

|| City of Sioux Falls Council Meeting Minutes
|| Carnegie Town Hall, 235 West 10th Street
|| MEETING OF Monday, July 19, 2010 at 7:00 p.m. |

ROLL CALL #7

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Members Present:	Members Absent:
Council Member Aguilar	Council Member Litz
Council Member Anderson Jr.	Council Member Roling
Council Member Brown	
Council Member Entenman	
Council Member Erpenbach	
Council Member Jamison	
Mayor Mike T. Huether	

INVOCATION

A. COUNCIL MEMBER VERNON BROWN

PLEDGE OF ALLEGIANCE

PROCLAMATION

A. PARKS AND RECREATION MONTH - JULY 2010

RECOGNITION/AWARDS

A. PRESENTATION OF COMMISSION FOR ACCREDITATION OF PARK AND RECREATION AGENCIES
(CAPRA) AWARD

CONSENT AGENDA

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Anderson Jr. and seconded by Council Member Jamison to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 6. Noes, 0.

Motion Passed

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, JULY 12, 2010, AT 4:00 P.M.

Minutes

B. CITY COUNCIL MEETING OF MONDAY, JULY 12, 2010, AT 7:00 P.M.

Minutes

NOTICE OF HEARINGS

Set a hearing date for Monday, August 2, 2010, at 7:00 p.m. on Items 1 through 2:

DOC: MEMO

1. RENEWAL OF THE 2010-11 PACKAGE MALT BEVERAGE LICENSE FOR WANG ENTERPRISE INC., KING'S MART, TO BE OPERATED AT 4200 WEST 41ST STREET.
2. SPECIAL ONE-DAY LIQUOR LICENSE FOR SKK LLC, COPPER LOUNGE, TO BE OPERATED AT THE 1ST AVENUE LOT #1, 110 SOUTH MALL AVENUE, ON AUGUST 15, 2010, FOR THE SUMMER GIVEAWAY PARTY.

REGULAR AGENDA

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Anderson Jr. and seconded by Council Member Aguilar to approve the Regular Agenda.

Vote to approve: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 6. Noes, 0.

Motion Passed

PUBLIC INPUT

Tim Stanga spoke regarding the budget and the Event Center.

UNFINISHED BUSINESS

DOC: MEMO

3. NEW 2010 RETAIL LIQUOR LICENSE FOR MKSF INC., KRAV'N, TO BE OPERATED AT THE NE CORNER OF WEST 74TH STREET AND SOUTH CONNIE AVENUE (LOT 1, BLOCK 1, PLATINUM VALLEY ADDITION), INCLUDING SUNDAY SALES AND VIDEO LOTTERY TERMINALS, FULL SERVICE RESTAURANT WITH THE PETITION FOR A FINAL DEVELOPMENT PLAN (2010-05-02) BEING APPROVED ON 06-02-10. PENDING FINAL INSPECTIONS PER FIRE, HEALTH, AND BUILDING SERVICES.

A motion was made by Council Member Entenman and seconded by Council Member Jamison to approve Item 3. This motion was then withdrawn in order to approve all items in Unfinished Business with one vote .

4. NEW 2010 PACKAGE LIQUOR LICENSE FOR CUBBY'S INC., CUBBY'S WEST 12TH STREET, TO BE OPERATED AT 1900 WEST 12TH STREET.

5. RESCIND THE 2010-11 PACKAGE MALT BEVERAGE LICENSE FOR CUBBY'S INC., CUBBY'S WEST 12TH STREET, 1900 WEST 12TH STREET.

6. NEW 2010-11 RETAIL MALT BEVERAGE LICENSE FOR BIG CHEESE PIZZA LLC, BIG CHEESE PIZZA, TO BE OPERATED AT 1301 EAST BENSON ROAD (FULL SERVICE RESTAURANT; CUP NOT REQUIRED). PENDING FINAL INSPECTIONS PER FIRE, HEALTH, AND BUILDING SERVICES.

7. NEW 2010 RETAIL WINE LICENSE FOR BIG CHEESE PIZZA LLC, BIG CHEESE PIZZA, TO BE OPERATED AT 1301 EAST BENSON ROAD (FULL SERVICE RESTAURANT; CUP NOT REQUIRED). PENDING FINAL INSPECTIONS PER FIRE, HEALTH, AND BUILDING SERVICES.

8. NEW 2010-11 RETAIL MALT BEVERAGE LICENSE FOR 2 AMIGOS LLC, 2 AMIGOS, TO BE OPERATED AT 3224 EAST TENTH STREET, WITH THE CONDITIONAL USE PERMIT (2010-05-07) BEING APPROVED ON 06-02-10. PENDING FINAL INSPECTIONS PER FIRE, HEALTH, AND BUILDING SERVICES.

9. NEW 2010-11 PACKAGE MALT BEVERAGE LICENSE FOR WALGREEN CO., WALGREENS #05243, TO BE OPERATED AT 2605 WEST 12TH STREET, WITH THE CONDITIONAL USE PERMIT (2010-05-11) BEING APPROVED ON 06-02-10.

10. NEW 2010-11 PACKAGE MALT BEVERAGE LICENSE FOR WALGREEN CO., WALGREENS #05514, TO BE OPERATED AT 1806 SOUTH MINNESOTA AVENUE, WITH THE CONDITIONAL USE PERMIT (2010-05-10) BEING APPROVED ON 06-02-10.

11. NEW 2010-11 PACKAGE MALT BEVERAGE LICENSE FOR WALGREEN CO., WALGREENS #10729, TO BE OPERATED AT 7120 WEST 41ST STREET.

12. NEW 2010-11 PACKAGE MALT BEVERAGE/FARM WINERY LICENSE FOR PILOT TRAVEL CENTERS LLC, PILOT TRAVEL CENTER #716 (CONVENIENCE STORE ONLY), TO BE OPERATED AT 5201 NORTH GRANITE LANE. PENDING APPROVAL OF A MAJOR AMENDMENT BY THE CITY PLANNING COMMISSION.

13. TRANSFER OF A 2010-11 PACKAGE MALT BEVERAGE/FARM WINERY LICENSE FROM CFJ

PROPERTIES, FLYING J TRAVEL CENTER, 5201 NORTH GRANITE LANE, TO PILOT TRAVEL CENTERS LLC, PILOT TRAVEL CENTER #716 (CONVENIENCE STORE ONLY), TO BE OPERATED AT 5201 NORTH GRANITE LANE. PENDING APPROVAL OF A MAJOR AMENDMENT BY THE CITY PLANNING COMMISSION.

14. TRANSFER OF A 2010-11 RETAIL MALT BEVERAGE LICENSE FROM CFJ PROPERTIES, COUNTRY MARKET RESTAURANT, 5201 NORTH GRANITE LANE, TO PILOT TRAVEL CENTERS LLC, PILOT TRAVEL CENTER #716 (RESTAURANT), TO BE OPERATED AT 5201 NORTH GRANITE LANE, INCLUDING VIDEO LOTTERY TERMINALS (WITH THE CONDITIONAL USE PERMIT (99-12-5) BEING APPROVED IN 1999.
15. TRANSFER OF A 2010 RETAIL WINE LICENSE FROM CFJ PROPERTIES, COUNTRY MARKET RESTAURANT, 5201 NORTH GRANITE LANE, TO PILOT TRAVEL CENTERS LLC, PILOT TRAVEL CENTER #716 (RESTAURANT), TO BE OPERATED AT 5201 NORTH GRANITE LANE, INCLUDING VIDEO LOTTERY TERMINALS (WITH THE CONDITIONAL USE PERMIT (99-12-5) BEING APPROVED IN 1999.
16. TRANSFER OF A 2010 RETAIL LIQUOR LICENSE FROM UNITED ENTERPRISES GR LLC, GROUND ROUND RESTAURANT, 1301 WEST 41ST STREET, TO OUR VENTURES INC., THE 18TH AMENDMENT, TO BE OPERATED AT 1301 WEST 41ST STREET, INCLUDING SUNDAY SALES AND VIDEO LOTTERY TERMINALS (FULL SERVICE RESTAURANT; CUP NOT REQUIRED). PENDING FINAL INSPECTIONS PER FIRE, HEALTH, AND BUILDING SERVICES.
17. TRANSFER OF A 2010-11 PACKAGE MALT BEVERAGE LICENSE FROM PILOT TRAVEL CENTERS LLC, PILOT TC #349 CONVENIENCE STORE, 5301 NORTH CLIFF AVENUE, TO LOVE'S TRAVEL STOPS & COUNTRY STORES INC., LOVE'S TRAVEL STOP #445, TO BE OPERATED AT 5301 NORTH CLIFF AVENUE.
18. SPECIAL ONE-DAY LIQUOR LICENSE FOR TSK INC., STOGEEZ, TO BE OPERATED ON PHILLIPS AVENUE BETWEEN 10TH AND 11TH STREETS, ON JULY 31, 2010, FOR THE STOGEEZ STEAKOUT.
19. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR HY-VEE INC., ALL OCCASIONS BY HY-VEE, TO BE OPERATED AT THE DELBRIDGE MUSEUM OF NATURAL HISTORY, 805 SOUTH KIWANIS AVENUE, ON AUGUST 7 AND OCTOBER 16, 2010, FOR WEDDING RECEPTIONS.
20. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR J&T SERVICES TO BE OPERATED AT THE OLD COURTHOUSE MUSEUM, 200 WEST SIXTH STREET, ON AUGUST 21 AND OCTOBER 22, 2010, FOR WEDDING RECEPTIONS.
21. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR WASHINGTON PAVILION MANAGEMENT INC., WASHINGTON PAVILION OF ARTS & SCIENCE, 301 SOUTH MAIN AVENUE, ON SEPTEMBER 10 AND NOVEMBER 12, 2010, FOR WEDDING RECEPTIONS, ON OCTOBER 9, 2010, FOR A FAMILY CELEBRATION, AND ON NOVEMBER 6, 2010, FOR A GALA.
22. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR THE SOUTH DAKOTA ASSOCIATION OF THE DEAF TO BE OPERATED AT THE SOUTH DAKOTA ASSOCIATION OF THE DEAF CENTER, 3520 GATEWAY LANE, ON AUGUST 5-7, 2010, FOR THE ALL-CLASS REUNION.

A motion was made by Council Member Jamison and seconded by Council Member Entenman to approve Items 3 through 22 (excluding Item 16), with one vote.

Vote to approve: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 6. Noes, 0.
Motion Passed

A motion was made by Council Member Brown and seconded by Council Member Erpenbach to amend the main motion by removing Item 13 from the vote.

Vote to amend: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 6. Noes, 0.
Motion Passed

Vote to approve the main motion, as amended: Roll Call: Yeses, Aguilar, Anderson Jr., Brown, Entenman, Erpenbach, Jamison, 6. Noes, 0. Motion Passed.

A motion was made by Council Member Jamison and seconded by Council Member Entenman to approve Item 16.

Vote to approve: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Aguilar, Council Member Brown, Council Member Entenman, 5. Noes, 0.
Motion Passed

The Proclamation and Recognition/Awards were heard at this time.

INTRODUCTION AND ADOPTION OF ORDINANCES

23. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. (FACILITIES MANAGEMENT, \$880,300.00; ENGINEERING, \$265,000.00)

Proposed ord1201

Memo

A motion was made by Council Member Aguilar and seconded by Council Member Jamison to adopt said Ordinance 60-10.

Vote to adopt: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 6. Noes, 0.

Motion Passed

Set a date of hearing and 2nd Reading for Monday, August 2, 2010 at 7:00 p.m. for Items 24 through 29:

24. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 816 S. COVELL AVE. FROM THE RS-2, RESIDENTIAL DISTRICT TO SUBAREA A OF THE SANFORD USD MEDICAL CENTER PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2010-06-16, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (PLANNING COMMISSION RECOMMENDS APPROVAL.)

Proposed ord1207

PC Staff Report

PC Exhibits

PC Minutes - Item 8

A motion was made by Council Member Erpenbach and seconded by Council Member Anderson Jr. to set a hearing date and 2nd Reading for Monday, August 2, 2010, at 7:00 p.m. for Item 24.

Vote to set a hearing date: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, 5. Noes, 0.

Motion Passed

25. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 201 E. EIGHTH ST. FROM THE RC, RECREATION/CONSERVATION DISTRICT TO THE C-3, CENTRAL BUSINESS DISTRICT, PETITION NO. 2010-06-14, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (PLANNING COMMISSION RECOMMENDS APPROVAL.)

Proposed ord1206

PC Staff Report

PC Exhibits

PC Minutes - Item 7

26. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 243, 303, 305, AND 307 E. EIGHTH ST. FROM THE RC, RECREATION/ CONSERVATION DISTRICT TO THE C-3, CENTRAL BUSINESS DISTRICT, PETITION NO. 2010-06-12, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX

FALLS. (PLANNING COMMISSION RECOMMENDS APPROVAL.)

Proposed ord1205

PC Staff Report

PC Exhibits

PC Minutes - Item 6

27. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 2111 N. LOUISE CIR. FROM THE I-1, LIGHT INDUSTRIAL DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT, PETITION NO. 2010-06-09, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (PLANNING COMMISSION RECOMMENDS APPROVAL.)

Proposed ord1204

PC Staff Report

PC Exhibits

PC Minutes - Item 5

28. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. FAITH AVE. AND E. 49TH ST. FROM THE AG, AGRICULTURAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2010-06-04, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (PLANNING COMMISSION RECOMMENDS APPROVAL.)

Proposed ord1203

PC Staff Report

PC Exhibits

PC Minutes - Item 4

29. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2010-06-02 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT NE CORNER OF S. SYCAMORE AVE. AND E. 41ST ST. ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA REGULATIONS, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (PLANNING COMMISSION RECOMMENDS APPROVAL.)

Proposed ord1202

PC Staff Report

PC Exhibits

PC Minutes - Item 3

A motion was made by Council Member Brown and seconded by Council Member Anderson Jr. to set a hearing date and 2nd Reading for Items 25-29 for Monday, August 2, 2010, at 7:00 p.m.

Vote to set a hearing date: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 6. Noes, 0.
Motion Passed

HEARINGS AND RESOLUTIONS

30. A RESOLUTION AMENDING THE 2010-2014 CAPITAL PROGRAM TO ADD ENERGY EFFICIENT PROJECTS IN VARIOUS DEPARTMENTS.

Proposed res1751

A motion was made by Council Member Entenman and seconded by Council Member Brown to adopt said Resolution 60-10.

Vote to adopt: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 6. Noes, 0.
Motion Passed

RESOLUTION NO. 60-10

A RESOLUTION AMENDING THE 2010-2014 CAPITAL PROGRAM TO ADD ENERGY EFFICIENT PROJECTS IN VARIOUS DEPARTMENTS.

BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD.

That the 2010-2014 Capital Program be amended as follows:

Public Parking

Amend Capital Improvements Program No. 041065, Parking Lot and Ramp Improvements, by increasing funding for lighting upgrades at various parking ramps, in 2010. The estimated cost is \$30,000 for engineering and \$124,700 for construction, totaling \$154,700 which will be funded by federal stimulus dollars. This will not require an increase in appropriations as it will be budgeted within the nonappro

priated Public Parking Fund.

Facilities Management

Amend the Capital Improvements Program by adding a new project, City Facility Improvements, in 2010. The

estimated cost is \$150,000 for engineering and \$730,300 for construction, totaling \$880,300 to upgrade

lighting and HVAC systems at various City facilities. This will require an increase in appropriations that

will be funded by federal stimulus dollars.

Engineering

Amend Capital Improvements Program No. 151014, Traffic Signal Improvements, by increasing funding for traffic

signal lighting and controller upgrades, in 2010. The estimated cost is \$25,000 for engineering and \$240,000

for construction, totaling \$265,000. This will require an increase in appropriations that will be funded by

federal stimulus dollars.

Date adopted: 7/19/10.

Mike T.

Huether

Mayor

ATTEST:

Debra A. Owen

City Clerk

NEW BUSINESS/ ITEMS ADDED AFTER AGENDA DEADLINE

There was none.

ADJOURNMENT

A motion was made by Council Member Jamison and seconded by Council Member Anderson Jr. to adjourn at 7:44 p.m.

Vote to adjourn: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 6. Noes, 0.

Motion Passed

Tamara Jorgensen, CMC

Assistant City Clerk