

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Tuesday, February 22, 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 Robert Litz

Council Member Rex Rolfing

Mayor Mike T. Huether

INVOCATION

&#9679; Reverend Kathryn Timpany, First Congregational Church

PLEDGE OF ALLEGIANCE

RECOGNITION/AWARDS

&#9679; Presentation of the 3rd Annual National Environmental Health Association's Excellence in Sustainability Award for 2010.

&#9679; Presentation of Service Award to City Council Member Bob Litz.

VISITOR RECOGNITION

&#9679; Members of the Multi-Cultural Center's English as a Second Language Class with instructors Judy Machacek and Diane Rahn.

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting Minutes of Monday, February 14, 2011, at 4:00 p.m.

&#9679; City Council Meeting Minutes of Monday, February 14, 2011, at 7:00 p.m.

APPLICATIONS

The following abatements were recommended for approval by the Director of Equalization and the State's Attorney's Office for Minnehaha County; and the City Attorney for Sioux Falls:

1. Joann Hurney, 4037 S. Drexel Dr., for 2010 property taxes in the amount of \$210.18. The amount requested is the difference between the elderly freeze and non elderly freeze.
2. Hazel Smith, 810 E. Hermosa Dr., for 2010 property taxes in the amount of \$475.11. The amount requested is the difference between the elderly freeze and non elderly freeze.
3. Jeanne Runge Enterprises Inc., 4000 E. Wilcox St., for 2010 property taxes in the amount of \$9,940.31. The structure was being assessed on two separate record numbers. Taxpayer is now requesting an abatement for the double assessment.

NOTICE OF HEARINGS

Set a date of hearing for Monday, March 7, 2011, at 7:00 p.m. for Items 4 through 9:

4. New 2010-11 Package Malt Beverage License for Cole s Petroleum Products Inc., name to be determined, to be operated at 900 North Sycamore Avenue, with the Conditional Use Permit (2011-01-05) being approved on 02-02-11.
5. New 2010-11 Package Malt Beverage License for Olson Oil Company, Get N Go #21, to be operated at 5400 East Arrowhead Parkway.
6. Special One-Day Liquor License for Washington Pavilion Management Inc., Washington Pavilion of Arts & Science, 301 South Main Avenue, for the Arts Night Gala on May 6, 2011.
7. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sisters of the Presentation of the Blessed Virgin Mary to be operated at Falls Park, Falls Park Drive, for the Cinco de Mayo Celebration, on April 30, 2011.
8. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Sioux Falls Area Humane Society to be operated at Landscape Garden Center,

7201 South Minnesota Avenue, for the Paws to Celebrate Fundraiser on June 18, 2011.

9. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Sioux Falls Jazz & Blues Society to be operated at Yankton Trail Park, 3901 South Minnesota Avenue, on July 14-16, 2011, for the JazzFest, and on June 16, 2011, at Vern Eide Acura, 4030 South Grange Avenue, for the Jazz & Brews Fundraiser.

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

#### PUBLIC INPUT

#### UNFINISHED BUSINESS

10. New 2011 Package Liquor License for Cubby s Inc., Cubby s North Cliff, to be operated at 3420 North Cliff Avenue.
11. Rescind the 2010-11 Package Malt Beverage License for Cubby s Inc., Cubby s North Cliff, operated at 3420 North Cliff Avenue.
12. Transfer of a 2011 Retail Liquor License from LFK Holdings Inc., Smoe s Bar, 921 East Eighth Street, to SRS Inc., name to be determined, to be operated at 901 West 41st Street, including Sunday Sales and video lottery terminals, effective April 15, 2011 (full service restaurant; CUP not required). Pending final inspections per Fire, Health, and Building Services.
13. Transfer of a 2010-11 Package Malt Beverage License from Leslie & Kent Van Roekel, Park Ridge Convenience Store, 1801 South Western Avenue, to Melinda Koppien, Park Ridge Gas N Pak, to be operated at 1801 South Western Avenue.
14. 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 March 26, 2011.
15. Special One-Day Liquor License requests for SMG to be operated at the Orpheum Theater, 315 North Phillips Avenue, for a business reception on March 11, 2011, and a wedding reception on August 20, 2011.
16. Special One-Day Liquor License requests for SMG to be operated at the Arena, 1201 North West Avenue, for the Sioux Falls Storm Home Season games on March 14 and 21; April 3 and 15; and May 7, 15, and 28, 2011, and for possible playoff games from June 1 through July 31, 2011.

17. Special One-Day Liquor License requests for Washington Pavilion Management Inc., Washington Pavilion of Arts & Science, 301 South Main Avenue, for various special events on March 4, 25, and 26; April 15; May 28 and 29; June 10, 18, 24, and 25, 2011.
18. Special One-Day Liquor License requests for Ovations Food Services LP, Sioux Falls Pheasants Baseball Club, to be operated at 1001 North West Avenue, in the Tiki Bar and Suites, for the 2011 Home Season Games.
19. Special One-Day Malt Beverage and Wine Licenses for Senior Citizen Services Inc., to be operated at Active Generations, 2300 West 46th Street, for the Cocktails and Canvas Art Class on March 22, 2011.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

20. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS TO ASSIST MINNEHAHA COUNTY IN PURCHASING A SECURITY SYSTEM FOR PROJECT SAFE HOME.

Set a date of hearing and 2nd Reading for Monday, March 7, 2011, at 7:00 p.m. for Items 21 through 26:

21. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING THE DEFINITION OF COMMERCIAL VEHICLES AND ADDING A DEFINITION FOR SERVICE VEHICLES. (The Planning Commission recommends approval.)
22. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY TO REVISE RESIDENTIAL PARKING TO ALLOW FOR TEMPORARY PARKING FOR RECREATIONAL VEHICLES. (The Planning Commission recommends approval.)
23. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2010-12-07 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, 1108 E. 2ND STREET, AMENDING THE SCOOTER PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS. (The Planning Commission recommends approval.)
24. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY EAST OF THE S. ELLIS ROAD AND W. 22ND STREET INTERSECTION FROM THE RS-1 AND RS-2, RESIDENTIAL DISTRICTS TO THE RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2011-01-01 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)
25. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING CHAPTER 19 OF THE REVISED ORDINANCES OF THE CITY BY REQUIRING FAMILY DAY CARE HOMES TO DISPLAY MOST RECENT HEALTH DEPARTMENT INSPECTION.
26. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR A PASS-THROUGH DONATION FROM CITIBANK SOUTH

DAKOTA TO THE SIOUX EMPIRE BASEBALL ASSOCIATION TO BE USED TOWARD THE CONSTRUCTION OF A GRANDSTAND AT HARMODON BASEBALL FIELDS. (Citibank, \$20,000.00)

#### HEARINGS AND RESOLUTIONS

27. A RESOLUTION APPROVING TRANSIT ROUTE MODIFICATIONS.
28. A RESOLUTION AMENDING THE 2011 2015 CAPITAL PROGRAM TO ADD FUNDING FOR ENERGY EFFICIENT PROJECTS FOR PUBLIC PARKING. (Engineering, \$40,000.00; and Construction, \$185,000.00)
29. A RESOLUTION THANKING SIOUXLAND LIBRARIES DIRECTOR SALLY FELIX FOR HER EIGHT YEARS OF SERVICE AND THANKING HER FOR THE CONTRIBUTIONS SHE HAS MADE AS DIRECTOR.

#### NEW BUSINESS/ITEMS ADDED AFTER DEADLINE

30. Request received from Doug Hendriks dated 2/01/11 regarding the placement of a Retail Liquor License from the Official City List pursuant to City Ordinance Section 5-2-14, requesting to extend the deadline for the conditional use permit application based on pending litigation.

The City Council may include such other 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.