

	City of Sioux Falls Council Meeting Agenda	
	Carnegie Town Hall, 235 West 10th Street	
	MEETING OF Monday, September 21, 2009, at 7:00 p.m.	

ROLL CALL #6

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Council Member Knudson
Council Member Litz
Council Member Staggers
Council Member Anderson Jr.
Council Member Beninga
Council Member Brown
Council Member Costello
Council Member Jamison
Mayor Dave Munson

INVOCATION

A. PASTOR BILL KINNAN, LINWOOD WESLEYAN CHURCH

PLEDGE OF ALLEGIANCE

RECOGNITION/AWARDS

A. CERTIFICATE OF APPRECIATION PRESENTED TO WILLIAM A. HINKS

B. 2009 HISTORIC PRESERVATION AWARDS

CONSENT AGENDA

APPROVAL OF CONSENT AGENDA

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, SEPTEMBER 14, 2009, AT 4:00 P.M.

B. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETING OF MONDAY, SEPTEMBER
14, 2009, AT 5:00 P.M.

C. CITY COUNCIL MEETING OF MONDAY, SEPTEMBER 14, 2009, AT 7:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM THE SIOUX EMPIRE ARTS COUNCIL REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AT THE HORSE BARN ARTS CENTER IN FALLS PARK, 309 E. FALLS PARK DRIVE FOR THE FOLLOWING DATES AND EVENTS: FRIDAY, OCTOBER 2, 2009, FROM 5:00 P.M. TO 9:00 P.M. FOR THE OCTOBER FINE ARTS TROLLEY TOUR; AND FRIDAY, NOVEMBER 6, 2009, FROM 5:00 P.M. TO 8:00 P.M. FOR THE ANNUAL JURIED ART EXHIBITION ARTIST RECEPTION.
2. A COMMUNICATION WAS RECEIVED FROM THE SERTOMA BUTTERFLY HOUSE REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AND MALT BEVERAGES AT THE SERTOMA BUTTERFLY HOUSE, 4320 OXBOW AVENUE, ON THURSDAY, OCTOBER 15, 2009, FROM 6:00 P.M. TO 8:30 P.M. AS A FUNDRAISING EVENT FOR THE TEDDY BEAR DEN.
3. A COMMUNICATION WAS RECEIVED FROM THE SOUTH DAKOTA AMERICAN INSTITUTE OF ARCHITECTS REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AND MALT BEVERAGES AT 431 NORTH PHILLIPS (THE FORMER FOOD & FERMENTATION RESTAURANT) ON THURSDAY, OCTOBER 15, 2009, FROM 6:00 P.M. TO 9:00 P.M. FOR A SOCIAL HOUR DURING THEIR ANNUAL FALL CONVENTION.
4. A COMMUNICATION WAS RECEIVED FROM JEFF AND DORI HEIBULT REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AT THE OLD COURT HOUSE MUSEUM, 200 W. SIXTH STREET ON SATURDAY, JANUARY 9, 2010, FROM 11:30 A.M. - 3:30 P.M. FOR THE PURPOSE OF RENEWING THEIR WEDDING VOWS FOR THEIR 10 YEAR ANNIVERSARY.
5. A COMMUNICATION WAS RECEIVED FROM SECOND CHANCE RESCUE, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM OCTOBER 1, 2009, TO OCTOBER 24, 2009, FOR 42" SCREEN TV'S (VALUED AT \$700.00). TICKETS WILL BE \$1.00 - \$5.00. THE PROCEEDS ARE TO BE USED TO ASSIST WITH SECOND CHANCE RESCUE EXPENSES.
6. A COMMUNICATION WAS RECEIVED FROM THE DAKOTA COUNTRY DANCE CLUB, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM OCTOBER 2, 2009, TO OCTOBER 3, 2009, FOR A 50/50 DRAWING. TICKETS WILL BE \$1.00 EACH OR 6 FOR \$5.00. THE PROCEEDS ARE TO BE USED TO SUPPORT ADDITIONAL EVENTS PROMOTING COUNTRY DANCE AND AS PART OF THEIR ANNUAL CHARITABLE CONTRIBUTION.
7. A COMMUNICATION WAS RECEIVED FROM MY FISHING POND, INC., STATING ITS INTENT TO SELL RAFFLE TICKETS FROM OCTOBER 9, 2009, TO SEPTEMBER 24, 2010, FOR PACKAGES - 1 IN SIOUX FALLS, SD, 1 IN MITCHELL, SD, AND A GOLFING PACKAGE (EACH VALUED AT \$900.00) AND A SHOTGUN (VALUED AT \$1,000.00). TICKETS WILL BE \$10.00 EACH. THE PROCEEDS ARE TO BE USED TO ASSIST WITH GENERAL OPERATING EXPENSES FOR THE YEAR.

REGULAR AGENDA

| CONSENT AGENDA ITEMS |

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

DOC: ALCOHOL MEMO

8. NEW 2009-10 PACKAGE MALT BEVERAGE LICENSE FOR MAKETH GAK, SUDANESE GENERAL STORE, TO BE OPERATED AT 623 WEST 11TH STREET.
9. TRANSFER OF A 2009 RETAIL LIQUOR LICENSE FROM SIOUX FALLS CATERING CO. INC., HOLIDAY INN CITY CENTER, 100 WEST 8TH STREET, TO SFLL LLC, CITY CENTRE LOUNGE, TO BE OPERATED AT 100 WEST 8TH STREET, INCLUDING SUNDAY SALES AND VIDEO LOTTERY TERMINALS (FULL SERVICE RESTAURANT; CUP NOT REQUIRED).
10. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR SMG, TO BE OPERATED AT THE SIOUX FALLS ARENA, 1201 NORTH WEST AVENUE, ON OCTOBER 23, 2009, FOR THE TIMBERWOLVES PRESEASON GAME, MARCH 30, 2010, FOR THE CENTRAL PLAINS DAIRY EXPO; ALL 2009-2010 HOME SEASON GAMES FOR THE STAMPEDE, ALL 2009-10 HOME SEASON GAMES FOR THE SKYFORCE; INCLUDING STAMPEDE AND SKYFORCE POSSIBLE PLAYOFF GAMES BETWEEN APRIL 3 AND MAY 15, 2010.
11. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR WASHINGTON PAVILION MANAGEMENT INC., WASHINGTON PAVILION OF ARTS & SCIENCE, 301 SOUTH MAIN AVENUE, FOR SEPTEMBER 26, OCTOBER 3, AND OCTOBER 25, 2009, AND JANUARY 2, JULY 10, AND JULY 16, 2010, FOR WEDDING RECEPTIONS.
12. SPECIAL ONE-DAY LIQUOR LICENSE REQUEST FOR GREAT BEAR RECREATION PARK INC., GREAT BEAR RECREATION PARK, TO BE OPERATED AT 5901 EAST RICE STREET, ON OCTOBER 8, 2009, FOR THE CHILDREN'S HOME SOCIETY EVENT.
13. SPECIAL ONE-DAY OFF-SALE PACKAGE LIQUOR LICENSE FOR THE ALZHEIMER'S ASSOCIATION TO BE OPERATED AT THE SIOUX FALLS CONVENTION CENTER, 1211 NORTH WEST AVENUE, ON OCTOBER 16-17, 2009, FOR THE 'EXPO FOR HER.'
14. SPECIAL ONE-DAY MALT BEVERAGE, SPECIAL ONE-DAY WINE, AND SPECIAL ONE-DAY OFF-SALE PACKAGE WINE LICENSES FOR DOWNTOWN SIOUX FALLS TO BE OPERATED ON 2ND AVENUE BETWEEN 10TH AND 11TH STREETS, INCLUDING THE PUBLIC RIGHT-OF-WAY, EXCEPT THE PEDESTRIAN WALKWAYS, ON SEPTEMBER 26, 2009, FOR THE HARVEST FEST.
15. SPECIAL ONE-DAY WINE LICENSE FOR XI ALPHA LLAMBDA TO BE OPERATED AT THE CENTER FOR ACTIVE GENERATIONS, 2300 WEST 46TH STREET, ON APRIL 10, 2010, FOR A SORORITY EVENT.
16. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR SIOUX FALLS MEN'S SLOWPITCH TO BE OPERATED AT THE 13TH STREET LOT, 113 EAST 13TH STREET, AND AT THE 1ST AVENUE LOT, 400 SOUTH FIRST AVENUE, ON SEPTEMBER 27, 2009, FOR THE DOWNTOWN JAM, PENDING SUBMITTAL AND APPROVAL OF SITE PLANS PER SIOUX FALLS FIRE RESCUE.

INTRODUCTION AND ADOPTION OF ORDINANCES

17. DEFERRED ACTION (FROM SEPTEMBER 8, 2009 MEETING): 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING APPROPRIATIONS AND THE MEANS OF FINANCING FOR THE FISCAL YEAR ENDING DECEMBER 31, 2010.

Ord. 1099 and Exhibit A

Proposed Amendment A

Proposed Amendment B

18. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE RELEASE OF A PORTION OF THE PERMANENT UTILITY EASEMENT IN LOT 3, BLOCK 2, WESTWOOD VALLEY ADDITION, MINNEHAHA COUNTY.

Ord. 0018

Exhibit

Release and Exhibit A.

19. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, DECLARING CERTAIN REAL PROPERTY OF THE CITY SURPLUS AND AUTHORIZING THE DISPOSITION THEREOF.

Ord. 1101

Exhibits

Plat of Lot A

Appraisal

Set a hearing date and 2nd Reading for Monday, October 5, 2009, at 7:00 p.m. for Items 20 through 23:

20. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2009-08-06 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT SE CORNER OF I-29 AND I-90, ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA REGULATIONS AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 1102

PC Staff Report

PC Exhibits

PC Minutes - Item 13

21. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. BENSON RD. AND S. WESTPORT AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2009-08-07, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 1103

PC Staff Report

PC Exhibits

PC Minutes - Item 4

22. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. BENSON RD. AND S. WESTPORT AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE SANFORD SPORTS COMPLEX PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2009-08-08, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 1104

PC Staff Report

PC Exhibits

PC Minutes - Item 5

23. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT SE CORNER OF S. CLIFF AVE. AND E. 69TH ST. FROM THE AG, AGRICULTURAL DISTRICT TO THE SHADOW CREEK PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2009-08-13, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 1105

PC Staff Report

PC Exhibits

PC Minutes - Item 7

HEARINGS AND RESOLUTIONS

24. A RESOLUTION VACATING S. CAMBRIDGE AVE. FROM W. 41ST ST. TO W. 43RD ST.

Res. 0012

Exhibits

Petition

25. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR NUISANCE REMOVAL IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

Resp. 002

Assessments - Tree Trimming & Removal / Minnehaha County

Assessments - Snow Removal / Minnehaha County

Assessments - Snow Removal / Lincoln County

Assessments - Litter Removal / Minnehaha County

Assessments - Litter Removal / Lincoln County

Amendment for Litter Removal

26. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE MOWING OF WEEDS AND GRASSES IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

Resp. 003

Assessments - Weed Mowing / Minnehaha County

Assessments - Weed Mowing / Lincoln County

27. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR REPAIR OR DEMOLITION OF REAL PROPERTY IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

Resp. 013

Assessments - Demolition / Minnehaha County

Set a date of hearing for Tuesday, October 13, 2009, at 7:00 p.m. for Items 28 and 29:

28. A PROPOSED RESOLUTION VACATING A PORTION OF THE INTERSECTION OF S. WESTWIND AVE. AND E. WOODSEGE ST. AS SHOWN ON EXHIBIT A.

Noh. 0114

Res. 0114

Exhibits

Exhibit A

Petition

29. A PROPOSED RESOLUTION VACATING W. 8TH ST. FROM N. HOLLY AVE. EAST TO THE WEST PROPERTY LINES OF LOT 1B BLOCK 5 AND LOT 1B BLOCK 6 ENGLEWOOD LAKE ADDITION.

Noh. 0115

Res. 0115

Exhibits

Petition

ADJOURNMENT