor: Mayor/City Attorney
23. Special One-Day Wine License for Avera McKennan Hospital and University Health Center, to be held at the Avera Prairie Center, 1000 East 23rd Street, for a Rock Garden Tour fundraiser on July 19, 2012.  
Sponsor: Mayor/City Attorney
24. Special One-Day Liquor Licenses for Hy-Vee Inc., All Occasions by Hy-Vee, to be operated at the Point is to Serve Church, 506 North Kiwanis Avenue, for weddings on August 11, 2012 and May 18, 2013.  
Sponsor: Mayor/City Attorney
25. Special One-Day Beer and Wine Licenses for Sanford Health to be operated at the Sanford Center Great Lawn, 2301 East 60th Street North, for an Employee Appreciation Event on August 3, 2012.  
Sponsor: Mayor/City Attorney
26. Special One-Day Liquor License for Hy-Vee Inc., All Occasions by Hy-Vee, to be operated at the Great Plains Zoo and Delbridge Museum, 805 South Kiwanis Avenue, for a Zoo fundraiser on August 9, 2012.  
Sponsor: Mayor/City Attorney

27. Special One-Day Liquor License for Avera McKennan Hospital and University Health Center, to be held at the Avera Prairie Center, 1000 East 23rd Street, for an Oncology Symposium Social on September 21, 2012.  
Sponsor: Mayor/City Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

28. 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
29. 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
30. 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
31. 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
32. 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
33. 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
34. 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

35. 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
36. 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
37. 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
38. 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

#### INTRODUCTION AND ADOPTION OF ORDINANCES

39. 2nd 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
40. 2nd 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
41. 2nd 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
42. 2nd 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

43. 2nd 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

44. 2nd 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

Set a date of hearing and 2nd Reading for Tuesday, July 10, 2012, at 7:00 p.m. for Item 45:

45. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING THE SCHEDULE OF RATES TO BE CHARGED BY THE CITY LIGHT AND POWER DEPARTMENT FOR FURNISHING ELECTRIC CURRENT FOR LIGHT AND POWER PURPOSES AS FOUND IN CHAPTER 41 UTILITIES.  
Sponsor: Mayor/Public Works

Set a date of hearing and 2nd Reading for Tuesday, July 10, 2012, at 7:00 p.m. for Item 46:

46. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING SEWER UTILITY RATES AND CHARGES AS FOUND IN CHAPTER 41, UTILITIES.  
Sponsor: Mayor/Public Works

Set a date of hearing and 2nd Reading for Tuesday, July 10, 2012, at 7:00 p.m. for Item 47:

47. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING CHAPTER 18 THEREOF TO INCREASE RATES AT THE LANDFILL IN SECTION 18-30.  
Sponsor: Mayor/Public Works

Set a date of hearing and 2nd Reading for Tuesday, July 10, 2012, at 7:00 p.m. for Item 48:

48. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY INCREASING WATER RATES AS FOUND IN

CHAPTER 41, UTILITIES.

Sponsor: Mayor/Public Works

Set a date of hearing and 2nd Reading for Tuesday, July 17, 2012, at 7:00 p.m.  
for Item 49:

49. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE  
REVISED ORDINANCES OF THE CITY TO ESTABLISH SINGLE-STREAM RECYCLING.

Sponsor: Mayor/Public Works

HEARINGS AND RESOLUTIONS

50. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF  
WILLIAMS ADDITION.

Sponsor: Mayor/Planning and Building Services

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

Sponsor: City Council

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)

52. REPORT OF THE JUNE 22, 2012, NOTICE OF TRANSFERS 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 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.



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.