

	City of Sioux Falls Council Meeting Agenda	
	Carnegie Town Hall, 235 West Tenth Street	
	REGULAR MEETING OF Monday, May 4, 2009 at 7:00 p.m.	

ROLL CALL #8

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Council Member Stagers
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. ASSISTANT PASTOR DAVID THOMPSON, EMPIRE BAPTIST TEMPLE

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

A. MUNICIPAL CLERK'S WEEK - MAY 3-9, 2009

B. DRINKING WATER WEEK - MAY 3-9, 2009

C. VOLUNTEERS OF AMERICA, DAKOTAS DAY - MAY 7, 2009

D. AMERICAN LEGION POPPY DAYS - MAY 8-9, 2009

APPROVAL OF CONSENT AGENDA

MINUTES

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

B. REGULAR COUNCIL MEETING OF MONDAY, APRIL 20, 2009, AT 7:00 P.M.

C. INFORMATIONAL MEETING OF MONDAY, APRIL 27, 2009, AT 4:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM THE SIOUX FALLS REGIONAL EMERGENCY MEDICAL SERVICES AUTHORITY REGARDING THE AMBULANCE CONTRACT ANNUAL RATE INCREASE AS PER SECTION 18(A) OF ORDINANCE 74-07.

REMSA Action

Letter

Table

2. A COMMUNICATION WAS RECEIVED FROM THE CHILDREN'S HOME SOCIETY OF SOUTH DAKOTA, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM MAY 22, 2009 TO JUNE 22, 2009, AT 1ST FINANCIAL BANK IN SIOUX FALLS. TICKETS COST \$1.00 EACH OR 10 FOR \$5.00 FOR TWO FATHER'S DAY BASKETS (APPROXIMATE VALUE \$25.00 APIECE); \$2.00 EACH OR 10 FOR \$7.00 FOR A TRIP TO MINNEAPOLIS (APPROXIMATE VALUE \$250.00); OR \$1.00 FOR THREE FOR A HOMEMADE BLANKET (APPROXIMATE VALUE \$10.00) PROCEEDS WILL BENEFIT THE CHILDREN'S HOME SOCIETY'S "LITTLE RED STOCKING PROGRAM".
3. A COMMUNICATION WAS RECEIVED FROM THE SIOUXLAND HERITAGE MUSEUMS ALLIANCE, STATING ITS INTENT TO CONDUCT A RAFFLE FROM JUNE 4, 2009 TO JULY 23, 2009. TICKETS COST \$1.00 EACH FOR 10 (\$30.00) HYVEE GIFT CARDS (VALUE \$300.00). PROCEEDS WILL GO TOWARDS FUNDING THE MUSEUMS AND ALLIANCE.
4. A COMMUNICATION WAS RECEIVED FROM THE SIOUX EMPIRE SPECTACULAR COMMITTEE, STATING ITS INTENT TO CONDUCT A 50/50 RAFFLE ON JUNE 23, 2009. TICKETS COST \$1.00 FOR THREE AND \$5.00 FOR 20. PROCEEDS WILL GO TOWARDS PROVIDING SCHOLARSHIP ASSISTANCE TO HIGH SCHOOL STUDENTS FROM SIOUX FALLS WHO MARCH IN A DRUM CORPS INTERNATIONAL GROUP OR ARE MAJORING IN MUSIC IN COLLEGE.
5. 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, ON FRIDAY, MAY 8, 2009, FROM 6:30 P.M. TO 10:00 P.M. FOR A WINE AND CHEESE RECEPTION FOR ARTISTS TO NETWORK AND SEE A PRESENTATION BY SPRINGBOARD FOR THE ARTS, FROM ST. PAUL, MINN.
6. A COMMUNICATION WAS RECEIVED FROM MS. KAREN WHITCOMB REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AND BEER AT THE HORSE BARN ARTS CENTER, 309 E. FALLS PARK DRIVE, ON MONDAY, MAY 25, 2009, FROM 5:30 P.M. TO 12:00 A.M. FOR THE PURPOSE OF A WEDDING RECEPTION.
7. A COMMUNICATION WAS RECEIVED FROM SIOUXLAND HERITAGE MUSEUMS REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AND MALT BEVERAGE AT THE OLD COURTHOUSE MUSEUM, 200 W. SIXTH ST., ON THURSDAY, MAY 28, 2009, FROM 5:00 P.M. TO 7:00 P.M. FOR THE OPENING RECEPTION OF THE NEW CORN EXHIBIT.
8. A COMMUNICATION WAS RECEIVED FROM MS. DEBRA HABERLING AND MR. DAVID CLARKE

REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, LIQUOR, WINE AND MALT BEVERAGES AT THE OLD COURTHOUSE MUSEUM, 200 W. SIXTH ST., ON SATURDAY, JUNE 13, 2009, FROM 5:00 P.M. TO 12:00 A.M. FOR THE PURPOSE OF A WEDDING RECEPTION AND DANCE.

9. A COMMUNICATION WAS RECEIVED FROM THE GREAT PLAINS ZOO AND DELBRIDGE MUSEUM OF NATURAL HISTORY REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, BEER, WINE AND LIQUOR AT THE GREAT PLAINS ZOO AND DELBRIDGE MUSEUM OF NATURAL HISTORY, 805 S. KIWANIS AVE., ON THURSDAY, JULY 30, 2009, FROM 5:30 P.M. TO 10:00 P.M. FOR THE FUNDRAISING EVENT JUNGLE JUBILEE.

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:

10. MID-CAYMAN LLC, 3901 N. LOUISE AVE., FOR 2008 PROPERTY TAXES, IN THE AMOUNT OF \$98,128.31. THE PROPERTY QUALIFIED FOR THE DISCRETIONARY FORMULA IN SIOUX FALLS FOR 2008, TAXES PAYABLE IN 2009. THE APPLICATION WAS NOT FORWARDED TO THE EQUALIZATION OFFICE, THUS THE VALUE WAS NOT REDUCED. THE TAXPAYER IS REQUESTING AN ABATEMENT FOR THE VALUE DIFFERENCE.
11. WALLSTREET MISSION, 4701 E. 41ST ST., FOR 2008 PROPERTY TAXES, IN THE AMOUNT OF \$7,583.25. CONSTRUCTION FOR A NEW STORE BEGAN IN 2007. THEY WERE GRANTED EXEMPT STATUS FOR 2009 AND ARE REQUESTING AN ABATEMENT FOR ALL OF 2008.
12. EDMUND LIEBSCH, 5600 W. CIRCLE DR., FOR 2008 PROPERTY TAXES, IN THE AMOUNT OF \$1,539.35. MONIES REQUESTED ARE THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
13. PAULA COTTINGHAM, 1120 S. WESTERN AVE., FOR 2008 PROPERTY TAXES, IN THE AMOUNT OF \$102.83. MONIES REQUESTED ARE THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.

NOTICE OF HEARINGS

Set hearing date for Monday, May 18, 2009, at 7:00 p.m. on Items 14 through 21:

DOC: MEMO

14. TRANSFER OF A 2009 RETAIL LIQUOR LICENSE FROM MMLK INC., THE BRASS RAIL, 1213 NORTH CLIFF AVENUE, TO ONE-SAGG LLC, TOPPER'S, TO BE OPERATED AT 1213 NORTH CLIFF AVENUE, INCLUDING VIDEO LOTTERY TERMINALS (CUP NOT REQUIRED; THIS IS AN EXISTING LICENSE WHICH PREDATES THE ORDINANCE).
15. TRANSFER OF A 2008-09 PACKAGE MALT BEVERAGE LICENSE FROM KUM & GO LC, KUM &

GO #617, 2101 WEST 49TH STREET, TO CUBBY'S INC., CUBBY'S WEST 49TH, TO BE OPERATED AT 2101 WEST 49TH STREET.

16. TRANSFER OF A 2008-09 PACKAGE MALT BEVERAGE LICENSE FROM KUM & GO LC, KUM & GO #621, 1900 WEST 12TH STREET, TO CUBBY'S INC., CUBBY'S WEST 12TH, TO BE OPERATED AT 1900 WEST 12TH STREET.
17. TRANSFER OF A 2008-09 PACKAGE MALT BEVERAGE LICENSE FROM KUM & GO LC, KUM & GO #619, 4700 WEST 12TH STREET, TO CUBBY'S INC., CUBBY'S WEST 12TH TRUCK STOP, TO BE OPERATED AT 4700 WEST 12TH STREET.
18. TRANSFER OF A 2008-09 PACKAGE MALT BEVERAGE LICENSE FROM KUM & GO LC, KUM & GO #613, 3420 NORTH CLIFF AVENUE, TO CUBBY'S INC., CUBBY'S NORTH CLIFF, TO BE OPERATED AT 3420 NORTH CLIFF AVENUE.
19. SPECIAL ONE-DAY MALT BEVERAGE LICENSE FOR RONALD MCDONALD HOUSE CHARITIES OF SOUTH DAKOTA INC. TO BE OPERATED AT THE 8TH & RAILROAD CENTER PARKING LOT ON JUNE 27, 2009, FOR THE BEER DABBLER BEER FEST FUNDRAISER.
20. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES TO BE OPERATED ON PHILLIPS AVENUE IN THE STREET CLOSURE AREA BETWEEN 2ND AND 6TH STREETS, ON JULY 25TH, 2009, FOR THE IRISH FEST.
21. VARIOUS RETAIL MALT BEVERAGE, PACKAGE MALT BEVERAGE, AND PACKAGE MALT BEVERAGE SOUTH DAKOTA FARM WINERY LICENSE RENEWALS FOR 2009-10 TO BE OPERATED AT VARIOUS LOCATIONS IN THE CITY OF SIOUX FALLS, SD, IDENTIFIED AS EXHIBIT A.

Exhibit

| CONSENT AGENDA ITEMS |

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

INTRODUCTION AND ADOPTION OF ORDINANCES

22. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY FOR SIGN PERMIT FEES.

Ord. 0064

Ord. 0064a

23. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHWEST CORNER OF E. 41ST ST. AND SD HWY 11 FROM THE RC, RECREATION/CONSERVATION DISTRICT, TO THE HARMODON PARK PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2009-03-01, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0069

PC Report

PC Exhibits

PC Minutes - Item 3

24. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1400 N. CLIFF AVE. FROM THE C-4, PLANNED COMMERCIAL DISTRICT TO THE C-2, GENERAL COMMERCIAL DISTRICT, PETITION NO. 2009-03-08. AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0070

PC Report

PC Exhibits

PC Minutes - Item 4

25. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT SOUTHEAST CORNER OF 85TH ST. & S. MINNESOTA AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT, PETITION NO. 2009-03-11, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0071

PC Report

PC Exhibits

PC Minutes - Item 5

26. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 4501 W. 61ST ST. NORTH FROM THE C-4, PLANNED COMMERCIAL DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT DISTRICT, PETITION NO. 2009-

03-19, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.
THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0074

PC Report

PC Exhibits

PC Minutes - Item 6

27. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1224 E. 57TH ST. FROM THE RIVER OAKS PLANNED DEVELOPMENT DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT, PETITION NO. 2009-03-16, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0072

PC Report

PC Exhibits

PC Minutes - Item 13

28. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1200 E. 57TH ST. FROM THE RIVER OAKS PLANNED DEVELOPMENT DISTRICT TO THE O, GENERAL OFFICE DISTRICT, PETITION NO. 2009-03-17, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0073

PC Report

PC Exhibits

PC Minutes - Item 14

29. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2009-03-05 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT 4601-4605 SOUTH TECHLINK CIRCLE, AMENDING THE VALHALLA PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0068

PC Report

PC Exhibits

PC Minutes - Item 7

30. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2009-02-14 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT W. BENSON RD. AND N. MARION RD. AMENDING THE HAZELTINE PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0067

PC Report

PC Exhibit

PC Minutes - Item 15

Set hearing date and 2nd Reading for Monday, May 11, 2009, at 7:00 p.m. on Items 31 and 32:

31. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, DECLARING CERTAIN REAL PROPERTY OF THE CITY SURPLUS AND AUTHORIZING THE DISPOSITION THEREOF. (WATER TOWER LAND - E. 57TH ST.)

Ord. 0076

Exhibit

Appraisal 1

Appraisal 2

32. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS AND A REDUCTION OF APPROPRIATIONS. (TRANSIT, \$2,294,162.00)

Ord. 1088

Memo

Set hearing date and 2nd Reading for Monday, May 18, 2009, at 5:00 p.m. on Item 33:

33. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF SAID CITY BY REZONING PROPERTY AT ONE MILE NORTHEAST OF SIOUX FALLS FROM THE A-1, AGRICULTURAL DISTRICT TO THE RR, RURAL RESIDENTIAL DISTRICT.

Ord. 0077

County Staff Report & Exhibit

Set hearing date and 2nd Reading for Monday, May 18, 2009, at 7:00 p.m. on Item 34:

34. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA (THE "CITY"), AUTHORIZING THE ISSUANCE OF ITS SALES TAX REVENUE BONDS IN ONE OR MORE SERIES, AUTHORIZING THE USE OF THE PROCEEDS THEREOF TO PAY THE COSTS OF CONSTRUCTION AND EQUIPPING OF THE WESTSIDE BRANCH LIBRARY TO BE LOCATED WEST OF INTERSTATE HIGHWAY I-29, IMPROVEMENTS ON AND EQUIPPING OF THE RIVER GREENWAY, CONSTRUCTION AND EQUIPPING OF THE YOUTH SPORTS COMPLEX TO BE LOCATED AT THE INTERSECTION OF WESTPORT AVENUE AND BENSON ROAD, AND IMPROVEMENTS AND EQUIPMENT FOR THE CITY'S ZOO, PLEDGING THE SALES AND USE TAX PROCEEDS OF THE CITY TO THE PAYMENT OF SAID SALES TAX REVENUE BONDS, FIXING THE TERMS OF SUCH SALES TAX REVENUE BONDS, AUTHORIZING THE EXECUTION AND DELIVERY OF ONE OR MORE SUPPLEMENTAL INDENTURES BETWEEN THE CITY AND THE FIRST NATIONAL BANK IN SIOUX FALLS (THE "TRUSTEE"), AND AUTHORIZING THE SALE, EXECUTION, AND DELIVERY OF SUCH SALES TAX REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$18,500,000 PLUS COSTS OF ISSUANCE AND DEBT SERVICE RESERVE FUNDS. (QUALITY OF LIFE II)

Ord. 1090

Memo

HEARINGS AND RESOLUTIONS

35. DEFERRED ACTION: A RESOLUTION TO ADOPT SHAPE SIOUX FALLS LAND USE AND DEVELOPMENT POLICIES. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Res. 0047

PC Staff Report

PC Minutes - Item 11

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)

36. FORMAL PRESENTATION TO THE CITY COUNCIL OF THE RECOMMENDED DISTRICTING PLAN FOR THE CITY OF SIOUX FALLS, BY THE DISTRICTING COMMISSION, PURSUANT TO THE CITY CHARTER, SECTION 6.02(C).

Report

Map A

Map L

Ord. 1089

Supplemental Report

NEW BUSINESS/ITEMS ADDED AFTER AGENDA DEADLINE

37. APPROVE THE MAYOR'S APPOINTMENT OF KEVIN SMITH, ASSISTANT DIRECTOR OF PUBLIC WORKS, TO SERVE AS DELEGATE, AND CHAD HUWE, CITY ENGINEER, TO SERVE AS ALTERNATE, TO REPRESENT THE CITY OF SIOUX FALLS AT OFFICIAL MEETINGS FOR THE LEWIS AND CLARK RURAL WATER SYSTEM.

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)

38. REPORT OF THE APRIL 30, 2009, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

Memo

ADJOURNMENT