

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Tuesday, September 6, 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 Eric McCandless, Empire Baptist Temple

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● Suicide Prevention Week, September 4-10, 2011

● The Sioux Falls Woman's Alliance 100th Year of Service to Women and Girls, September 10, 2011

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Budget Hearings Meeting of Monday, August 1, 2011, at 3:00 p.m.

● Budget Hearings Meeting of Monday, August 15, 2011, at 3:00 p.m.

● Joint City Council/Minnehaha County Meeting of Monday, August 15, 2011, at 5:30 p.m.

● City Council Meeting of Monday, August 15, 2011, at 7:00 p.m.

● Budget Hearings Meeting of Monday, August 29, 2011, at 3:00 p.m.

COMMUNICATIONS

1. A memorandum was received on August 16, 2011, declaring a surplus on a plotter that will be traded in for another asset.
Sponsor: Mayor/Finance
2. A memorandum was received on August 25, 2011, declaring a surplus on a van that will be disposed of as junk.
Sponsor: Mayor/Finance
3. A communication was received from Mount Marty College, Inc., requesting permission to consume, but not sell beer at the Mount Marty College Sioux Falls Campus, 5001 W. 41st Street, Sioux Falls, on Tuesday, October 4, 2011, from 2:00 p.m. until 10:00 p.m. celebrating 75 years as Mount Marty College.
Sponsor: SDCL 35-1-5.3
4. A communication was received from Washington High School Class of 2012 stating their intent to sell raffle tickets for a 50/50 raffle at all football, basketball, volleyball games and other activities until May 2012. Half of the money raised at each 50/50 raffle will be awarded as a prize with the other half being used for the 2012 Senior Class Party which will be held after graduation in May 2012.
Sponsor: SDCL 22-25-25

APPLICATIONS

5. Special One-Day Liquor License for Washington Pavilion Management Inc., Washington Pavilion, 301 South Main Avenue, for a wedding reception on October 8, 2011.
Sponsor: Mayor/Attorney

NOTICE OF HEARINGS

Set a date of hearing for Monday, September 19, 2011, at 7:00 p.m. on Items 6 through 12:

6. Transfer of a 2011-12 Retail Malt Beverage License from Bosselman Inc. of SD, Grandma Max's Restaurant, 5301 North Cliff Avenue, to Bosselman Food Services Inc., Grandma Max's Restaurant, to be operated at 5301 North Cliff

Avenue, including video lottery terminals (full service restaurant; CUP not required).

Sponsor: Mayor/Attorney

7. Transfer of a 2011-12 Retail Malt Beverage License from Interactive Holdings Inc., VIP Gaming II, 3600 West 41st Street, to Wallmark Foods Inc., The Parliament Casino, to be operated at 3600 West 41st Street, including video lottery terminals (CUP not required; this is an existing license which predates the ordinance).

Sponsor: Mayor/Attorney

8. Transfer of a 2011 Retail Wine License from Interactive Holdings Inc., VIP Gaming II, 3600 West 41st Street, to Wallmark Foods Inc., The Parliament Casino, to be operated at 3600 West 41st Street, including video lottery terminals (CUP not required; this is an existing license which predates the ordinance).

Sponsor: Mayor/Attorney

9. Special One-Day Wine License for the Affordable Housing Solutions, to be operated at the Old Courthouse Museum, 200 West Sixth Street, for the 2011 Trivia Challenge Fundraiser on September 29, 2011.

Sponsor: Mayor/Attorney

10. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Children s Home Society, to be operated at the Avera Prairie Center, 1000 East 23rd Street, for their annual dinner meeting on October 6, 2011.

Sponsor: Mayor/Attorney

11. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Avera McKennan Foundation, to be operated at the Avera Prairie Center, 1000 East 23rd Street, for the Paint the Night Pink Fundraiser on October 21, 2011.

Sponsor: Mayor/Attorney

12. Special One-Day Malt Beverage and Special One-Day Wine Licenses for The Compass Center, to be operated at the Avera Prairie Center, 1000 East 23rd Street, for the It s in the Bag Fundraiser on February 9, 2012.

Sponsor: Mayor/Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

13. New 2011-12 Retail Malt Beverage License for Tokyo Sushi and Hibachi LLC, Tokyo Sushi & Hibachi, to be operated at 3202 East Tenth Street (full service restaurant; CUP not required). Pending final inspections per

Health, Fire, and Building Services.

Sponsor: Mayor/Attorney

14. New 2011 Retail Wine License for Tokyo Sushi and Hibachi LLC, Tokyo Sushi & Hibachi, to be operated at 3202 East Tenth Street (full service restaurant; CUP not required). Pending final inspections per Health, Fire and Building Services.

Sponsor: Mayor/Attorney

15. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Home Builders Association of the Sioux Empire to be operated at Home Builders Association of the Sioux Empire, 6904 South Lyncrest Place, for the General Membership Meeting on September 29, 2011.

Sponsor: Mayor/Attorney

16. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Avera McKennan Foundation to be operated at Perspective, 196 East Sixth Street, on October 21, 2011, for the Paint the Night Pink Fundraiser.

Sponsor: Mayor/Attorney

17. Special One-Day Malt Beverage 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

INTRODUCTION AND ADOPTION OF ORDINANCES

18. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING THE PROCESS FOR THE APPROVAL OF CONTRACTS.

Sponsor: City Council/Jamison and Erpenbach

19. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. 26TH ST. AND S. CANYON AVE. FROM THE RS-2, RESIDENTIAL DISTRICT TO THE RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2011-06-11 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

20. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. GRANGE AVE. AND W. VILLAGE DR. FROM THE RA-2, RESIDENTIAL DISTRICT, THE C-4, PLANNED COMMERCIAL DISTRICT, AND THE I-1, LIGHT INDUSTRIAL DISTRICT TO THE RA-2, RESIDENTIAL DISTRICT, THE C-4, PLANNED COMMERCIAL DISTRICT, AND THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2011-07-06 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

21. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. BENSON ROAD AND N. MARION ROAD FROM THE RA-1, RESIDENTIAL DISTRICT AND O, OFFICE DISTRICT TO THE RS-2, RESIDENTIAL AND THE RC, RECREATION/

CONSERVATION DISTRICT, PETITION NO. 2011-07-10 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

22. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. MADISON STREET AND N. VALLEY VIEW ROAD FROM THE RS-2, RESIDENTIAL DISTRICT TO THE RD, RESIDENTIAL DISTRICT, PETITION NO. 2011-07-11 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

23. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2011-07-13 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT 1000 S. SYCAMORE AVE. AMENDING THE CELEBRATE COMMUNITY CHURCH PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS. (The Planning Commission recommends approval. 5-1)

Sponsor: Mayor/Planning and Building Services

24. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR CIP NO. 148014, RIGHT-OF-WAY ACQUISITION FOR PUBLIC WORKS. (\$512,075.00)

Sponsor: Mayor/Public Works

25. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE RELEASE OF A PERMANENT 40-FOOT UTILITY EASEMENT IN LOT 1A IN BLOCK 5 OF GRAND ARBOR VILLAGE ADDITION TO THE CITY OF SIOUX FALLS, LINCOLN COUNTY, SOUTH DAKOTA.

Sponsor: Mayor/Public Works

26. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE RELEASE OF PERMANENT EASEMENTS IN LOT 2, BLOCK 1, THE EDGES ADDITION TO THE CITY OF SIOUX FALLS; TRACT 1, EXCEPT LOT H-1, THE EDGES ADDITION TO THE CITY OF SIOUX FALLS; AND LOT 1, EXCEPT LOT H-1, BLOCK 6, INTERSTATE CROSSING BUSINESS PARK ADDITION TO THE CITY OF SIOUX FALLS, LINCOLN COUNTY, SOUTH DAKOTA.

Sponsor: Mayor/Public Works

27. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE RELEASE OF A PERMANENT STORM SEWER AND DRAINAGE EASEMENT IN TRACT A OF REDROCK PARK 2ND ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.

Sponsor: Mayor/Public Works

28. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE RELEASE OF A PORTION OF PERMANENT WATER AND SANITARY SEWER EASEMENTS IN LOT 1, FRIESSEN S ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.

Sponsor: Mayor/Public Works

29. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE CITY TO ENTER INTO AN INTEREST-FREE LOAN AGREEMENT WITH SOUTH DAKOTA

HOUSING DEVELOPMENT AUTHORITY FOR THE PURPOSE OF REHABILITATING RENTAL HOUSING PROPERTIES WITHIN THE CORE INCENTIVE AREA. (Up to \$500,000.00)

Sponsor: Mayor/Community Development

Set a date of hearing and 2nd Reading for Monday, September 19, 2011, at 7:00 p.m. on Item 30:

30. 1st Reading:AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING ARTICLE III OF CHAPTER 8 OF THE REVISED ORDINANCES OF THE CITY REGARDING THE ORPHEUM THEATER ADVISORY BOARD OF DIRECTORS.

Sponsor: Mayor/Planning and Building Services

HEARINGS AND RESOLUTIONS

31. PUBLIC HEARING FOR PUBLIC INPUT FOR A RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2012, AND THE 2012-2016 CAPITAL PROGRAM.

Sponsor: Mayor/Finance

32. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF WILLIAMS ADDITION. (The Planning Commission recommends approval.)

Sponsor: Mayor/Planning and Building Services

33. A RESOLUTION SUPPORTING THE CANDIDACY OF TRACY D. TURBAK FOR A POSITION ON THE BOARD OF DIRECTORS OF THE SOUTH DAKOTA PUBLIC ASSURANCE ALLIANCE (SDPAA).

Sponsor: Mayor/Finance

34. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND BANCROFT PARTNERS, LLC.

Sponsor: Mayor/Community Development

35. A RESOLUTION AMENDING THE 2011-2015 CAPITAL PROGRAM TO INCREASE FUNDING FOR CIP NO. 148014, RIGHT-OF-WAY ACQUISITION FOR PUBLIC WORKS.

Sponsor: Mayor/Public Works

36. A RESOLUTION OF THE CITY COUNCIL DESIGNATING EIDE BAILLY LLP TO PROVIDE AN INDEPENDENT AUDIT OF ALL CITY ACCOUNTS FOR THE YEARS ENDING ON DECEMBER 31, 2011, 2012, AND 2013.

Sponsor: City Council/Jamison and Karsky

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

37. REPORT OF AUGUST 29, 2011, NOTICE OF TRANSFERS 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.