

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Monday, August 15, 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 Timothy Fountain, Church of the Good Shepherd

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Monday, August 8, 2011, at 4:00 p.m.

&#9679; City Council Meeting of Monday, August 8, 2011, at 7:00 p.m.

COMMUNICATIONS

1. A communication was received from the President's Bowl Committee stating their intent to sell raffle tickets on Saturday, September 3, 2011, for six prizes valued at approximately \$800.00 or less. Tickets will be sold for \$0.50 each. The proceeds will be divided between three public high school booster clubs for various high school activities during the 2011-2012 school

year.

Sponsor: SDCL 22-25-25

2. A memorandum was received on August 9, 2011, declaring a surplus on capital items that will be disposed of as junk.

Sponsor: Mayor/Finance

#### APPLICATIONS

3. Special One-Day Liquor License for Hy-Vee Inc. to be operated at the Old Courthouse Museum, 200 West Sixth Street, for a wedding reception on November 12, 2011.

Sponsor: Mayor/Attorney

4. 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 the following dates: May 19, June 16, and June 21, 2012.

Sponsor: Mayor/Attorney

5. Special One-Day Liquor License requests for Washington Pavilion Management Inc., Washington Pavilion, 301 South Main Avenue, for various special events on August 19, September 29, October 1 and 22, November 19, December 2, 9, 10, and 30, 2011.

Sponsor: Mayor/Attorney

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, September 6, 2011, at 7:00 p.m. for Items 6 through 10:

6. New 2011-12 Retail Malt Beverage License for Tokyo Sushi and Hibachi LLC, Tokyo Sushi & Hibachi, to be operated at 3202 East Tenth Street (full service restaurant; CUP not required).

Sponsor: Mayor/Attorney

7. New 2011 Retail Wine License for Tokyo Sushi and Hibachi LLC, Tokyo Sushi & Hibachi, to be operated at 3202 East Tenth Street (full service restaurant; CUP not required).

Sponsor: Mayor/Attorney

8. 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 Meeting on September 29, 2011.

Sponsor: Mayor/Attorney

9. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Avera McKennan Foundation to be operated at Perspective, 196 East Sixth

Street, on October 21, 2011, for the Paint the Night Pink Fundraiser.  
Sponsor: Mayor/Attorney

10. Special One-Day Malt Beverage License for the Sioux Falls Jazz & Blues Society to be operated at the Sioux Falls Convention Center, 1211 North West Avenue, for the Expo for Her on October 14-15, 2011.  
Sponsor: Mayor/Attorney

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

#### PUBLIC INPUT

#### UNFINISHED BUSINESS

11. New 2011-12 Retail Malt Beverage License for Guadalajara IV LLC, Guadalajara Mexican Restaurant, to be operated at 5309 West 41st Street, with the Conditional Use Permit (2011-04-07) being approved on 05-04-11. Pending final inspection per Health.  
Sponsor: Mayor/Attorney
12. New 2011 Retail Wine License for Guadalajara IV LLC, Guadalajara Mexican Restaurant, to be operated at 5309 West 41st Street, with the Conditional Use Permit (2011-04-07) being approved on 05-04-11. Pending final inspection per Health.  
Sponsor: Mayor/Attorney
13. New 2011-12 Retail Malt Beverage License for Ethan Ortega, New York Express Pizza, to be operated at 309 South Phillips Avenue, with the Conditional Use Permit (2007-09-09) being approved on 10-03-07.  
Sponsor: Mayor/Attorney
14. New 2011 Retail Wine License for Ethan Ortega, New York Express Pizza, to be operated at 309 South Phillips Avenue, with the Conditional Use Permit (2007-09-09) being approved on 10-03-07.  
Sponsor: Mayor/Attorney
15. New 2011-12 Retail Malt Beverage License for China Express Restaurant LLP, China Express Restaurant, to be operated at 2302 West 41st Street (full service restaurant; CUP not required).  
Sponsor: Mayor/Attorney
16. New 2011-12 Retail Malt Beverage License for Francisco Resendiz, Tacos Lupe #3, to be operated at 802 East Tenth Street (full service restaurant; CUP not required).  
Sponsor: Mayor/Attorney

17. New 2011 Package Liquor License for Kum & Go LC, Kum & Go #620, to be operated at 412 North Sycamore Avenue.  
Sponsor: Mayor/Attorney
18. Rescind 2011-12 Package Malt Beverage License for Kum & Go LC, Kum & Go #620, 412 North Sycamore Avenue.  
Sponsor: Mayor/Attorney
19. Special One-Day Liquor License requests for SMG, to be operated at the Sioux Falls Arena, 1201 North West Avenue, on October 19, 2011, for the Timberwolves Preseason Game, March 28, 2012, for the Central Plains Dairy Expo; all 2011-12 Home Season Games for the Stampede, all 2011-12 Home Season Games for the Skyforce; including Stampede and Skyforce possible playoff games between April 1 and May 31, 2012.  
Sponsor: Mayor/Attorney
20. Special One-Day Liquor License for Great Bear Recreation Park Inc., Great Bear Recreation Park, to be operated at 5901 East Rice Street, for the Teddy Bear Den Fundraiser on September 25, 2011.  
Sponsor: Mayor/Attorney
21. Special One-Day Liquor License for Sanford Health to be operated at the Sanford Center Great Lawn, 2301 East 60th Street North, for a Community Celebration and Fundraiser on August 19, 2011.  
Sponsor: Mayor/Attorney
22. Special One-Day Liquor License for Realtors for Kids to be operated at the Multi-Cultural Center, 515 North Main Avenue, for the Fall Fundraiser on September 22, 2011.  
Sponsor: Mayor/Attorney
23. Amend request approved on 07-18-11 for a Special One-Day Liquor License for Washington Pavilion Management Inc., Washington Pavilion, 301 South Main Avenue, for the SD Trust, changing the date from September 20 to September 19, 2011.  
Sponsor: Mayor/Attorney
24. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s, to be operated at the Old Courthouse Museum on September 10 and 24, 2011, for wedding receptions.  
Sponsor: Mayor/Attorney
25. Special One-Day Wine License for Senior Citizens Services Inc., to be held at Active Generations, 2300 West 46th Street, for the Cocktails and Canvas Art Class on September 20, 2011.  
Sponsor: Mayor/Attorney

#### INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Tuesday, September 6, 2011, at 7:00

p.m. for Item 26:

26. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. 26TH ST. AND S. CANYON AVE. FROM THE RS-2, RESIDENTIAL DISTRICT TO THE RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2011-06-11 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, September 6, 2011, at 7:00 p.m. for Item 27:

27. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. GRANGE AVE. AND W. VILLAGE DR. FROM THE RA-2, RESIDENTIAL DISTRICT, THE C-4, PLANNED COMMERCIAL DISTRICT, AND THE I-1, LIGHT INDUSTRIAL DISTRICT TO THE RA-2, RESIDENTIAL DISTRICT, THE C-4, PLANNED COMMERCIAL DISTRICT, AND THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2011-07-06 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)  
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, September 6, 2011, at 7:00 p.m. for Item 28:

28. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. BENSON ROAD AND N. MARION ROAD FROM THE RA-1, RESIDENTIAL DISTRICT AND O, OFFICE DISTRICT TO THE RS-2, RESIDENTIAL AND THE RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2011-07-10 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)  
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, September 6, 2011, at 7:00 p.m. for Item 29:

29. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. MADISON STREET AND N. VALLEY VIEW ROAD FROM THE RS-2, RESIDENTIAL DISTRICT TO THE RD, RESIDENTIAL DISTRICT, PETITION NO. 2011-07-11 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)  
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, September 6, 2011, at 7:00 p.m. for Item 30:

30. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2011-07-13 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT 1000 S. SYCAMORE AVE. AMENDING THE CELEBRATE COMMUNITY CHURCH PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS. (The Planning Commission recommends approval. 5-1)  
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, September 6, 2011, at 7:00 p.m. for Item 31:

31. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR CIP NO. 148014, RIGHT-OF-WAY ACQUISITION FOR PUBLIC WORKS. (\$512,075.00)  
Sponsor: Mayor/Public Works

Set a date of hearing and 2nd Reading for Tuesday, September 6, 2011, at 7:00 p.m. for Item 32:

32. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE RELEASE OF A PERMANENT 40-FOOT UTILITY EASEMENT IN LOT 1A IN BLOCK 5 OF GRAND ARBOR VILLAGE ADDITION TO THE CITY OF SIOUX FALLS, LINCOLN COUNTY, SOUTH DAKOTA.

Sponsor: Mayor/Public Works

Set a date of hearing and 2nd Reading for Tuesday, September 6, 2011, at 7:00 p.m. for Item 33:

33. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE RELEASE OF PERMANENT EASEMENTS IN LOT 2, BLOCK 1, THE EDGES ADDITION TO THE CITY OF SIOUX FALLS; TRACT 1, EXCEPT LOT H-1, THE EDGES ADDITION TO THE CITY OF SIOUX FALLS; AND LOT 1, EXCEPT LOT H-1, BLOCK 6, INTERSTATE CROSSING BUSINESS PARK ADDITION TO THE CITY OF SIOUX FALLS, LINCOLN COUNTY, SOUTH DAKOTA.

Sponsor: Mayor/Public Works

Set a date of hearing and 2nd Reading for Tuesday, September 6, 2011, at 7:00 p.m. for Item 34:

34. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE RELEASE OF A PERMANENT STORM SEWER AND DRAINAGE EASEMENT IN TRACT A OF REDROCK PARK 2ND ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.

Sponsor: Mayor/Public Works

Set a date of hearing and 2nd Reading for Tuesday, September 6, 2011, at 7:00 p.m. for Item 35:

35. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE RELEASE OF A PORTION OF PERMANENT WATER AND SANITARY SEWER EASEMENTS IN LOT 1, FRIESSEN S ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.

Sponsor: Mayor/Public Works

Set a date of hearing and 2nd Reading for Tuesday, September 6, 2011, at 7:00 p.m. for Item 36:

36. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE CITY TO ENTER INTO AN INTEREST-FREE LOAN AGREEMENT WITH SOUTH DAKOTA HOUSING DEVELOPMENT AUTHORITY FOR THE PURPOSE OF REHABILITATING RENTAL HOUSING PROPERTIES WITHIN THE CORE INCENTIVE AREA. (Up to \$500,000.00)

Sponsor: Mayor/Community Development

#### HEARINGS AND RESOLUTIONS

37. A RESOLUTION AUTHORIZING THE CITY OF SIOUX FALLS TO GIFT TO THE CITY OF HARRISBURG TWO TRAFFIC SIGNAL CONTROLLERS.

Sponsor: Mayor/Public Works

38. A RESOLUTION AUTHORIZING THE CITY OF SIOUX FALLS TO GIFT TO THE SOUTH DAKOTA DEPARTMENT OF CORRECTIONS 2" DIAMETER WILLOW TREES.

Sponsor: Mayor/Public Works

39. A RESOLUTION ABATING AND REFUNDING FRONT FOOT ASSESSMENTS FOR STREET MAINTENANCE FEES AT PARCEL NUMBERS 15675 AND 15676.

Sponsor: Mayor/Public Works

40. A RESOLUTION APPROVING THE SIOUX FALLS CONVENTION & VISITORS BUREAU BUSINESS IMPROVEMENT DISTRICT S BUDGET. (\$1,503,500.00)

Sponsor: Councilors Karsky and Entenman

#### 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.