

|| City of Sioux Falls Council Meeting Agenda  
|| Carnegie Town Hall, 235 West 10th Street  
|| MEETING OF Monday, June 15, 2009, at 7:00 p.m. |

ROLL CALL #5

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

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

INVOCATION

A. PASTOR CHARLES AYARS, FIRST PRESBYTERIAN CHURCH

PLEDGE OF ALLEGIANCE

PROCLAMATION

CONSENT AGENDA

APPROVAL OF CONSENT AGENDA

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, JUNE 8, 2009, AT 4:00 P.M.

B. REGULAR COUNCIL MEETING OF MONDAY, JUNE 8, 2009, AT 7:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM THE CENTER FOR ACTIVE GENERATIONS, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM JUNE 16, 2009, TO AUGUST 14, 2009, FOR A BALLOON RIDE (VALUED AT \$500.00). THE TICKETS WILL SELL FOR \$5.00 EACH OR \$20.00 FOR FIVE. THE PROCEEDS WILL BE USED TO EQUIP THE NUTRITION, DAY BREAK AND ACTIVITY PROGRAMS AT THE CENTER.
2. A COMMUNICATION WAS RECEIVED FROM ST. THERESE CATHOLIC CHURCH, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM JULY 18, 2009, TO SEPTEMBER 18, 2009, FOR

A CASH PRIZE OF \$5,000.00. THE TICKETS WILL BE \$25.00 EACH. THE PROCEEDS ARE TO BE USED TO HELP SUPPORT THE PROGRAMS AND SERVICES PROVIDED BY ST. THERESE CATHOLIC CHURCH.

NOTICE OF HEARINGS

Set the hearing date for Monday, July 6, 2009, at 7:00 p.m. on Items 3 through 8:

DOC: DOCUMENT: ALCOHOL MEMO

3. NEW 2009-10 RETAIL MALT BEVERAGE LICENSE FOR AZTECA MEXICAN RESTAURANT INC., AZTECA MEXICAN RESTAURANT, TO BE OPERATED AT 811 SOUTH MINNESOTA AVENUE, WITH THE CONDITIONAL USE PERMIT (2009-05-02) BEING APPROVED ON 06-03-09.
4. NEW 2009 RETAIL WINE LICENSE FOR AZTECA MEXICAN RESTAURANT INC., AZTECA MEXICAN RESTAURANT, TO BE OPERATED AT 811 SOUTH MINNESOTA AVENUE, WITH THE CONDITIONAL USE PERMIT (2009-05-02) BEING APPROVED ON 06-03-09.
5. NEW 2009-10 RETAIL MALT BEVERAGE LICENSE FOR THE MARKET ON PHILLIPS LLC, THE MARKET ON PHILLIPS, TO BE OPERATED AT 204 SOUTH PHILLIPS AVENUE, WITH THE CONDITIONAL USE PERMIT (2009-05-10) BEING APPROVED ON 06-03-09.
6. NEW 2009 RETAIL WINE LICENSE FOR THE MARKET ON PHILLIPS LLC, THE MARKET ON PHILLIPS, TO BE OPERATED AT 204 SOUTH PHILLIPS AVENUE, WITH THE CONDITIONAL USE PERMIT (2009-05-10) BEING APPROVED ON 06-03-09.
7. NEW 2009 PACKAGE LIQUOR LICENSE FOR THE MARKET ON PHILLIPS LLC, THE MARKET ON PHILLIPS, TO BE OPERATED AT 204 SOUTH PHILLIPS AVENUE.
8. NEW 2009 PACKAGE LIQUOR LICENSE FOR AMANUAL LIBEN AND LEANN BEANER, ABYSSINIA, TO BE OPERATED AT 209 SOUTH BLAUVELT AVENUE.

REGULAR AGENDA

| CONSENT AGENDA ITEMS |

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

Item 29 was heard at this time. See item for action taken.

UNFINISHED BUSINESS

9. DEFERRED ACTION: 2009-10 RENEWAL OF A RETAIL MALT BEVERAGE LICENSE FOR MULUGETA AND MARTA ENDAYEHU, LALIBELA RESTAURANT, TO BE OPERATED AT 1001 WEST 11TH STREET.

10. DEFERRED ACTION: 2009-10 RENEWAL OF A PACKAGE MALT BEVERAGE RENEWAL FOR CFJ PROPERTIES, FLYING J (CONVENIENCE STORE), 5201 NORTH GRANITE LANE (UNDERAGE SALES ON 03/21/06, 10/31/07, AND 09/30/08).

Doc: Document: Alcohol Memo - Items 11 through 15

11. NEW 2009-10 RETAIL MALT BEVERAGE LICENSE FOR TOKYO JAPANESE RESTAURANT LLC, TOKYO JAPANESE RESTAURANT, 109 EAST TENTH STREET, EFFECTIVE 07-01-09 (FULL SERVICE RESTAURANT; CUP NOT REQUIRED). PENDING FINAL INSPECTION PER HEALTH AND BUILDING PERMITS AND INSPECTIONS REQUIRED PER BUILDING SERVICES IF RENOVATED.

12. NEW 2009 RETAIL WINE LICENSE FOR TOKYO JAPANESE RESTAURANT LLC, TOKYO JAPANESE RESTAURANT, 109 EAST TENTH STREET (FULL SERVICE RESTAURANT; CUP NOT REQUIRED). PENDING FINAL INSPECTION PER HEALTH AND BUILDING PERMITS AND INSPECTIONS REQUIRED PER BUILDING SERVICES IF RENOVATED.

13. SPECIAL ONE-DAY MALT BEVERAGE AND WINE LICENSE REQUESTS FOR THE SIOUX FALLS SISTER CITIES ASSOCIATION, TO BE OPERATED ON PHILLIPS AVENUE FROM 5TH STREET NORTH TO 2ND STREET, FOR THE GERMAN FEST TO BE HELD ON SEPTEMBER 12, 2009.

14. SPECIAL ONE-DAY MALT BEVERAGE AND WINE LICENSE REQUESTS FOR DOWNTOWN SIOUX FALLS, TO BE OPERATED IN THE PARKING LOT BEHIND SKELLY'S PUB (130 SOUTH PHILLIPS AVENUE), FOR THE STOGEEZ FUNDRAISER FOR THE NICK RALLIS BAND ON JUNE 19, 2009. APPLICANT IS REQUESTING WITHDRAWAL OF THIS ITEM. ITEM WITHDRAWN.

15. VARIOUS RETAIL MALT BEVERAGE AND PACKAGE MALT BEVERAGE LICENSE RENEWALS FOR 2009-10 TO BE OPERATED AT VARIOUS LOCATIONS IN THE CITY OF SIOUX FALLS, SD, IDENTIFIED AS EXHIBIT C.

Doc: Document: Exhibit C

#### INTRODUCTION AND ADOPTION OF ORDINANCES

16. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR EXPENSES RELATED TO THE PETTIGREW HEIGHTS NEIGHBORHOOD HOUSING RESOURCE CENTER.

Doc: Document: Ord. 0158

Doc: Document: Memo

Doc: Document: Additional Information

17. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING CHAPTER 17 ENTITLED "FOOD AND FOOD HANDLERS" BY ADDING A DEFINITION OF TEMPORARY FOOD ESTABLISHMENT ALONG WITH ESTABLISHING A FOLLOW-UP INSPECTION FEE AND TEMPORARY EVENT FEE IN CHAPTER 15 1/2 ENTITLED "FEES."

Doc: Document: Ord. 0085

Doc: Document: Proposed Amendment 0085a - OS/Underline Version

18. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA, AUTHORIZING THE ISSUANCE OF ITS WASTEWATER SYSTEM REVENUE BOND TO THE SOUTH DAKOTA CONSERVANCY DISTRICT, AUTHORIZING THE USE OF THE PROCEEDS THEREOF FOR CAPITAL IMPROVEMENTS, PLEDGING A PORTION OF THE WASTEWATER SYSTEM REVENUE OF THE CITY TO THE PAYMENT OF SAID WASTEWATER SYSTEM REVENUE BOND, FIXING THE TERMS OF SUCH WASTEWATER SYSTEM REVENUE BOND, AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE CITY AND THE SOUTH DAKOTA CONSERVANCY DISTRICT AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH WASTEWATER SYSTEM REVENUE BOND TO THE SOUTH DAKOTA CONSERVANCY DISTRICT NOT TO EXCEED \$8,462,000.

Doc: Document: Ord. 1098

19. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA, AUTHORIZING THE ISSUANCE OF ITS SANITARY LANDFILL REVENUE BOND TO THE SOUTH DAKOTA CONSERVANCY DISTRICT, AUTHORIZING THE USE OF THE PROCEEDS THEREOF FOR CAPITAL IMPROVEMENTS, PLEDGING A PORTION OF THE LANDFILL REVENUE OF THE CITY TO THE PAYMENT OF SAID SANITARY LANDFILL REVENUE BOND, FIXING THE TERMS OF SUCH SANITARY LANDFILL REVENUE BOND, AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE CITY AND THE SOUTH DAKOTA CONSERVANCY DISTRICT AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH SANITARY LANDFILL REVENUE BOND TO THE SOUTH DAKOTA CONSERVANCY DISTRICT NOT TO EXCEED \$1,970,000.

Doc: Document: Ord. 1099

Doc: Document: Proposed Amendment

Doc: Document: Proposed Amendment - Overstruck / Underscored Version

20. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY REVISING SEWER UTILITY RATES AND CHARGES.

Doc: Document: Ord. 0249

Doc: Document: Presentation for Items 20, 21 and 22

21. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY INCREASING WATER RATES.

Doc: Document: Ord. 0250

22. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING THE SCHEDULE OF RATES TO BE CHARGED BY THE CITY LIGHT AND POWER DEPARTMENT FOR FURNISHING ELECTRIC CURRENT FOR LIGHT AND POWER PURPOSES.

Doc: Document: Ord. 0248

Set the hearing date and 2nd Reading for Monday, July 6, 2009, at 7:00 p.m. on Items 23 through 26:

23. 1ST 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: Document: Ord. 0007

Doc: PC Staff Report

Doc: PC Exhibits

Doc: PC Minutes - Item 5

24. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 4101 W. MAPLE ST. FROM THE RS-2, RESIDENTIAL DISTRICT TO SUBAREA A OF THE SOUTHEAST TECHNICAL INSTITUTE PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2009-05-08, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Doc: Document: Ord. 0009

Doc: PC Staff Report

Doc: PC Exhibits

Doc: PC Minutes - Item 4

25. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1202 W. 22ND ST. FROM THE RS-2, RESIDENTIAL DISTRICT TO SUBAREA A OF THE SANFORD USD MEDICAL CENTER PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2009-05-06, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Doc: Document: Ord. 0008

Doc: PC Report

Doc: PC Exhibits

Doc: PC Minutes - Item 3

26. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING SECTION 39-82 AND ADDING SECTION 39-82A, PROVIDING FOR RURAL SERVICE DISTRICT LANDS.

Doc: Document: Ord. 0086

Doc: Document: Map

#### HEARINGS AND RESOLUTIONS

27. DEFERRED ACTION: A RESOLUTION APPROVING THE COST RECOVERY ROLL FOR CONSTRUCTION OF THE EAST SIDE SANITARY SEWER SYSTEM.

Doc: Document: Res. 1637

Doc: Document: Maps

Doc: Pgs. 1-12

Doc: Pgs. 13-24

Doc: Pgs. 25-36

Doc: Pgs. 37-48

Doc: Pgs. 49-60

Doc: Pgs. 61-72

Doc: Pgs. 73-84

Doc: Pgs. 85-96

Doc: Pgs. 97-108

Doc: Pgs. 109-121

Doc: Document: Table - Revised for 061609 CCM - includes the evaluation changes

28. DEFERRED ACTION: A RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT  
SIDEWALK ON VARIOUS STREETS AND AVENUES IN THE CITY OF SIOUX FALLS AND  
ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

Doc: Document: Res. 0064

Doc: Document: Proposed Amendments

Doc: Document: Exhibits

Doc: Document: Exhibits - Maps

29. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONDITIONAL GIFTING  
AGREEMENT FOR THE DONATION OF LAND FOR A NEW PARK SITE ON OR NEAR WEST 12TH  
STREET AND THE TEA ELLIS ROAD, WHICH INCLUDES THE NAMING OF THE PARK AS A  
CONDITION OF THE GIFT.

Doc: Document: Res. 0002

ADJOURNMENT