

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Monday, May 16, 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

● Pastor Yisela Williams, Iglesia Nueva Esperanza

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● Emergency Medical Services Week, May 15-21, 2011

● National Public Works Week, May 15-21, 2011

RECOGNITION/AWARDS

● 2011 Historic Preservation Award - St. Joseph Cathedral

● 2011 Historic Preservation Award - Dale and Susan Becker

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Monday, May 9, 2011, at 4:00 p.m.

● City Council Meeting of Monday, May 9, 2011, at 7:00 p.m.

COMMUNICATIONS

1. A communication was received from Catering America/Chef Dominique's Catering & Banquet Facility requesting permission to consume, but not sell, wine and/or malt beverages at The Old Courthouse Museum, 200 West 6th Street, on Saturday, June 4, 2011, from 5:00 p.m.-11:00 p.m., for a wedding reception.
Sponsor: SDCL 35-1-5.3
2. A communication was received from Siouxland Heritage Museums Alliance stating its intent to sell raffle tickets from June 9, 2011 until July 21, 2011, for one of ten, 8-10 pound pork loins (valued at approximately \$20.00 each). Tickets will be \$1.00 each. The proceeds are to be used to support the operations of the Siouxland Heritage Museums.
Sponsor: SDCL 22-25-25
3. A communication was received from YWCA Sioux Falls stating its intent to conduct a raffle on June 9, 2011 for eight to ten baskets of various goods or certificates (valued at approximately \$250.00 or less). Tickets will be sold for \$10.00 each. The proceeds will be used for various youth programs, transportation costs and to replace an aging bus used by children of the YWCA.
Sponsor: SDCL 22-25-25

NOTICE OF HEARINGS

Set a date of hearing on Monday, June 6, 2011, at 7:00 p.m. for Items 4 through 12:

4. New 2011-12 Retail Malt Beverage South Dakota Farm Winery License for Crystal Investment Corp, Black Diamond Casino, 5113 West 41st Street, including video lottery terminals, effective July 1, 2011 (previously licensed as Retail Malt Beverage).
Sponsor: Mayor/Attorney
5. New 2011-12 Retail Malt Beverage South Dakota Farm Winery License for Italian Eatery of SD Inc., Unozoni, to be operated at 196 East 6th Street, #101, effective July 1, 2011 (previously licensed as Retail Malt Beverage).
Sponsor: Mayor/Attorney
6. New 2011-12 Retail Malt Beverage South Dakota Farm Winery License for Philanthropy Promotions Inc., J&L Harley Davidson, to be operated at 2601 West 60th Street North, 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 The Ramkota Companies Inc., Best Western Ramkota Hotel, 3200 West Maple Street, including video lottery terminals, effective July 1, 2011 (previously licensed as Retail Malt Beverage).
Sponsor: Mayor/Attorney
8. New 2011-12 Retail Malt Beverage South Dakota Farm Winery License for Vegas Mirage Inc., Chop Shoppe, to be operated at 3509 West 57th Street, effective July 1, 2011 (previously licensed as Retail Malt Beverage).
Sponsor: Mayor/Attorney
9. New 2011-12 Package Malt Beverage South Dakota Farm Winery License for Grevco Inc., Shop N Cart North, to be operated at 1029 North Minnesota Avenue, effective July 1, 2011 (previously licensed as Package Malt Beverage).
Sponsor: Mayor/Attorney
10. Special One-Day Liquor License for Washington Pavilion Management Inc., Washington Pavilion, 301 South Main Avenue, for an event for Volunteers of America on June 14, 2011.
Sponsor: Mayor/Attorney
11. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Ovations Food Services LP, Sioux Falls Convention Center, to be operated at Falls Park on the west side near the picnic shelter, for the Volunteers of America National Conference Welcome Reception on June 11, 2011.
Sponsor: Mayor/Attorney
12. Various Retail Malt Beverage and Package Malt Beverage License renewals for 2011-12 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit B.
Sponsor: Mayor/Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

PETITIONS

13. APPEAL OF CONDITIONAL USE PERMIT (2010-07-02) IN THE I-1, LIGHT INDUSTRIAL DISTRICT TO ALLOW NON-FERROUS METAL RECYCLING AT 1305 E. 39TH STREET N. APPROVED AT THE APRIL 6, 2011 PLANNING COMMISSION MEETING WITH A VOTE OF 6-YES, 0-NO.
Sponsor: Mayor/Planning & Building Services

UNFINISHED BUSINESS

14. 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
15. 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
16. 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
17. 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). Pending final inspections per Fire, Health, and Building Services.
Sponsor: Mayor/Attorney
18. 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
19. 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
20. 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
21. 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

22. Special One-Day Liquor License for SKK LLC, Copper Lounge, to be operated at the 1st Avenue Lot #1, 110 South Main Avenue, on August 14, 2011, for the Summer Giveaway Party.
Sponsor: Mayor/Attorney
23. 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
24. 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
25. 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
26. 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

INTRODUCTION AND ADOPTION OF ORDINANCES

27. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR THE RECODIFICATION OF CITY ORDINANCES. (City Council - \$16,950).
Sponsor: City Council/Anderson Jr. and Jamison
 28. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY OF SIOUX FALLS SD, BY AMENDING CHAPTER 5, ALCOHOLIC BEVERAGES.
Sponsor: Mayor/Attorney
 29. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. (Parks and Recreation - \$197,000).
Sponsor: Mayor/Parks & Recreation
- Set a date of hearing and 2nd Reading for Monday, June 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. 2011-04-11 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT E. 69TH ST. AND S. SOUTHEASTERN AVE. ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA REGULATIONS, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission

recommends approval.)

Sponsor: Mayor/Planning & Building Services

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

31. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 708 S. SPRING AVE. FROM THE RD, RESIDENTIAL DISTRICT TO THE C-2, GENERAL COMMERCIAL DISTRICT, PETITION NO. 2011-04-14 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning & Building Services

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

32. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. 69TH ST. AND S. BAHNSON AVE. FROM THE RS-2, RESIDENTIAL DISTRICT TO THE RA-1, RESIDENTIAL DISTRICT AND THE S, INSTITUTIONAL DISTRICT, PETITION NO. 2011-04-01 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning & Building Services

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

33. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 5800 E. ARROWHEAD PARKWAY FROM THE C, COMMERCIAL DISTRICT AND UNZONED PROPERTY TO SUBAREA B OF THE RED ROCK PARK PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2011-03-14 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning & Building Services

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

34. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. GRANGE AVE. AND W. VILLAGE DRIVE FROM THE I-1, LIGHT INDUSTRIAL DISTRICT TO THE RA-2, RESIDENTIAL DISTRICT AND THE C-4, PLANNED COMMERCIAL DISTRICT, PETITION NO. 2011-04-09 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning & Building Services

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

35. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. 53RD ST. AND TRIBBEY TRAIL FROM THE RA-1, RESIDENTIAL DISTRICT TO THE RD, RESIDENTIAL DISTRICT, PETITION NO. 2011-04-13 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning & Building Services

HEARINGS AND RESOLUTIONS

36. A RESOLUTION AMENDING THE 2011-2015 CAPITAL PROGRAM. (Parks & Recreation \$197,000.00).

Sponsor: Mayor/Parks & Recreation

37. A RESOLUTION CREATING SIOUX FALLS TAX INCREMENT DISTRICT NUMBER ELEVEN.
(The Planning Commission recommends approval.)
Sponsor: Mayor/Community Development

38. A RESOLUTION APPROVING THE PROJECT PLAN FOR SIOUX FALLS TAX INCREMENT
DISTRICT ELEVEN. (The Planning Commission recommends approval.)
Sponsor: Mayor/Community Development

NEW BUSINESS

39. ELECTION OF CITY COUNCIL CHAIR
Sponsor: City Council

40. ELECTION OF CITY COUNCIL VICE-CHAIR
Sponsor: City Council

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 COUNCIL MEETINGS 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.