

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Tuesday, July 5, 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 Val Putnam, Westminster Presbyterian Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Monday, June 20, 2011, at 4:00 p.m.

● City Council Meeting of Monday, June 20, 2011, at 7:00 p.m.

● Informational Meeting of Monday, June 27, 2011, at 4:00 p.m.

COMMUNICATIONS

1. A communication was received from The Great Plan Zoo and Delbridge Museum of Natural History requesting permission to consume, but not sell, liquor, wine

and/or malt beverages at The Great Plan Zoo and Delbridge Museum of Natural History, 805 S. Kiwanis Ave., on Tuesday, July 12, 2011, from 5:00 p.m. to 7:00 p.m. for the purpose of a Chamber Mixer.
Sponsor: SDCL 35-1-5.3

2. A communication was received from the Law Offices of Lynn, Jackson, Shultz & LeBrun, P.C., stating their intent to sell raffle tickets on Friday, August 5, 2011, for a prize not to exceed \$2,000.00. Tickets will be \$10.00 each or three tickets for \$20.00. The proceeds will be used for a scholarship for the new Advertising Degree program at South Dakota State University.
Sponsor: SDCL 22-25-25
3. A communication was received from Melissa Van Hee requesting permission to consume, but not sell, wine, beer and alcoholic beverages, at The Old Courthouse Museum, 200 West Sixth Street, on Saturday, October 15, 2011, from 5:00 p.m. to 7:30 p.m. for the purpose of a wedding reception.
Sponsor: SDCL35-1-5.3
4. A memorandum was received on June 10, 2011, declaring a surplus on capital items that will be traded in for another.
Sponsor: Mayor/Finance

NOTICE OF HEARINGS

Set a date of hearing on Monday, July 18, 2011, at 7:00 p.m. for Items 5 through 13:

5. New 2011-12 Retail Malt Beverage License for F&H Repair Service Inc., Faini Designs Jewelry Studio, to be operated at 6203 South Old Village Place, with the Conditional Use Permit (2011-05-01) being approved on 06-01-11.
Sponsor: Mayor/Attorney
6. New 2011 Retail Wine License for F&H Repair Service Inc., Faini Designs Jewelry Studio, to be operated at 6203 South Old Village Place, with the Conditional Use Permit (2011-05-01) being approved on 06-01-11.
Sponsor: Mayor/Attorney
7. New 2011-12 Retail Malt Beverage License for Larry Michael Lang, Michael s Steakhouse of Dodge City, to be operated at 2501 West Russell Street (full service restaurant; CUP not required).
Sponsor: Mayor/Attorney
8. New 2011 Retail Wine License for Larry Michael Lang, Michael s Steakhouse of Dodge City, to be operated at 2501 West Russell Street (full service restaurant; CUP not required).
Sponsor: Mayor/Attorney
9. Special One-Day Liquor License for Downtown Sioux Falls to be operated at Falls Park West, on Phillips Avenue from 5th Street north to 2nd Street, for Downtown LIVE on August 20, 2011.

Sponsor: Mayor/Attorney

10. Special One-Day Liquor License for Southeastern Behavioral Healthcare to be operated at the Avera Prairie Center, 1000 East 23rd Street, for the Festival of Trees on November 18, 2011.

Sponsor: Mayor/Attorney

11. Special One-Day Liquor License requests for Washington Pavilion Management Inc., Washington Pavilion, 301 South Main Avenue, for various special events on August 26, September 20, October 14 and 15, November 19, and December 10, 2011.

Sponsor: Mayor/Attorney

12. Special One-Day Liquor License for SMG to be operated at the Orpheum Theater, 315 North Phillips Avenue, for a wedding reception on August 13, 2011.

Sponsor: Mayor/Attorney

13. Special One-Day Off-Sale Package Wine 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

PUBLIC INPUT

UNFINISHED BUSINESS

14. DEFERRED (from the meeting of 06-20-11): Renewal of the 2011-12 Package Malt Beverage License for Bauer Enterprises LLC, Pump N Pak, to be operated at 5108 North Cliff Avenue, with the Security Management Plan submitted for an underage sales violation in 2010.

Sponsor: Mayor/Attorney

15. DEFERRED (from the meeting of 06-20-11): Renewal of the 2011-12 Package Malt Beverage License for Walgreen Co., Walgreen s #05242, to be operated at 4900 South Cliff Avenue, with the Security Management Plan submitted for an underage sales violation in 2011.

Sponsor: Mayor/Attorney

16. New 2011-12 Retail Malt Beverage License for RS Double H LLC, Chedd s Gourmet Grilled Cheese, to be operated at 323 South Phillips Avenue, Suite 102, with the Conditional Use Permit (2011-03-15) being approved on 05-04-11.

Sponsor: Mayor/Attorney

17. New 2011-12 Package Malt Beverage/South Dakota Farm Winery License for Andy s Affiliated Foods Inc., Andy s Affiliated Foods, to be operated at

1025 South Cleveland Avenue (previously licensed as Package Malt Beverage).
Sponsor: Mayor/Attorney

18. Renewal of the 2011-12 Retail Malt Beverage License for Golden Bowl Corporation, Golden Bowl, to be operated at 2600 South Spring Avenue.
Sponsor: Mayor/Attorney
19. Special One-Day Liquor License for SMG to be operated at the Orpheum Theater, 315 North Phillips Avenue, for a wedding reception on July 30, 2011.
Sponsor: Mayor/Attorney
20. Special One-Day Liquor License for Ovations Food Services LP, to be operated at the Sioux Falls Baseball Stadium, 1001 North West Avenue, in the Tiki Bar and Suites, for the KRRO-Fest on July 15, 2011.
Sponsor: Mayor/Attorney
21. Special One-Day Liquor License for Washington Pavilion Management Inc., Washington Pavilion of Arts & Science, 301 South Main Avenue, for the WHS Class of 1971 Reunion on July 16, 2011.
Sponsor: Mayor/Attorney
22. Special One-Day Liquor License for Prairie Pasta Inc., Johnny s Carino s, to be operated at the Old Courthouse Museum, 200 West Sixth Street, for a wedding reception on October 15, 2011.
Sponsor: Mayor/Attorney
23. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Almost Home Canine Rescue to be operated at the 8th & Railroad Center, 401 East 8th Street, in the boardwalk and parking lot, for the 605 Summer Classic on August 6, 2011.
Sponsor: Mayor/Attorney
24. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Multi-Cultural Center of Sioux Falls to be operated at the Coliseum, 515 North Main Avenue, for RollerDollz Competitions to be held on July 23, September 10, October 15, and November 5, 2011.
Sponsor: Mayor/Attorney

INTRODUCTION AND ADOPTION OF ORDINANCES

25. DEFFERRED (from meeting of June 13, 2011) 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REPEALING CHAPTER 22 OF THE REVISED ORDINANCES OF THE CITY AND AMENDING CHAPTERS 23 AND 28 OF THE REVISED ORDINANCES OF THE CITY BY INCLUDING SECONDHAND GOODS DEALERS AND GUN DEALERS AND DEALERS IN PRECIOUS METALS OR PRECIOUS GEMS.
Sponsor: Mayor/Police
26. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REPEALING THE THREE YEAR EXPIRATION FOR

RESIDENTIAL RENTAL UNIT REGISTRATIONS.

Sponsor: City Council/Aguilar and Anderson, Jr.

27. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY CHARGING A REPLACEMENT FEE FOR RELOADABLE FARE CARDS FOR TRANSIT.

Sponsor: Mayor/Planning and Building Services

28. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3801 W. 41ST ST. FROM THE C-4, PLANNED COMMERCIAL DISTRICT TO THE C-2, GENERAL COMMERCIAL DISTRICT, PETITION NO. 2011-05-07, 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 Monday, July 11, 2011, at 7:00 p.m. on Item 29:

29. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING CHAPTER 2, ARTICLE II, OF CITY COUNCIL ORGANIZATION AND PROCEDURE.

Sponsor: City Council/Aguilar and Brown

Set a date of hearing and 2nd Reading for Monday, July 11, 2011, at 7:00 p.m. on Item 30:

30. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING THE DUE PROCESS REQUIREMENTS FOUND IN ARTICLE VI, ADMINISTRATIVE APPEALS, OF CHAPTER 2.

Sponsor: City Council/Aguilar and Brown

HEARINGS AND RESOLUTIONS

31. DEFERRED (from the meeting of June 13, 2011): A RESOLUTION DECLARING IT NECESSARY TO LEVY AND LEVYING A FRONTAGE ASSESSMENT AGAINST THE LOTS, TRACTS, AND PARCELS OF LAND FRONTING AND ABUTTING UPON 21ST ST. FROM PHILLIPS AVE. TO SEVENTH AVE. IN THE CITY OF SIOUX FALLS FOR THE PURPOSE OF MAINTAINING, PLANTING, AND OTHERWISE IMPROVING AND CARING FOR THE CENTER PARKWAYS AND BOULEVARD THEREON.

Sponsor: Mayor/Parks and Recreation

32. DEFERRED (from the meeting of June 13, 2011): A RESOLUTION DECLARING IT NECESSARY TO LEVY AND LEVYING A SPECIAL FRONT FOOT ASSESSMENT FEE FOR STREET MAINTENANCE AND REPAIR.

Sponsor: Mayor/Public Works

33. A RESOLUTION FINDING THAT THE MCCART FIELD PARK CONCEPT INVOLVING FIELD 9 FOR APPROXIMATELY 300 PARKING STALLS DOES CONSTITUTE A PARK PURPOSE.

Sponsor: Mayor/Parks and Recreation

34. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZENS BOARDS.

Sponsor: City Council/Aguilar and Erpenbach

35. A RESOLUTION APPOINTING MEMBERS OF THE DISTRICTING COMMISSION.
Sponsor: City Council/Aguilar and Erpenbach

REPORT OF OFFICERS/BOARDS/COMMITTEES/TRANFERS OF UNENCUMBERED APPROPRIATION
BALANCES AMONG PROGRAMS WITHIN A DEPARTMENT OR ORGANIZATIONAL UNIT AS PROVIDED
IN THE SIOUX FALLS CITY CHARTER SECTION 5.07(d)

36. REPORT OF THE JUNE 27, 2011, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN
MAJOR ORGANIZATIONAL UNITS.
Sponsor: Mayor/Finance

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.