

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
REGULAR MEETING OF Monday, May 2, 2011 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Sue Aguilar

Council Member Kenny Anderson Jr.

Council Member Vernon Brown

Council Member Jim Entenman  
Council Member Michelle Erpenbach  
Council Member Greg Jamison  
Council Member Dean Karsky  
Council Member Rex Rolfing  
Mayor Mike T. Huether

INVOCATION

&#9679; Pastor Doug Bartel, Hillcrest Baptist Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

&#9679; The Big Squeeze Month, May 2011

&#9679; Municipal Clerk's Week, May 2-6, 2011

&#9679; Public Service Recognition Week, May 1-7, 2011

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Monday, April 18, 2011, at 4:00 p.m.

&#9679; Joint City Council/Minnehaha County Meeting of Monday, April 18, 2011,  
at 5:00 p.m.

&#9679; City Council Meeting of Monday, April 18, 2011, at 7:00 p.m.

#### COMMUNICATIONS

1. A communication was received from Siouxland Heritage Museums requesting permission to consume, but not sell, wine and malt beverages at the Old Courthouse Museum, 200 West 6th Street on Thursday, June 23, 2011, from 5:00 p.m. to 7:00 p.m. for the Life on Two Wheels Exhibit Opening.  
Sponsor: SDCL 35-1-5.3
2. A communication was received from North Central Chapter Paralyzed Veterans of America stating their intent to sell raffle tickets from May 16, 2011 to July 18, 2011 for a television (valued at \$400.00). Tickets will be sold at 1 for \$5.00 or 3 for \$10.00. The proceeds are to be used for the general fund.  
Sponsor: SDCL 22-25-25
3. A communication was received from Children's Home Society stating their intent to sell raffle tickets from May 23, 2011 to August 9, 2011, for the 1st Prize: Toyota Pruis (valued at \$23,000) or a \$10,000 cash prize; 2nd Prize: \$500.00 gift card or \$500.00 cash prize; 3rd Prize: \$250.00 cash prize. Tickets will be sold for \$100.00 each. The proceeds are to be used for the general operating income to support the programs and services that Children's Home Foundation provides to over 2,000 children per year.  
Sponsor: SDCL 22-25-25
4. A communication was received from Kaycie Hansen requesting permission to consume, but not sell wine, champagne and beer at the Coliseum/Multicultural Center on Friday, September 30, 2011 from 7:00 p.m. to 12:30 a.m. for the purpose of a wedding reception.  
Sponsor: SDCL 35-1-5.3
5. A communication was received from University of Sioux Falls stating their intent to sell raffle tickets from June 1, 2011 until October 15, 2011, for a 4-day trip for 2 to Paris (lodging and transportation valued at approximately \$3000.00). Tickets will be sold for \$10.00 each. Proceeds will be used for Music/Education travel abroad for USF Choir Students.  
Sponsor: SDCL 22-25-25

#### NOTICE OF HEARINGS

Set a date of hearing for Monday, May 16, 2011, at 7:00 p.m. on Items 6 through 18:

6. New 2011-12 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, effective July 1, 2011  
(previously licensed as Retail Malt Beverage).

Sponsor: Mayor/Attorney

7. New 2011-12 Retail Malt Beverage South Dakota Farm Winery License for Main and Main LLC, Courtyard by Marriott, to be operated at 4300 West Empire Place, effective July 1, 2011 (previously licensed as Retail Malt Beverage).  
Sponsor: Mayor/Attorney
8. New 2011-12 Package Malt Beverage South Dakota Farm Winery License for Gas Barrel LLC, Gas Barrel, to be operated at 2500 West Madison Street, effective July 1, 2011 (previously licensed as Package Malt Beverage).  
Sponsor: Mayor/Attorney
9. Transfer of a 2011 Retail Liquor License from Porter Apple Company Inc., Applebee s Neighborhood Grill & Bar, 3800 South Louise Avenue #304, to Porter Apple Company Inc., Applebee s Neighborhood Grill & Bar, to be operated at 4001 West 41st Street, Suite 932, including Sunday Sales, on approximately October 1, 2011, or upon completion of construction (full service restaurant; CUP not required).  
Sponsor: Mayor/Attorney
10. Transfer of a 2011 Retail Liquor License from Outback Midwest II LP, Outback Steakhouse #4210, 2411 South Carolyn Avenue, to Outback Steakhouse of Florida LLC, Outback Steakhouse #4210, to be operated at 2411 South Carolyn Avenue, including Sunday Sales (full service restaurant; CUP not required).  
Sponsor: Mayor/Attorney
11. Special One-Day Liquor Licenses 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 wedding receptions on July 9 and October 1, 2011.  
Sponsor: Mayor/Attorney
12. Special One-Day Liquor License requests for SMG, to be operated at the Orpheum Theater, 315 North Phillips Avenue, for wedding receptions on July 2 and September 23, 2011.  
Sponsor: Mayor/Attorney
13. Special One-Day Liquor License for TSK Inc., Stogeez, to be operated on Phillips Avenue Between 10th and 11th Streets, on July 30, 2011, for the Stogeez Steakout.  
Sponsor: Mayor/Attorney
14. Special One-Day Liquor License for SKK LLC, Copper Lounge, to be operated at the 1st Avenue Lot #1, 110 South Mall Avenue, on August 14, 2011, for the Summer Giveaway Party.  
Sponsor: Mayor/Attorney
15. Special One-Day Liquor License requests for Washington Pavilion Management Inc., Washington Pavilion, 301 South Main Avenue, for various special

events on June 4; July 9; and September 10, 17, and 24, 2011.

Sponsor: Mayor/Attorney

16. Special One-Day Wine License for Senior Citizen Services Inc., to be operated at Active Generations, 2300 West 46th Street, for the Wine/Quilt Show on June 10, 2011.

Sponsor: Mayor/Attorney

17. Amend request approved on 03/07/11 for a Special One-Day Malt Beverage and Wine License for the Sioux Falls Jazz & Blues Society for the Jazz & Brews Fundraiser to be held at Vern Eide Acura, 4030 South Grange Avenue, changing the date from June 16 to June 23, 2011.

Sponsor: Mayor/Attorney

18. Various Retail Malt Beverage, Package Malt Beverage, and Package Malt Beverage South Dakota Farm Winery License renewals for 2011-12 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit A.

Sponsor: Mayor/Attorney

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

#### PUBLIC INPUT

#### INTRODUCTION AND ADOPTION OF ORDINANCES

19. DEFERRED (from the meeting of April 18, 2011): 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR A MARKET ANALYSIS PROVIDING THE VALUE OF NAMING RIGHTS AND FACILITY SPONSORSHIP PACKAGES FOR AN EVENTS CENTER AND OTHER CITY FACILITIES. (\$65,000).

Sponsor: Mayor/Community Development

20. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2011-03-09, TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT S. BEAL AVE. (WEST OF EXPLORER ELEMENTARY) AMENDING THE BENTWOOD VILLAGE PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS.

Sponsor: Mayor/Planning and Building Services

21. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2011-03-12, TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT E. 23RD ST. AND S. CLIFF AVE. AMENDING THE AVERA MCKENNAN PLANNED DEVELOPMENT DISTRICT.

Sponsor: Mayor/Planning and Building Services

22. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY

AT 6011 AND 6700 E. RICE ST. FROM THE AG, AGRICULTURAL DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2011-03-03, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.  
Sponsor: Mayor/Planning and Building Services

23. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY ADDING TWO LEGAL DESCRIPTIONS AND DELETING FOUR LEGAL DESCRIPTIONS TO SECTION 39-82A, PROVIDING FOR RURAL SERVICE DISTRICT LANDS.  
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for the Joint City Council/Minnehaha County Meeting on Monday, May 16, 2011, at 5:00 p.m. for Item 24:

24. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING APPENDIX C OF THE CODE OF ORDINANCES OF SAID CITY BY REZONING PROPERTY AT 6902 W. 12TH ST. FROM THE A-1, AGRICULTURAL DISTRICT TO THE C, COMMERCIAL DISTRICT. (The Planning Commission recommends approval.)  
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for the City Council Meeting on Monday, May 16, 2011, at 7:00 p.m. for Item 25:

25. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR THE RECODIFICATION OF CITY ORDINANCES.  
Sponsor: City Council/Anderson Jr. and Jamison

Set a date of hearing and 2nd Reading for the Joint City Council/Lincoln County Meeting on Monday, May 23, 2011, at 7:00 p.m. for Item 26:

26. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING APPENDIX F OF THE CODE OF ORDINANCES OF SAID CITY BY REZONING PROPERTY IN THE SOUTHEAST QUARTER (SE1/4) OF SECTION 19, TOWNSHIP 100, RANGE 50 FROM THE C, COMMERCIAL DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT. (The Planning Commission recommends approval.)  
Sponsor: Mayor/Planning and Building Services

#### HEARINGS AND RESOLUTIONS

27. DEFERRED (from meeting of April 18, 2011): A RESOLUTION AMENDING THE 2011 2015 CAPITAL PROGRAM TO INCREASE FUNDING FOR CIP NO. 000122, EVENTS CENTER, IN 2011. (\$35,000).  
Sponsor: Mayor/Community Development

28. A RESOLUTION APPOINTING AUDIT COMMITTEE MEMBERS TO THE CITY COUNCIL AUDIT COMMITTEE.  
Sponsor: City Council/Jamison and Aguilar

29. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.  
Sponsor: Mayor

30. A RESOLUTION ESTABLISHING A SALARY PROGRAM THAT MAINTAINS A MARKET-COMPETITIVE SALARY RANGE WITH A PAY-FOR-PERFORMANCE PROGRAM FOR THE

APPOINTED POSITION OF BUDGET ANALYST.

Sponsor: City Council/Anderson Jr. and Jamison

REPORT OF OFFICERS/BOARDS/COMMITTEES/TRANFERS OF UNENCUMBERED APPROPRIATION BALANCES AMONG PROGRAMS WITHIN A DEPARTMENT OR ORGANIZATIONAL UNIT AS PROVIDED IN THE SIOUX FALLS CITY CHARTER SECTION 5.07(d)

31. REPORT OF APRIL 25, 2011, NOTICE OF TRANSFERS OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

Sponsor: Mayor/Finance

NEW BUSINESS/ITEMS ADDED AFTER 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) 367-8081 (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: 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 5:00 P.M. REGULAR MEETINGS OF THE CITY COUNCIL ARE ALSO ARCHIVED AND AVAILABLE FOR VIEWING ON DEMAND AT WWW.SIOUXFALLS.ORG. LINKS TO EACH 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: CITY COUNCILMEETINGS AT 10:00 A.M. ON WEDNESDAYS, 1:00 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 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.