

	City of Sioux Falls Council Meeting Agenda	
	Carnegie Town Hall, 235 West 10th Street	
	REGUALR MEETING OF Monday, August 3, 2009, at 7:00 p.m.	

ROLL CALL #1

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

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

INVOCATION

A. PASTOR DENNIS THOMAS, FREE METHODIST CHURCH

PLEDGE OF ALLEGIANCE

APPROVAL OF CONSENT AGENDA

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, JULY 20, 2009, AT 4:00 P.M.

B. JOINT CITY COUNCIL/MINNEHAHA COUNTY MEETING OF MONDAY, JULY 20, 2009, AT 5:00 P.M.

C. REGULAR COUNCIL MEETING OF MONDAY, JULY 20, 2009, AT 7:00 P.M.

D. INFORMATIONAL MEETING OF MONDAY, JULY 27, 2009, AT 4:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM THE PRESIDENT'S BOWL COMMITTEE STATING THEIR INTENT TO SELL RAFFLE TICKETS ON SEPTEMBER 5, 2009 FOR THE FOLLOWING PRIZES: TWO LAP TOP COMPUTERS (\$800.00 APIECE); TWO 25-INCH TELEVISIONS (\$400.00 APIECE); AND TWO IPODS (\$100.00 APIECE). TICKETS WILL BE \$0.50 APIECE. THE PROCEEDS WILL BE DISPERSED BETWEEN ALL THREE PUBLIC HIGH SCHOOL BOOSTER CLUBS AND WILL GO TOWARDS THE 50 DIFFERENT HIGH SCHOOL ACTIVITIES THAT EACH SCHOOL SUPPORTS DURING THE 2009-2010 SCHOOL YEAR.

2. A COMMUNICATION WAS RECEIVED FROM THE GREAT PLAINS ZOO AND DELBRIDGE MUSEUM OF NATURAL HISTORY REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, LIQUOR, WINE, AND/OR MALT BEVERAGE AT THE GREAT PLAINS ZOO AND DELBRIDGE MUSEUM OF NATURAL HISTORY, 805 S. KIWANIS AVE., ON AUGUST 4, 2009, FROM 4:00 P.M. TO 7:00 P.M. FOR THE PURPOSE OF THE SIOUX FALLS CHAMBER OF COMMERCE MONTHLY MIXER.

NOTICE OF HEARINGS

DOC: MEMO

Set hearing date for Monday, August 17, 2009, at 7:00 p.m. on Items 3 through 18:

3. NEW 2009 PACKAGE LIQUOR LICENSE FOR LEWIS DRUG INC., LEWIS EASTGATE, TO BE OPERATED AT 1301 EAST TENTH STREET.
4. RESCIND 2009-10 PACKAGE MALT BEVERAGE/FARM WINERY LICENSE ISSUED TO LEWIS DRUG INC., LEWIS EASTGATE, 1301 EAST TENTH STREET.
5. NEW 2009 PACKAGE LIQUOR LICENSE FOR LEWIS DRUG INC., LEWIS SOUTHWEST, TO BE OPERATED AT 5500 WEST 41ST STREET.
6. RESCIND 2009-10 PACKAGE MALT BEVERAGE/FARM WINERY LICENSE ISSUED TO LEWIS DRUG INC., LEWIS SOUTHWEST, 5500 WEST 41ST STREET.
7. NEW 2009-10 PACKAGE MALT BEVERAGE LICENSE FOR TARGET CORPORATION, TARGET STORE T-0076, TO BE OPERATED AT 3600 SOUTH LOUISE AVENUE.
8. NEW 2009-10 PACKAGE MALT BEVERAGE LICENSE FOR TARGET CORPORATION, TARGET STORE T-2540, TO BE OPERATED AT 1021 SOUTH HIGHLINE PLACE.
9. NEW 2009-10 RETAIL MALT BEVERAGE LICENSE FOR BOSS' PIZZA AND CHICKEN LLC, BOSS' PIZZA AND CHICKEN, TO BE OPERATED AT 2111 SOUTH MINNESOTA AVENUE (FULL SERVICE RESTAURANT; CUP NOT REQUIRED).
10. NEW 2009 RETAIL WINE LICENSE FOR BOSS' PIZZA AND CHICKEN LLC, BOSS' PIZZA AND CHICKEN, TO BE OPERATED AT 2111 SOUTH MINNESOTA AVENUE (FULL SERVICE RESTAURANT; CUP NOT REQUIRED).
11. NEW 2009-10 RETAIL MALT BEVERAGE LICENSE FOR NIKKI'S LAMEXICANA INC., NIKKI'S BURRITO EXPRESS, TO BE OPERATED AT 905 EAST 8TH STREET (FULL SERVICE RESTAURANT; CUP NOT REQUIRED).
12. TRANSFER OF A 2009 PACKAGE LIQUOR LICENSE FROM NIKKI'S LAMEXICANA INC., NIKKI'S LAMEXICANA, 1112 EAST TENTH STREET, TO NIKKI'S LAMEXICANA INC., NIKKI'S LAMEXICANA, TO BE OPERATED AT 905 EAST 8TH STREET.

13. TRANSFER OF A 2009-10 PACKAGE MALT BEVERAGE LICENSE FROM MELINDA D. AND STEVEN L. KOPPIEN, PARK RIDGE PHILLIP'S 66, 1801 SOUTH WESTERN AVENUE, TO LESLIE VAN ROEKEL, PARK RIDGE CONVENIENCE STORE, TO BE OPERATED AT 1801 SOUTH WESTERN AVENUE, EFFECTIVE 9-1-09.
14. TRANSFER OF A 2009 RETAIL WINE LICENSE FROM CYNTHIA EVANS, LATITUDE 44, 201 NORTH WEBER AVENUE, TO LATITUDE 44 LLC, LATITUDE 44, TO BE OPERATED AT 201 NORTH WEBER AVENUE WITH THE CONDITIONAL USE PERMIT (2007-01-23) BEING APPROVED IN 2007.

Doc: 201 N Weber Ave 2007-01-23

15. TRANSFER OF A 2009-10 RETAIL MALT BEVERAGE LICENSE FROM CYNTHIA EVANS, LATITUDE 44, 201 NORTH WEBER AVENUE, TO LATITUDE 44 LLC, LATITUDE 44, TO BE OPERATED AT 201 NORTH WEBER AVENUE WITH THE CONDITIONAL USE PERMIT (2007-01-23) BEING APPROVED IN 2007.
16. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR WASHINGTON PAVILION MANAGEMENT INC., WASHINGTON PAVILION OF ARTS & SCIENCE, 301 SOUTH MAIN AVENUE, ON AUGUST 28, 2009, FOR A CLASS REUNION, AND OCTOBER 10, 2009, FOR A WEDDING RECEPTION.
17. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR ST. THERESE PARISH, TO BE OPERATED AT ST. THERESE PARISH, 901 NORTH TAHOE TRAIL, ON SEPTEMBER 18, 2009, FOR A SPECIAL EVENT.
18. SPECIAL ONE-DAY WINE LICENSE FOR SENIOR CITIZENS SERVICES INC., TO BE OPERATED AT THE CENTER FOR ACTIVE GENERATIONS, 2300 WEST 46TH STREET, ON OCTOBER 22, 2009, FOR A WINE TASTING EVENT.

| CONSENT AGENDA ITEMS |

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

DOC: MEMO

19. NEW 2009 RETAIL LIQUOR LICENSE FOR SRO RESTAURANTS LLC, GRILLE 26, TO BE OPERATED AT 1716 SOUTH WESTERN AVENUE, INCLUDING SUNDAY SALES, BASED ON THE 2008 U.S. CENSUS BUREAU ESTIMATE (FULL SERVICE RESTAURANT; CUP NOT REQUIRED).

Doc: SRO Restaurants

20. RESCIND 2009-10 RETAIL MALT BEVERAGE LICENSE ISSUED TO SRO RESTAURANTS LLC, GRILLE 26, 1716 SOUTH WESTERN AVENUE.
21. RESCIND 2009 RETAIL WINE LICENSE ISSUED TO SRO RESTAURANTS LLC, GRILLE 26, 1716 SOUTH WESTERN AVENUE.
22. NEW 2009-10 RETAIL MALT BEVERAGE LICENSE FOR THE BALLARD BUILDING RESTAURANT CO., PARKER'S, TO BE OPERATED AT 210 SOUTH MAIN AVENUE, WITH THE CONDITIONAL USE PERMIT (2009-03-18) BEING APPROVED ON 04-01-09. PENDING FINAL INSPECTIONS PER FIRE, HEALTH, AND BUILDING SERVICES.

Doc: 210 S Main Ave 2009-03-18

23. NEW 2009 RETAIL WINE LICENSE FOR THE BALLARD BUILDING RESTAURANT CO., PARKER'S, TO BE OPERATED AT 210 SOUTH MAIN AVENUE, WITH THE CONDITIONAL USE PERMIT (2009-03-18) BEING APPROVED ON 04-01-09. PENDING FINAL INSPECTIONS PER FIRE, HEALTH, AND BUILDING SERVICES.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

24. DEFERRED ACTION (FROM JULY 6, 2009 MEETING.): 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2009-05-03, TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT N. GRANITE LN. AND W. 60TH ST. N. AMENDING THE PRAIRIE HILLS NORTH PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Doc: Ord. 0007

Doc: 070609 CM Item 23

Doc: PC Staff Report

Doc: PC Exhibits

Doc: PC Minutes - Item 5

25. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY CHANGING CITY COUNCIL DISTRICT DESIGNATIONS FOR DISTRICTS 1, 2, 3, 4, AND 5, AS PROPOSED BY THE DISTRICTING COMMISSION.

Doc: Ord. 1089

26. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REPEALING APPENDIX "D" ENTITLED "FLOODPLAIN MANAGEMENT" APPENDIX OF THE CODE OF ORDINANCES OF SAID CITY.

Doc: Ord. 0001

27. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY ADDING A CHAPTER 45 TO BE ENTITLED "FLOODPLAIN MANAGEMENT ORDINANCE."

Doc: Ord. 0002

Doc: PC Report

Doc: PC Exhibits

Doc: PC Minutes - Item 17

Doc: Example FIRM

28. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY OF SIOUX FALLS, SD, BY AMENDING APPENDIX B, ZONING ORDINANCE, CHAPTER 15.43, DR DESIGN REVIEW DISTRICT.

Doc: Ord. 0004

Doc: Airport Overlay Map

29. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1100 S. BLAINE AVE. FROM THE C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2009-05-18, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Doc: Ord. 0015

Doc: PC Report

Doc: PC Exhibits

Doc: PC Minutes - Item 3

30. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY FROM 22ND ST. TO 26TH ST. AND FROM GRANGE AVE. TO COVELL AVE. FROM

THE RS-2, RESIDENTIAL DISTRICT AND THE NORTH AMERICAN BAPTIST SEMINARY PLANNED DEVELOPMENT DISTRICT TO SUBAREA A OF SANFORD USD MEDICAL CENTER PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2009-06-05, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Doc: Ord. 0016

Doc: PC Report

Doc: PC Exhibits

Doc: PC Minutes - Item 12

Set hearing date and 2nd Reading for Monday, August 17, 2009, at 5:00 p.m. at the Joint City Council/Minnehaha County Commission Meeting on Item 31:

31. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING APPENDIX C OF THE 2002 REVISED ORDINANCES FOR MINNEHAHA COUNTY AND THE CITY OF SIOUX FALLS BY AMENDING THE TEXT PERTAINING TO SALVAGE AND JUNK YARDS, PRODUCE SALES, RECREATION, AND BED AND BREAKFASTS, AND BY AMENDING THE A-1 AGRICULTURAL, R/C RECREATION/CONSERVATION DISTRICTS, I-1 AND I-2 INDUSTRIAL DISTRICTS, AND THE DEFINITIONS.

Doc: Ord. 0017

#### HEARINGS AND RESOLUTIONS

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

Doc: Res. 0011

33. A RESOLUTION TO AMEND AND RESTATE RESOLUTION 15-07 AS A GOAL THAT THE CITY MAINTAIN AN 11 PERCENT MONTHLY UNRESTRICTED CASH BALANCE AND A 25 PERCENT GENERAL FUND RESERVE BALANCE AT YEAR-END; THAT FUTURE BUDGETS OF THE CITY BALANCE; ESTABLISHING A COUNCIL POLICY REGARDING THE USE OF PROJECTED REVENUE FROM FEE OR TAX INCREASES IN ANY BUDGET ADOPTED BY THE COUNCIL; AND ESTABLISHING A COUNCIL POLICY ON THE USE OF ENTERPRISE FUNDS.

Doc: Res. 0002A

Doc: Res. 15-07

34. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. (ANNEXATION 2008-07-01 NE

CORNER OF WESTPORT AVE. AND BENSON RD. SANFORD)

Doc: Res. 1658

Doc: Annexation Report

Doc: Annexation Map

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)

35. REPORT OF THE JULY 29, 2009, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN  
MAJOR ORGANIZATIONAL UNITS.

Doc: Memo

ADJOURNMENT