

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Tuesday, August 20, 2013 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 Rolwing

Council Member Kermit L. Staggers

Mayor Mike T. Huether

INVOCATION

&#9679; Reed DeVries, Adult Ministry Team Leader for Celebrate Church

PLEDGE OF ALLEGIANCE

VISITOR RECOGNITION

&#9679; Boy Scout Troop 216 from Sioux Falls

&#9679; Boy Scout Troop 99 from Tea

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Budget Hearing Meeting of Tuesday, August 13, 2013, at 3:00 p.m.

&#9679; City Council Meeting of Tuesday, August 13, 2013, at 7:00 p.m.

## COMMUNICATIONS

1. Approval of Contracts/Agreements on August 15, 2013 memo.  
Sponsor: Mayor/Finance
2. Report of Requests for Quotes for Fuel dated: August 8, 2013; Diesel (#1 and #2 blend); 564 gallons; Howes Oil (\$1,968.36); Palisades Oil and Midway Service, both no bid. Bid awarded to: Howes Oil.  
Sponsor: Mayor/Fire Rescue
3. Report of Requests for Quotes for Fuel dated: August 9, 2013; Unleaded; 750 gallons; Howes Oil (\$2,452.50); Midway Service (\$2,383.13); Palisades Oil, no bid. Bid awarded to: Midway Service.  
Sponsor: Mayor/Fire Rescue
4. A communication was received from the Great Plains Zoo and Delbridge Museum of Natural History requesting permission to consume, but not sell, wine and/or malt beverages at the Great Plains Zoo and Delbridge Museum of Natural History, 805 S. Kiwanis Avenue, on Wednesday, August 28, 2013, from 5:00 p.m. to 8:30 p.m. for a party for Zoo supporters.  
Sponsor: SDCL 35-1-5.3
5. A communication was received from Ophthalmology Ltd. requesting permission to consume, but not sell, liquor, wine and or/malt beverages at the Old Courthouse Museum, 200 West 6th Street, on Saturday, October 26, 2013, from 3:30 p.m. to 5:00 p.m. for a happy hour following educational programs and events.  
Sponsor: SDCL 35-1-5.3
6. A communication was received from John and Teri Olson requesting permission to consume, but not sell, wine and beer at the Sioux Falls Design Center, 108 W. 11th Street, on Thursday, January 2, 2014, from 7:00 p.m. to 12:00 a.m. for a wedding rehearsal dinner.  
Sponsor: SDCL 35-1-5.3

## APPLICATIONS

7. Special One-Day Liquor License requests for Washington Pavilion Management Inc., Washington Pavilion, 301 South Main Avenue, for various special events on September 5, 14, 21, and 28, 2013.  
Sponsor: Mayor/City Attorney

## NOTICE OF HEARINGS

Set a date of hearing for Tuesday, September 3, 2013, at 7:00 p.m. for Items 8 through 13:

8. New 2013-14 Package Malt Beverage License for Main and Main LLC, Springhill

Suites, to be operated at 4304 West Empire Place, effective October 15, 2013, with the Special Use Permit (2008-03-06) being approved on April 2, 2008.

Sponsor: Mayor/City Attorney

9. New 2013-14 Package Malt Beverage License for Thrifty Smoke Shop, Inc., Smokin Deals to be operated at 1604 East Tenth Street (CUP not required).

Sponsor: Mayor/City Attorney

10. New 2013 Retail Liquor License, including Sunday Sales, for B.O.B., LLC, Beef O Brady s, 4021 North Bobhalla Drive (full service restaurant; CUP not required).

Sponsor: Mayor/City Attorney

11. New 2013 Retail Liquor License, including Sunday Sales and video lottery terminals, for The Brady Bunch, Inc., Beef O Brady s, 2210 West 69th Street, Suite number to be determined (full service restaurant; CUP not required).

Sponsor: Mayor/City Attorney

12. Special One-Day Malt Beverage and Special One-Day Wine Licenses for House of Kings, Casa Del Rey, to be operated at Avera Prairie Center, 1000 East 23rd Street for a Professional Chefs of the Black Hills fundraiser event on September 21, 2013.

Sponsor: Mayor/City Attorney

13. Special One-Day Malt Beverage and Special One-Day Wine Licenses for KAK Inc., K, to be operated at 8th & Railroad parking Lot, 401 East 8th Street, for a Downtown Block Party on the East Bank on September 6, 2013.

Sponsor: Mayor/City Attorney

Set public hearing date for Tuesday, September 10, 2013, at 7:00 p.m., and set adoption of Resolution for Tuesday, September 17, 2013, at 7:00 p.m., for Item 14:

14. A PROPOSED RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2014, AND THE 2014 2018 CAPITAL PROGRAM.

Sponsor: Mayor/Finance

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

15. New 2013 Retail Liquor License, including Sunday Sales and video lottery

terminals, for Sports Zone Inc., The District, 4521 West Empire Place, with the Conditional Use Permit (2012-10-12) being approved on November 7, 2012. Pending final inspections by Health and Building Services.  
Sponsor: Mayor/City Attorney

16. New 2013 Retail Wine License for Plum s Cooking Co., Plum s Cooking Company, 401 East 8th Street, Suite 107, with the Special Use Permit (2013-06-08) being approved on July 3, 2013.  
Sponsor: Mayor/City Attorney
17. New 2013 Package Liquor License for I-90 Fuel Services Inc., The Gas Stop #115 to be operated at 6509 South Louise Avenue.  
Sponsor: Mayor/City Attorney
18. Transfer of 2013 Retail Liquor License, including Sunday Sales, from Empire Restaurants Inc., The Encore at Empire Place, 4200-4300 West Empire Place to River Greenway Hospitality LLC, Hilton Garden Inn Downtown, 201 East 8th Street, effective October 15, 2013 (full service restaurant; CUP not required). Pending final inspections by Building Services.  
Sponsor: Mayor/City Attorney
19. Transfer of 2013 Retail Wine License from Main and Main LLC, Springhill Suites, 4304 West Empire Place to Main and Main, LLC, Courtyard by Marriott, 4300 West Empire Place, effective October 15, 2013 (full service restaurant; CUP not required).  
Sponsor: Mayor/City Attorney
20. Transfer of 2013-14 Retail Malt Beverage License from Main and Main LLC, Springhill Suites, 4304 West Empire Place to Main and Main, LLC, Courtyard by Marriott, 4300 West Empire Place, effective October 15, 2013 (full service restaurant; CUP not required).  
Sponsor: Mayor/City Attorney
21. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s, to be operated at Poet, 4615 North Lewis Avenue for an employee mixer on August 21, 2013.  
Sponsor: Mayor/City Attorney
22. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Kilian Community College to be operated at 300 East 6th Street for a Chamber Mixer on September 10, 2013.  
Sponsor: Mayor/City Attorney
23. Special One-Day Malt Beverage License for the Home Builders Association of the Sioux Empire to be operated at 6904 South Lyncrest Place, for a Membership Meeting on September 19, 2013.  
Sponsor: Mayor/City Attorney
24. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Avera McKennan Foundation to be operated at Perspective, 196 East 6th Street, for the Paint the Night Pink fundraiser event on October 18, 2013.

Sponsor: Mayor/City Attorney

INTRODUCTION AND ADOPTION OF ORDINANCES

25. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING CHAPTERS 91 AND 150 OF THE CODE OF ORDINANCES OF THE CITY TO MODIFY AUTOMATIC FIRE-EXTINGUISHING PROVISIONS FOR MULTIFAMILY RESIDENCES, TO REVISE THE MEMBERSHIP QUALIFICATIONS FOR CERTAIN BOARDS IN CHAPTERS 55 AND 121, AND TO INSERT THE RESPONSIBLE POSITION FOR ADMINISTRATION OF CERTAIN LICENSES IN CHAPTER 110.

Sponsor: Mayor/Planning and Building Services

26. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 131 OFFENSES AGAINST THE PUBLIC BY ADDING SECTION 131.007 TICKET SCALPING, WHICH WILL PROHIBIT TICKET SCALPING FOR TICKETS BEING SOLD ABOVE FACE VALUE.

Sponsor: Mayor/Finance

Set a date of hearing and 2nd Reading for Tuesday, September 3, 2013, at 7:00 p.m. for Item 27:

27. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 2811 AND 2901 W. MADISON ST. FROM THE RD, RESIDENTIAL DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2013-07-10 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 3, 2013, at 7:00 p.m. for Item 28:

28. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 731 N. Harlem Ave. FROM THE RD, Residential DISTRICT TO THE I-1, Light Industrial DISTRICT, PETITION NO. 2013-07-02 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, September 3, 2013, at 7:00 p.m. for Item 29:

29. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2013-07-13 TO CHAPTER 160.446, PLANNED DEVELOPMENT DISTRICTS, AT Sw corner of W. 86th Pl. and S. Louise Ave. ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA S REGULATIONS. Planning Commission recommends approval.

Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, September 3, 2013, 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. 2013-07-16 TO CHAPTER 160.446, PLANNED DEVELOPMENT DISTRICTS, AT THE NW CORNER OF W. 77TH ST. AND S. CLIFF AVE. ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA D BOUNDARIES 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 3, 2013, at 7:00 p.m. for Item 31:

31. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2013-07-15 TO CHAPTER 160.446, PLANNED DEVELOPMENT DISTRICTS, North of E. Arrowhead Parkway and East of S. Six Mile Road ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE New SUBAREA G REGULATIONS 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

32. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF WILLOW RUN ADDITION, TRACT 4. Planning Commission recommends approval.  
Sponsor: Mayor/Planning and Building Services
33. 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 ON TUESDAYS EACH MONTH AT 4:00 P.M. COUNCIL COMMITTEE MEETINGS AIR LIVE THE FIRST, SECOND, AND THIRD 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 FOURTH TUESDAY 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](http://WWW.SIOUXFALLS.ORG). LINKS TO EACH MEETING S 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.