

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

REGULAR MEETING OF Monday, February 7, 2011, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member James Entenman

Council Member Greg Jamison Council Member Michelle Erpenbach

Council Member Bob Litz Council Member Sue Aguilar

Council Member Rex Roling Council Member Kenny Anderson Jr.

Council Member Vernon Brown

Mayor Mike T. Huether

INVOCATION

Pastor Dennis Thomas, Free Methodist Church

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PLEDGE OF ALLEGIANCE

VISITOR'S RECOGNITION

* Boy Scout Troop Pack 361, John Mills, Scout Leader

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Bob Litz and seconded by Council Member James Entenman to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, James Entenman, Greg Jamison, Bob Litz, Rex Roling, Vernon Brown, 5. Noes, 0.

Motion Passed.

MINUTES

Informational Meeting of Tuesday, January 18, 2011, at 4:00 p.m.

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City Council Meeting of Tuesday, January 18, 2011, at 7:00 p.m.

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Special City Council Meeting of Monday, January 31, 2011, at 4:00 p.m.

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Informational Meeting of Monday, January 31, 2011, at 4:15 p.m.

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COMMUNICATIONS

A communication was received from Augustana College, stating its intent to

1. sell raffle tickets from February 20, 2011 until April 30, 2011, for a trip to Las Vegas. Tickets will be \$10.00. The proceeds are to be used to benefit athletic women scholarships and programs.

A communication was received from Siouxland Heritage Museums requesting

2. permission to consume, but not sell, wine and malt beverages, at the Old Courthouse Museum, 200 West 6th Street, on February 24, 2011, from 5:00 p.m. to 7:00 p.m. for the exhibit opening called Vietnam: In Our Words.

A communication was received from Children's Care Foundation stating their intent to sell raffle tickets from February 28, 2011 to April 9, 2011, for a

3. \$1000.00 shopping spree at Gunderson's. Tickets will be \$10.00 each or \$50.00 for six. The proceeds are to be used to benefit the Children's Care Hospital and School.

A communication was received from Senior Companions stating its intent to sell raffle tickets from March 10, 2011 until April 17, 2011, for the following prizes: a handmade quilt (valued at \$250.00); eight gift

4. certificates to various places (valued from \$20.00 to \$50.00); handmade jewelry (valued at \$25.00); a gift basket (valued at \$50.00); and \$20.00 food coupons. Tickets will be sold for \$2.00 each or 3 for \$5.00. The proceeds are to be used to support the work of the Senior Companion Program.

A communication was received from YWCA Sioux Falls stating their intent to sell raffle tickets starting March 24, 2011 until 100 tickets are sold for either two round trip Allegiant Airline tickets

5. to Orlando or jewelry (valued at approximately \$400.00). Tickets will be sold for \$10.00 each. The proceeds will be used for program offered at the YWCA for women, children and families.

A communication was received from Avera Health requesting permission to

6. consume, but not sell, wine and malt beverages, at Prairie Center, 1000 E. 23rd Street, on Wednesday, April 6, 2011, from 5:00 p.m. to 10:00 p.m. for a fireside chat about palliative care.

A communication was received from Andrew Barron requesting permission to

7. consume, but not sell, wine and/or malt beverages at the Old Courthouse Museum, 200 West 6th Street, on Saturday, July 16, 2011, from 5:00 p.m. to 11:30 p.m. for the purpose of a wedding reception.

APPLICATIONS

The following abatements were recommended for approval by the Director of Equalization and the State's Attorney's Office for Minnehaha County; and the City Attorney for Sioux Falls:

Betty Nelson, 941 S. Holt Avenue, for 2010 taxes in the amount of

8. \$570.60. The amount requested is difference between the elderly freeze and non-elderly freeze.

Marlene Skogen, 1216 S. Hawthorne, for 2010 taxes in the amount of

9. \$839.76. The amount requested is difference between the elderly freeze and non-elderly freeze.

Viola Buhler, 5328 W. Pritchard Drive, for 2010 taxes in the amount of

10. \$1,113.78. The amount requested is difference between the elderly freeze and non-elderly freeze.

American National Red Cross, 808 N. West Avenue, for 2010 property taxes in

11. the amount of \$7,989.94. The property was granted 100% exempt status in 2010 and they are now requesting an abatement for the time used in 2010.

Arthur Slumskie, 501 S. Jefferson, for 2010 property taxes in the amount of

12. \$557.74. A 2010 appeal was not entered into the computer therefore the owner is requesting an abatement for this value difference.

Dave Donahue, 2011 East 31st Street N., for 2010 property taxes in the

13. amount of \$319.38. A fire destroyed the home on August 21, 2010 and now the owner is requesting abatement for the amount of time the structure was gone in 2010 according to SDCL 10-18-2(4).

Owner Occupied Applications, Parcel 46933, for 2010 property taxes in the

amount of \$507.53; Parcel 68481, for 2010 property taxes in the amount

of \$182.84; Parcel 70304, for 2010 property taxes in the amount

of \$175.30; Parcel 70498, for 2010 property taxes in the amount

of \$94.11; Parcel 72199, for 2010 property taxes in the amount

of \$39.36; Parcel 72336, for 2010 property taxes in the amount

of \$53.80; Parcel 73138, for 2010 property taxes in the amount

of \$1,696.74; Parcel 73609, for 2010 property taxes in the amount

of \$146.05; Parcel 73770, for 2010 property taxes in the amount

of \$36.11; Parcel 73829, for 2010 property taxes in the amount

of \$32.08; Parcel 74643, for 2010 property taxes in the amount

of \$1,205.27; Parcel 74970, for 2010 property taxes in the amount

of \$652.90; Parcel 75567, for 2010 property taxes in the amount

of \$1,877.13; Parcel 76062, for 2010 property taxes in the amount

14. of \$964.92; Parcel 76486, for 2010 property taxes in the amount

of \$701.77; Parcel 77018, for 2010 property taxes in the amount

of \$662.85; Parcel 77423, for 2010 property taxes in the amount

of \$184.55; Parcel 77487, for 2010 property taxes in the amount

of \$1,586.75; Parcel 78312, for 2010 property taxes in the amount

of \$595.12; Parcel 78564, for 2010 property taxes in the amount

of \$1,107.20; Parcel 78975, for 2010 property taxes in the amount

of \$808.36; Parcel 79261, for 2010 property taxes in the amount

of \$580.88; Parcel 79278, for 2010 property taxes in the amount

of \$648.27; Parcel 79393, for 2010 property taxes in the amount

of \$648.75; Parcel 79859, for 2010 property taxes in the amount

of \$556.86; Parcel 79901, for 2010 property taxes in the amount

of \$576.04; Parcel 79913, for 2010 property taxes in the amount

of \$686.27. The properties qualified under the owner occupied

property tax reduction program but the information was not transferred

correctly and the abatement is to correct that error.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, February 22, 2011, at 7:00 p.m. on Items 15 through 24:

15. New 2011 Package Liquor License for Cubby's Inc., Cubby's North Cliff, to be operated at 3420 North Cliff Avenue.

16. Rescind the 2010-11 Package Malt Beverage License for Cubby's Inc., Cubby's North Cliff, operated at 3420 North Cliff Avenue.

Transfer of a 2011 Retail Liquor License from LFK Holdings Inc., Smoe's Bar,

17. 921 East Eighth Street, to SRS Inc., name to be determined, to be operated at 901 West 41st Street, including Sunday Sales and video lottery terminals, effective April 15, 2011 (full service restaurant; CUP not required).

Transfer of a 2010-11 Package Malt Beverage License from Leslie & Kent Van

18. Roekel, Park Ridge Convenience Store, 1801 South Western Avenue, to Melinda Koppien, Park Ridge Gas 'N Pak, to be operated at 1801 South Western Avenue.

Special One-Day Liquor License for Hy-Vee Inc. to be operated at the Old

19. Courthouse Museum, 200 West Sixth Street, for a wedding reception on March 26, 2011.

Special One-Day Liquor License requests for SMG to be operated at the

20. Orpheum Theater, 315 North Phillips Avenue, for a business reception on March 11, 2011, and a wedding reception on August 20, 2011.

Special One-Day Liquor License requests for SMG to be operated at the

21. Arena, 1201 North West Avenue, for the Sioux Falls Storm Home Season games on March 14 and 21; April 3 and 15; and May 7, 15, and 28, 2011, and for possible playoff games from June 1 through July 31, 2011.

Special One-Day Liquor License requests for Washington Pavilion Management

22. Inc., Washington Pavilion of Arts & Science, 301 South Main Avenue, for various special events on March 4, 25, and 26; April 15; May 28 and 29; June 10, 18, 24, and 25, 2011.

Special One-Day Liquor License requests for Ovations Food Services LP,

23. Sioux Falls Pheasants Baseball Club, to be operated at 1001 North West Avenue, in the Tiki Bar and Suites, for the 2011 Home Season Games.

Special One-Day Malt Beverage and Wine Licenses for Senior Citizen Services

24. Inc., to be operated at Active Generations, 2300 West 46th Street, for the Cocktails and Canvas Art Class on March 22, 2011.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Bob Litz and seconded by Council Member Greg Jamison to approve the Regular Agenda.

Vote to approve: Roll Call: Yeses, James Entenman, Greg Jamison, Bob Litz, Rex Roling, Vernon Brown, 5. Noes, 0.

Motion Passed.

PUBLIC INPUT

Tim Stanga spoke regarding sidewalk snow removal complaints, the arena/

events center, and sewer/water rate increases.

INTRODUCTION AND ADOPTION OF ORDINANCES

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2010-11-02, TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT THE SOUTHEAST CORNER OF E. 57TH ST. AND S. MACARTHUR LN., AMENDING THE SOUTHERN HILLS PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS. (Planning Commission recommends approval.)

A motion was made by Council Member Bob Litz and seconded by Council Member Vernon Brown to adopt said Ordinance for Item 25.

Vote to adopt: Roll Call: Yeses, James Entenman, Greg Jamison, Bob Litz, Rex Roling, Vernon Brown, 5. Noes, 0.

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2010-12-03, TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT 2425 S. SHIRLEY AVE., AMENDING THE MEADOWS ON THE RIVER PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS. (Planning Commission recommends approval.)

A motion was made by Council Member James Entenman and seconded by Council Member Bob Litz to adopt said Ordinance for Item 26.

Vote to adopt: Roll Call: Yeses, James Entenman, Greg Jamison, Bob Litz, Rex Roling, Vernon Brown, 5. Noes, 0.

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. DISCOVERY AVE. AND W. BROWNING ST. FROM THE RD, RESIDENTIAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2010-12-06, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (Planning Commission recommends approval.)

A motion was made by Council Member James Entenman and seconded by Council Member Bob Litz to adopt said Ordinance for Item 27.

Vote to adopt: Roll Call: Yeses, James Entenman, Greg Jamison, Bob Litz, Rex Roling, Vernon Brown, 5. Noes, 0.

Motion Passed.

HEARINGS AND RESOLUTIONS

28. A RESOLUTION DETERMINING USE OF A DESIGN-BUILD CONTRACT FOR THE PURCHASE OF PLAYGROUND EQUIPMENT AT DAWLEY AND SOUTHERN VISTAS PARKS.

A motion was made by Council Member Vernon Brown and seconded by Council Member James Entenman to adopt said Resolution for Item 28.

Vote to adopt: Roll Call: Yeses, James Entenman, Greg Jamison, Bob Litz, Rex Roling, Vernon Brown, 5. Noes, 0.

Motion Passed.

A RESOLUTION DETERMINING USE OF A DESIGN-BUILD CONTRACT FOR THE PURCHASE OF

PLAYGROUND EQUIPMENT AT DAWLEY AND SOUTHERN VISTAS PARKS.

WHEREAS, the City has determined that a need for playground equipment exists at Dawley and Southern Vistas Parks; and

WHEREAS, there is a need to have the playground equipment installed on or before August of 2011;

If there aren't any "WHEREAS" phrases, skip "NOW, THEREFORE" and begin with just "BE IT RESOLVED..."NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That it is in the best interest of the public to enter into a design-build contract for the purchase of playground equipment to be located at Dawley and Southern Vistas Parks.

Date adopted: 2/7/11.

29. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.

A motion was made by Council Member James Entenman and seconded by Council Member Rex Roling to adopt said Resolution for Item 29.

Vote to adopt: Roll Call: Yeses, James Entenman, Greg Jamison, Bob Litz, Rex Roling, Vernon Brown, 5. Noes, 0.

Motion Passed.

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

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

That it gives its advice and consent to the following Mayoral appointments:

Name	Board	Term
Alfonso Brito	Multi-Cultural Center Board	Appointed for a term from February 2011 to February 2014
Nate Welch	Washington Pavilion Management, Inc. Board of Directors	Appointed for a term from February 2011 to February 2014 (to replace Steve Egger)
Robert Grady	Sioux Falls Ice and Recreation Center Board	Appointed for a term from February 2011 to December 2015 (to replace Lois Dravland)
Wendy McDonnell	Sioux Falls Ice and Recreation Center Board	Appointed for a term from February 2011 to December 2015 (to replace Dr. Thomas White)

Lee Howell	Sioux Falls Convention & Visitors Bureau Business Improvement District (the BID)	Appointed for a term from February 2011 to February 2014
Karen Masterson	Sioux Falls Convention & Visitors Bureau Business Improvement District (the BID)	Appointed for a term from February 2011 to February 2014
Jan Grunewaldt	Sioux Falls Convention & Visitors Bureau Business Improvement District (the BID)	Appointed for a term from February 2011 to February 2014
Sara Bogdanov	Sioux Falls Convention & Visitors Bureau Business Improvement District (the BID)	Appointed for a term from February 2011 to February 2014
Mike Miller	Sioux Falls Convention & Visitors Bureau Business Improvement District (the BID)	Appointed for a term from February 2011 to February 2014
Shailesh Patel	Sioux Falls Convention & Visitors Bureau Business Improvement District (the BID)	Appointed for a term from February 2011 to February 2014
Kraig Pomrenke	Sioux Falls Convention & Visitors Bureau Business Improvement District (the BID)	Appointed for a term from February 2011 to February 2014
Chrissy Spoo	Sioux Falls Convention & Visitors Bureau Business Improvement District (the BID)	Appointed for a term from February 2011 to February 2014
Mark Wahlstrom	Sioux Falls Convention & Visitors Bureau Business Improvement District (the BID)	Appointed for a term from February 2011 to February 2014

Date adopted: 2/7/11.

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)

30. REPORT OF THE JANUARY 31, 2011, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN

MAJOR ORGANIZATIONAL UNITS.

The City Council may include such other business as may come before this body.

ADJOURNMENT

A motion was made by Council Member Rex Rolwing and seconded by Council Member Greg Jamison to adjourn at 7:26 p.m.

Vote to adjourn: Roll Call: Yeses, James Entenman, Greg Jamison, Bob Litz, Rex Rolwing, Vernon Brown, 5. Noes, 0.

Motion Passed.

Jamie L. Palmer, CMC

Assistant City Clerk

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.