

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Monday, December 19, 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 Bill Mitchell, Abiding Savior Free Lutheran Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Monday, December 12, 2011, at 4:00 p.m.

&#9679; City Council Meeting of Monday, December 12, 2011, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on December 12, 2011 memo.  
Sponsor: Mayor/Finance
2. Notice of Change Orders on December 12, 2011 memo.

Sponsor: Mayor/Finance

3. Report of Request for Quote for Fuel dated: December 9, 2011; Winter Mix 50/50 #1 & #2 Dyed Diesel; 250 gallons; Midway Service (837.50); Howes Oil (897.12); and Midwest Oil (949.75). Bid awarded to: Midway Service.

Sponsor: Mayor/Finance

4. Report of Request for Quote for Fuel: December 9, 2011; Unleaded Ethanol; 8,500 gallons; CHS, Inc. (\$2.8210); Harms Oil (\$2.8346); Howes Oil (\$2.8705); and Olson Oil, no bid. Bid awarded to: CHS, Inc.

Sponsor: Mayor/Finance

5. A communication was received from the School Family Organization at St. Lambert School, stating its intent to have students and their families sell raffle tickets from January 21, 2012, through February 5, 2012, for several themed gift baskets (approximate value of each basket is \$100.00 to \$200.00). Tickets cost \$1.00 each. Proceeds will go towards purchasing equipment for the school.

Sponsor: SDCL 22-25-25

#### APPLICATIONS

6. Various Retail Liquor and Retail Wine License renewals for 2012 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit E.

Sponsor: Mayor/Attorney

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, January 3, 2012, at 7:00 p.m., for Items 7 through 9:

7. New 2011-12 Retail Malt Beverage License for JLB-SF Inc., JL Beers, to be operated at 323 South Phillips Avenue, Main Floor, Suite A, with the Conditional Use Permit (2011-10-02) being approved on 11-02-11.

Sponsor: Mayor/Attorney

8. Special One-Day Liquor License for Avera McKennan to be operated at the Avera Prairie Center, 1000 East 23rd Street, for a Chamber Mixer on February 2, 2012.

Sponsor: Mayor/Attorney

9. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Avera McKennan Foundation to be operated at Avera Behavioral Health Center, 4400 West 69th Street, for a Fundraiser on February 11, 2012.

Sponsor: Mayor/Attorney

#### REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

PETITIONS

10. Conditional Use Permit Revocation (2009-05-05): 601 W. 10th St. The Conditional Use Permit was for allowing motor vehicle sales, display and service in the C-2, General Commercial District. (The Planning Commission recommends revocation.)  
Sponsor: Mayor/Planning and Building Services

UNFINISHED BUSINESS

11. New 2012 Retail Liquor License for Empire Restaurants Inc., The Encore at Empire Place, to be operated at 4200 West Empire Place, including Sunday Sales, effective January 1, 2012, with the Conditional Use Permit (2011-09-05) being approved on 10-05-11. Pending final inspection per Fire, Health, and Building Services.  
Sponsor: Mayor/Attorney
12. Special One-Day Liquor License request for MDC Boosters (nonprofit organization) to be operated at the Old Courthouse Museum, 200 West Sixth Street, for a Dance Club Fundraiser on February 11, 2012.  
Sponsor: Mayor/Attorney
13. Various Package Liquor License renewals for 2012 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit D, which includes those with underage sales violations in the past 12 months.  
Sponsor: Mayor/Attorney

INTRODUCTION AND ADOPTION OF ORDINANCES

14. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY ADDING ONE LEGAL DESCRIPTION TO SECTION 39-82A, PROVIDING FOR RURAL SERVICE DISTRICT LANDS.  
Sponsor: Mayor/Planning and Building Services
15. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING THE MONTHLY VACATION ACCRUAL SCHEDULE AND ESTABLISHING A NEW MAXIMUM BALANCE FOR EMPLOYEES HIRED AFTER DECEMBER 31, 2011.  
Sponsor: Mayor/Human Resources

Set a date of hearing and 2nd Reading for Tuesday, January 3, 2012, at 7:00 p.m., for Item 16:

16. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2011-11-02, TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT 111 N. WEST AVE. AMENDING THE SIOUX FALLS PLAZA PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS. (The Planning Commission

recommends approval.)

Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, January 3, 2012, at 7:00 p.m., for Item 17:

17. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING MINIMAL AMENDMENTS FOR PARKING. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, January 3, 2012, at 7:00 p.m., for Item 18:

18. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING APPENDIX B, THE ZONING ORDINANCE, OF THE REVISED ORDINANCES OF THE CITY BY ADDING STREET LEGAL ATVS TO THE DEFINITION OF PERSONAL PASSENGER VEHICLES. (The Planning Commission recommends approval.)

Sponsor: City Council/Jamison and Aguilar

Set a date of hearing and 2nd Reading for Tuesday, January 3, 2012, at 7:00 p.m., for Item 19:

19. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REPEALING ARTICLE XIX. PHOTO MONITORING SYSTEMS FOR ENFORCEMENT OF TRAFFIC CONTROL SIGNALS, SECTIONS 40-400 THROUGH 40-405 OF THE REVISED CODE OF ORDINANCES OF SAID CITY.

Sponsor: City Council/Aguilar and Erpenbach

Set a date of hearing and 2nd Reading for Monday, January 23, 2012, at 7:00 p.m., at the Joint City Council/Lincoln County Commission Meeting, for Item 20:

20. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, RESCINDING ORDINANCE NO. 83 11 AND AMENDING APPENDIX F OF THE CODE OF ORDINANCES OF SAID CITY BY REZONING PROPERTY AT N330' OF W660' OF NORTHWEST QUARTER SOUTHWEST QUARTER (NW1/4 SW1/4) OF SECTION 12, TOWNSHIP 100N, RANGE 51W LINCOLN COUNTY, SOUTH DAKOTA FROM THE A-1 AGRICULTURAL DISTRICT TO THE S & J PLANNED DEVELOPMENT DISTRICT. (The Joint Sioux Falls/Lincoln County Planning Commissions recommend denial.)

Sponsor: Mayor/Planning and Building Services

#### HEARINGS AND RESOLUTIONS

21. A RESOLUTION APPROVING THE 2012 AUDIT PLAN.

Sponsor: City Council/Aguilar and Erpenbach

22. A RESOLUTION ESTABLISHING A SALARY PROGRAM THAT MAINTAINS A MARKET-COMPETITIVE SALARY RANGE WITH A PAY-FOR-PERFORMANCE PROGRAM FOR THE APPOINTED POSITIONS OF LEAD INTERNAL AUDITOR AND INTERNAL AUDITOR COMMENCING ON JANUARY 9, 2012.

Sponsor: City Council/Aguilar and Rolwing

23. 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 COMMENCING ON JANUARY 9, 2012.

Sponsor: City Council/Aguilar and Rolwing

24. A RESOLUTION ESTABLISHING THE CITY OF SIOUX FALLS LEGISLATIVE PRIORITIES FOR THE 2012 STATE LEGISLATIVE SESSION.  
Sponsor: City Council/Aguilar and Roling
25. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.  
Sponsor: Mayor
26. A RESOLUTION CREATING TAX INCREMENTAL DISTRICT NUMBER THIRTEEN, CITY OF SIOUX FALLS.  
Sponsor: Mayor/Community Development
27. A RESOLUTION APPROVING THE PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NUMBER THIRTEEN, CITY OF SIOUX FALLS.  
Sponsor: Mayor/Community Development

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) 367-8081 (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.