

|| City of Sioux Falls Council Meeting Agenda  
|| Carnegie Town Hall, 235 West Tenth Street  
|| MEETING OF Monday, October 20, 2008 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. REV. RANDY RASMUSSEN, EMMANUEL BAPTIST CHURCH

PLEDGE OF ALLEGIANCE

VISITOR'S RECOGNITION

A. BOY SCOUT TROOP #731, HOLY SPIRIT CHURCH.

APPROVAL OF CONSENT AGENDA

MINUTES

A. INFORMATIONAL MEETING OF TUESDAY, OCTOBER 14, 2008, AT 4:00 P.M.

B. REGULAR COUNCIL MEETING OF TUESDAY, OCTOBER 14, 2008, AT 7:00 P.M.

APPLICATIONS

1. ALI A. SELIM, 5909 W. SILVER VALLEY DR., FOR 2005 PROPERTY TAXES FOR THE AMOUNT OF \$399.14, 2006 PROPERTY TAXES IN THE AMOUNT OF \$400.81, AND 2007 PROPERTY TAXES FOR THE AMOUNT OF \$393.92. PROPERTY OWNER STATES THAT THE COUNTY WAS CHARGING HIGHER TAXES BASED ON INCORRECT SQUARE FOOTAGE FOR BASEMENT. COUNTY PERSONNEL VISITED THE HOME ON SEPTEMBER 8, 2008 AND CONFIRMED THAT THE SQUARE FOOTAGE FOR BASEMENT IS 493 SQUARE FEET. THE ASSESSED VALUE OF THE HOME HAS BEEN CORRECTED FOR 2009.

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

NOTICE OF HEARINGS

Set hearing date for Monday, November 3, 2008, at 7:00 p.m. on Items 2 through 5:

DOC: MEMO

2. TRANSFER OF A 2008 RETAIL LIQUOR LICENSE FROM MINERVA INC, MINERVA'S, 301 SOUTH PHILLIPS AVENUE, TO MINERVA INC, MINERVA'S, TO BE OPERATED AT 301-307 SOUTH PHILLIPS AVENUE, TO EXPAND THE LICENSE AREA, WITH THE CONDITIONAL USE PERMIT (2008-09-06) BEING APPROVED ON 10-01-08.
3. RESCIND 2008 RETAIL WINE LICENSE ISSUED TO PARAMOUNT STUDIO INC., PARAMOUNT STUDIO, 307 SOUTH PHILLIPS AVENUE.
4. RESCIND 2008-09 RETAIL MALT BEVERAGE LICENSE ISSUED TO PARAMOUNT STUDIO INC., PARAMOUNT STUDIO, 307 SOUTH PHILLIPS AVENUE.
5. SPECIAL ONE-DAY LIQUOR LICENSE FOR SMG TO BE OPERATED AT THE SIOUX FALLS ARENA, 1201 NORTH WEST AVENUE, ON DECEMBER 27, 2008, FOR A HOLIDAY CONCERT.

UNFINISHED BUSINESS

DOC: MEMO ITEMS 6-20

6. NEW 2009 RETAIL WINE LICENSE FOR SMG, SIOUX FALLS ARENA, TO BE OPERATED AT 1201 NORTH WEST AVENUE, EFFECTIVE 1-1-09 (CUP NOT REQUIRED; THIS IS AN ADDITION TO AN EXISTING LICENSE WHICH PREDATES THE ORDINANCE).
7. NEW 2009 RETAIL WINE LICENSE FOR SMG, ORPHEUM THEATER CENTER, TO BE OPERATED AT 315 NORTH PHILLIPS AVENUE, EFFECTIVE 1-1-09 (CUP NOT REQUIRED; THIS IS AN ADDITION TO AN EXISTING LICENSE WHICH PREDATES THE ORDINANCE).
8. NEW 2009 RETAIL WINE LICENSE FOR CFJ PROPERTIES, COUNTRY MARKET RESTAURANT, TO BE OPERATED AT 5201 NORTH GRANITE LANE, EFFECTIVE 1-1-09 (CUP NOT REQUIRED; THIS IS AN ADDITION TO AN EXISTING LICENSE WHICH PREDATES THE ORDINANCE).
9. NEW 2008-09 SOUTH DAKOTA FARM WINERY PACKAGE LICENSE FOR CFJ PROPERTIES,

FLYING J TRAVEL PLAZA, TO BE OPERATED AT 5201 NORTH GRANITE LANE, IN CONJUNCTION WITH THE APPLICANT'S EXISTING PACKAGE MALT BEVERAGE LICENSE.

10. NEW 2008-09 SOUTH DAKOTA FARM WINERY PACKAGE LICENSE FOR FREEDOM VALU CENTERS INC., FREEDOM VALU CENTER #9, TO BE OPERATED AT 1601 SOUTH MINNESOTA AVENUE, IN CONJUNCTION WITH THE APPLICANT'S EXISTING PACKAGE MALT BEVERAGE LICENSE.
11. NEW 2008-09 SOUTH DAKOTA FARM WINERY PACKAGE LICENSE FOR LEWIS DRUG INC., LEWIS EASTGATE, TO BE OPERATED AT 1301 EAST TENTH STREET, IN CONJUNCTION WITH THE APPLICANT'S EXISTING PACKAGE MALT BEVERAGE LICENSE.
12. NEW 2008-09 SOUTH DAKOTA FARM WINERY LICENSE FOR LEWIS DRUG INC., LEWIS SOUTHWEST, TO BE OPERATED AT 5500 WEST 41ST STREET, IN CONJUNCTION WITH THE APPLICANT'S EXISTING PACKAGE MALT BEVERAGE LICENSE.
13. TRANSFER OF A 2008 RETAIL LIQUOR LICENSE FROM BRINKER RESTAURANT CORPORATION, CHILI'S GRILL & BAR, 3720 WEST 41ST STREET, TO ERJ DINING IV LLC, CHILI'S GRILL & BAR, TO BE OPERATED 3720 WEST 41ST STREET, INCLUDING SUNDAY SALES (FULL SERVICE RESTAURANT; CUP NOT REQUIRED).
14. TRANSFER OF A 2008-09 RETAIL MALT BEVERAGE LICENSE FROM BRUHN LLC, CAF^' 334, 334 SOUTH PHILLIPS AVENUE, TO CHEF AMY'S CAF^' 334 LLC, CHEF AMY'S CAF^' 334, TO BE OPERATED AT 334 SOUTH PHILLIPS AVENUE, WITH THE CONDITIONAL USE PERMIT (2008-07-23) BEING APPROVED ON 09-03-08.
15. TRANSFER OF A 2008 RETAIL WINE LICENSE FROM BRUHN LLC, CAF^' 334, 334 SOUTH PHILLIPS AVENUE, TO CHEF AMY'S CAF^' 334 LLC, CHEF AMY'S CAF^' 334, TO BE OPERATED AT 334 SOUTH PHILLIPS AVENUE, WITH THE CONDITIONAL USE PERMIT (2008-07-23) BEING APPROVED ON 09-03-08.
16. TRANSFER OF A 2008 PACKAGE LIQUOR LICENSE FROM FRIDAY'S HERO LTD., ALICK'S LIQUORS, 3406 SOUTH MARION ROAD, TO BAKE'S LIQUORS INC., BAKE'S LIQUORS, TO BE OPERATED AT 3406 SOUTH MARION ROAD.
17. TRANSFER OF A 2008-09 RETAIL MALT BEVERAGE LICENSE FROM C.C. PETERSON REALTY CO. INC., GRAND CASINO, 4211 WEST 12TH STREET, TO STAG LLC, GRAND CASINO, TO BE OPERATED 4211 WEST 12TH STREET, INCLUDING VIDEO LOTTERY TERMINALS (EXISTING CUP #97-10-10 IN PLACE).
18. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR WASHINGTON PAVILION MANAGEMENT INC., WASHINGTON PAVILION OF ARTS & SCIENCE, 301 SOUTH MAIN AVENUE, FOR THE FOLLOWING: NOVEMBER 14, 2008, FOR A CHURCH GALA; NOVEMBER 15, 2008, DECEMBER 27, 2008, AND FEBRUARY 7, 2009, FOR WEDDING RECEPTIONS.
19. SPECIAL ONE-DAY MALT BEVERAGE LICENSE FOR THE SERTOMA CLUB OF SIOUX FALLS TO BE OPERATED AT THE SERTOMA PARK SHELTER, 49TH STREET AND OXBOW AVENUE, ON OCTOBER 25, 2008, FOR A FUNDRAISING EVENT.

20. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR SENIOR CITIZENS SERVICES INC., TO BE OPERATED AT THE CENTER FOR ACTIVE GENERATIONS, 2300 WEST 46TH STREET, ON APRIL 19, 2009, FOR THE GOURMET GUYS FUNDRAISER.

INTRODUCTION AND ADOPTION OF ORDINANCES

21. RECONSIDERATION: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING APPROPRIATIONS AND THE MEANS OF FINANCING THEM FOR THE FISCAL YEAR ENDING DECEMBER 31, 2009.

Ord. 117-08

22. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING SECTION 5-16, OF CHAPTER 5, ALCOHOLIC BEVERAGES.

Proposed Ord0005

Proposed Amendment

SDCL 35-4-81.1

23. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING CHAPTER 14, OF THE CAMPAIGN FINANCE ORDINANCE FOR MUNICIPAL ELECTIONS.

Proposed Ord0017

24. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY OF SIOUX FALLS, SD, BY REVISING BOUNDARIES FOR VOTING PRECINCTS

Proposed Ord1060

Set a hearing date and 2nd Reading for Monday, November 3, 2008 at 7:00 p.m. for Items 25 through 32:

25. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. 57TH ST. AND S. SERTOMA AVE. FROM THE SERTOMA HILLS PLANNED DEVELOPMENT DISTRICT TO THE RS-2, RESIDENTIAL, RD, RESIDENTIAL, RA-1, RESIDENTIAL, AND RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2008-09-33, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0006

PC Report

PC Exhibits

Granicus Minutes- item 8

26. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. 41ST ST. AND S. GATEWAY BLVD. FROM THE GATEWAY BOULEVARD PLANNED DEVELOPMENT DISTRICT TO THE RA-2, RESIDENTIAL DISTRICT, PETITION NO. 2008-09-32, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0015

PC Report

PC Exhibits

Granicus Minutes- item 7

27. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. 69TH ST. TO W. 85TH ST., EAST AND WEST OF S. HUGHES AVE. FROM THE PLATINUM VALLEY PLANNED DEVELOPMENT DISTRICT TO THE O, OFFICE, RS-2, RESIDENTIAL, RD, RESIDENTIAL, RA-1, RESIDENTIAL, AND RC, RECREATION/ CONSERVATION DISTRICT, PETITION NO. 2008-09-31, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0018

PC Report

Granicus Minutes- item 6

PC Exhibits

28. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. WESTERN AVE. AND W. BITTERROOT ST. FROM THE AG, AGRICULTURAL DISTRICT AND RS-1, RESIDENTIAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2008-09-29, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0012

PC Report

PC Exhibits

Granicus Minutes- item 5

29. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3900 S. TERRY AVE. FROM THE RS-1, RESIDENTIAL DISTRICT TO THE RA-1, RESIDENTIAL DISTRICT, PETITION NO. 2008-09-26, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0011

PC Report

PC Exhibits

Granicus Minutes- item 4

30. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 4709 S. LOUISE AVE. FROM THE RS-2, RESIDENTIAL DISTRICT TO THE O, OFFICE DISTRICT, PETITION NO. 2008-08-20, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0008

PC Report

PC Exhibits

Granicus Minutes- item 3

31. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. 41ST ST. AND SD HWY. 11 FROM THE O, OFFICE DISTRICT AND RA-1, RESIDENTIAL DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT AND THE RA-1, RESIDENTIAL DISTRICT, PETITION NO. 2008-08-10, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0007

PC Report

PC Exhibits

Granicus Minutes- item 29

32. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2008-09-24 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT W. 77TH ST. AND S. MINNESOTA AVE. AMENDING THE GARDEN VILLAGE PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0010

PC Report

PC Exhibits

Granicus Minutes- item 9

HEARINGS AND RESOLUTIONS

33. A RESOLUTION AUTHORIZING THE CITY OF SIOUX FALLS TO GIFT TO THE SIOUX EMPIRE FAIR VARIOUS SURPLUS PROPERTY (6 WALL DIVIDERS, 1 PODIUM, 2 PICKUPS, 4 TRIMMERS, 3 GOLF CARTS, 2 TRASH VACUUMS, 20 PARK BENCHES, 3 BLOWERS).

Proposed Res0022

34. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF FALCON HEIGHTS ADDITION, PETITION NO. 2008-09-14. (SW CORNER OF EAST 57TH STREET AND SD HWY 11) THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Res0017

PC Report

PC Exhibits

Granicus Minutes- item 22

35. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF PRAIRIE GARDENS ADDITION, PHASE 4, PETITION NO. 2008-09-27. (EAST 41ST STREET AND SOUTH SYCAMORE AVENUE) THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Res0020

PC Report

PC Exhibits

Granicus Minutes- item 23

36. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF BEND ADDITION, PETITION NO. 2008-09-13. (SW CORNER OF EAST 57TH STREET AND SW HIGHWAY 11) THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Res0016

PC Report

PC Exhibits

Granicus Minutes- item 21

37. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF TOWER PARK ADDITION, PETITION NO. 2008-08-09. (6TH STREET AND CLEVELAND AVENUE) THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Res0013

PC Report

PC Exhibits

Granicus Minutes- item 20

ADJOURNMENT