

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Monday, October 3, 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

● Rev. Randy Rasmussen, Emmanuel Baptist Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● Mental Illness Awareness Week, October 2-8, 2011

● Domestic Violence Awareness Month, October, 2011

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Monday, September 19, 2011, at 4:00 p.m.

● City Council Meeting of Monday, September 19, 2011, at 7:00 p.m.

● Informational Meeting of Monday, September 26, 2011, at 4:00 p.m.

COMMUNICATIONS

1. A communication was received from Avera McKennan Hospital and University Health Center requesting permission to consume, but not sell, wine and malt beverages at Avera Medical Group Ophthalmology, Plaza 2, 1301 South Cliff Avenue, Suite 220 on Wednesday, October 5, 2011, from 4:30 p.m. to 7:00 p.m. for the purpose of a Sioux Falls Chamber of Commerce ribbon cutting ceremony.
Sponsor: SDCL 35-1-5.3
2. A communication was received from the Great Plains Zoo and Delbridge Museum of Natural History requesting permission to consume, but not sell, beer and wine, at the Great Plains Zoo and Delbridge Museum of Natural History, 805 South Kiwanis Avenue on Friday, October 14, 2011, from 5:00 p.m. to 8:00 p.m. for a private event for a special donor.
Sponsor: SDCL 35-1-5.3
3. A communication was received from the Washington High School Band Boosters stating their intent to sell raffle tickets from October 18, 2011 through October 24, 2011, for one of the following prizes: seven assorted gift baskets (valued at \$100.00 each); dorm room buddy shelving unit (valued at \$750.00); John Green print (valued at \$150.00); or miscellaneous small items (valued at less than \$20.00 each). Tickets will be sold for \$5.00 each or three tickets for \$10.00. Proceeds will benefit the Marching Band program.
Sponsor: SDCL 22-25-25
4. A communication was received from NARAL Pro-Choice South Dakota Foundation requesting permission to consume, but not sell, wine at the Old Courthouse Museum, 200 West Sixth Street, on Wednesday, October 26, 2011, from 7:00 p.m. to 10:00 p.m. for the purpose of a fundraising event.
Sponsor: SDCL 35-1-5.3
5. A communication was received from Avera McKennan Hospital and University Health Center requesting permission to consume, but not sell, liquor, wine, and malt beverages at The Prairie Center, 1000 E. 23rd Street, on Thursday, November 17, 2011, from 4:00 p.m. to 8:00 p.m. following a board meeting for the Sioux Falls Symphony Gala.
Sponsor: SDCL 35-1-5.3

APPLICATIONS

6. Special One-Day Liquor License for Ovations Food Services L.P., to be operated at the Avera Central Office, 3900 West Avera Drive, for a Holiday Event on December 9, 2011.
Sponsor: Mayor/Attorney
7. Special One-Day Liquor License requests for Washington Pavilion Management Inc., Washington Pavilion, 301 South Main Avenue, for a wedding reception on November 11, 2011, and a Christmas Party on December 12, 2011.
Sponsor: Mayor/Attorney

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

8. New 2011-12 Package Malt Beverage/Farm Winery License for Casey s Retail Company, Casey s General Store #3019, to be operated at 1901 East Tenth Street. Pending final inspections per Fire, Health, and Building Services.
Sponsor: Mayor/Attorney
9. New 2011-12 Package Malt Beverage/Farm Winery License for Casey s Retail Company, Casey s General Store #3049, to be operated at 3236 South Sycamore Avenue. Pending final inspections per Fire, Health, and Building Services.
Sponsor: Mayor/Attorney
10. Special One-Day Liquor License for the South Dakota Symphony Orchestra to be operated at the Avera Prairie Center, 1000 East 23rd Street, for the South Dakota Symphony Orchestra Gala on November 5, 2011.
Sponsor: Mayor/Attorney
11. Amend Special One-Day Malt Beverage and Special One-Day Wine Licenses approved on 9/19/11 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, amending this request to be for the Pink Fashionista Event on October 1, 2011.
Sponsor: Mayor/Attorney

INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for the meeting of Monday, October 17, 2011, at 7:00 p.m. on Item 12:

12. DEFERRED (from meetings of July 18, 2011 and August 1, 2011) 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 124 S. ELMWOOD AVE. FROM THE RD, RESIDENTIAL DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2011-05-04, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends denial.)
Sponsor: Mayor/Planning and Building Services
13. Deferred Action (from the meeting of September 6, 2011) 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
14. Deferred Action (from meeting of September 6, 2011 and September 19, 2011)

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

15. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. 73RD ST. AND S. EL DORADO AVE. FROM THE DIAMOND VALLEY PLANNED DEVELOPMENT DISTRICT AND THE RS-2, RESIDENTIAL DISTRICT TO THE RD, RESIDENTIAL DISTRICT, PETITION NO. 2011-07-12 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)
Sponsor: Mayor/Planning and Building Services

16. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1208 W. ELKHORN ST. FROM THE I-1, LIGHT INDUSTRIAL DISTRICT TO THE O, OFFICE DISTRICT, PETITION NO. 2011-08-06, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)
Sponsor: Mayor/Planning and Building Services

17. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 124 S. ELMWOOD AVE. FROM THE RD, RESIDENTIAL DISTRICT TO THE ELMWOOD PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2011-08-10 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval.)
Sponsor: Mayor/Planning and Building Services

18. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING CHAPTER 18 GARBAGE AND RECYCLING OF THE REVISED ORDINANCES OF THE CITY OF SIOUX FALLS.
Sponsor: Mayor/Public Works

Set a date of hearing and 2nd Reading for the meeting of Tuesday, October 11, 2011, at 7:00 p.m. on Item 19:

19. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING APPROPRIATIONS AND THE MEANS OF FINANCING FOR THE FISCAL YEAR ENDING DECEMBER 31, 2012.
Sponsor: Mayor/Finance

Set a date of hearing and 2nd Reading for the meeting of Tuesday, October 11, 2011, at 7:00 p.m. on Item 20:

20. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING CERTAIN ANIMAL CONTROL AND LICENSING ORDINANCES OF THE CITY.
Sponsor: Mayor/Health

Set a date of hearing and 2nd Reading for the meeting of Tuesday, October 11, 2011, at 7:00 p.m. on Item 21:

21. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE

REVISED ORDINANCES OF THE CITY BY AMENDING ARTICLE VIII, MAIN STREET BUSINESS IMPROVEMENT DISTRICT OF CHAPTER 39 BY CLARIFYING EXEMPTIONS SUBJECT TO ANNUAL SPECIAL ASSESSMENTS.
Sponsor: Mayor/Community Development

HEARINGS AND RESOLUTIONS

22. Deferred Action (from meeting of September 6, 2011 and September 19, 2011): 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

23. Deferred Action (from meeting of September 19, 2011): A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE REVISED PRELIMINARY PLAN OF TIMBER OAK ESTATES ADDITION. (The Planning Commission recommends denial.)
Sponsor: Mayor/Planning and Building Services

24. Deferred Action (from meeting of September 19, 2011): A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL ARCHITECTURAL AND ENGINEERING DESIGN SERVICES AGREEMENT BETWEEN THE CITY AND SINK COMBS DETHLEFS, P.C. FOR THE PROPOSED SIOUX FALLS EVENTS CENTER, ALONG WITH OTHER DOCUMENTS, AMENDMENTS, CHANGE ORDERS, OR OTHER INSTRUMENTS AS MAY BE DEEMED NECESSARY AND APPROPRIATE CONSISTENT WITH THE TERMS OF THE AGREEMENT.
Sponsor: Mayor/Public Works

25. Deferred Action (from meeting of September 19, 2011): A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONSTRUCTION MANAGER AT-RISK AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND M. A. MORTENSON COMPANY FOR CONSTRUCTION MANAGER AT-RISK SERVICES FOR THE PROPOSED SIOUX FALLS EVENTS CENTER, ALONG WITH OTHER DOCUMENTS, AMENDMENTS, CHANGE ORDERS, OR OTHER INSTRUMENTS AS MAY BE DEEMED NECESSARY AND APPROPRIATE CONSISTENT WITH THE TERMS OF THE AGREEMENT.
Sponsor: Mayor/Public Works

26. A RESOLUTION APPROVING THE APPOINTMENT OF SUE ROUST AS INTERIM CITY CLERK EFFECTIVE UPON PASSAGE AND PUBLICATION.
Sponsor: City Council/Karsky and Erpenbach

27. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.
Sponsor: Mayor

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)

28. REPORT OF THE SEPTEMBER 26, 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.