

	City of Sioux Falls Council Meeting Agenda	
	Carnegie Town Hall, 235 West Tenth Street	
	REGULAR MEETING OF Monday, October 6, 2008 at 7:00 p.m.	

ROLL CALL #3

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

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

INVOCATION

A. PASTOR MICHAEL PETERSON, CELEBRATE CHURCH

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

A. DOMESTIC VIOLENCE AWARENESS MONTH - OCTOBER 2008

RECOGNITION/AWARDS

A. OUTSTANDING CITIZEN AWARD - KAY KIESO

APPROVAL OF CONSENT AGENDA

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, SEPTEMBER 15, 2008, AT 4:00 P.M.

B. REGULAR CITY COUNCIL MEETING OF MONDAY, SEPTEMBER 15, 2008, AT 7:00 P.M.

C. SPECIAL CITY COUNCIL MEETING OF MONDAY, SEPTEMBER 29, 2008, AT 4:00 P.M.

D. INFORMATIONAL MEETING OF MONDAY, SEPTEMBER 29, 2008, AT 4:48 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM SOUTHEAST TECHNICAL INSTITUTE STUDENT CHAPTER AITP, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM OCTOBER 7, 2008 TO FEBRUARY 28, 2009 FOR A CUSTOM BUILT DESKTOP COMPUTER WITH LCD MONITOR, MOUSE AND KEYBOARD (VALUED AT \$900.00). TICKETS WILL BE \$5.00-\$15.00. THE PROCEEDS ARE TO BE USED FOR STUDENT CHAPTER TRIP TO OKLAHOMA CITY FOR ATIP NATIONAL CONVENTION.

APPLICATIONS

2. SIOUX FALLS MANAGEMENT LLC, PARCELS 54608 AND 54609, FOR 2007 PROPERTY TAXES IN THE AMOUNT OF \$778.24 AND \$1,134.85. STRUCTURES WERE REMOVED FROM THESE PARCELS IN APRIL 2007 AND THEY ARE NOW REQUESTING ABATEMENT FOR THE 249 DAYS THAT THE STRUCTURES WERE GONE.

NOTICE OF HEARINGS

Set hearing date for Monday, October 20, 2008, at 7:00 p.m. on Items 3 through 17:

DOC: ITEMS 3-17

3. 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).
4. 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).
5. 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).
6. 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.
7. 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.
8. 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.

9. 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.
10. 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).
11. 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.

Conditional Use Permit

12. 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.
13. 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.
14. 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).
15. 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.
16. 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.
17. 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.

| CONSENT AGENDA ITEMS |

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

PETITIONS

18. DEFERRED ACTION: REVOCATION: CONDITIONAL USE PERMIT (2002-08-11): ALLOWING MOTOR VEHICLE DISPLAY AND SALES WITHIN AN EXISTING COMMERCIAL PARKING LOT IN THE C-2, GENERAL COMMERCIAL DISTRICT AT 4915 NORTH CLIFF AVENUE. THE PLANNING COMMISSION RECOMMENDED APPROVAL ON SEPTEMBER 4, 2002.

PC Staff Report

PC Exhibits

PC Minutes - Item 13

INTRODUCTION AND ADOPTION OF ORDINANCES

19. 2ND READING: 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.

Proposed Ord0001

Department of Finance Amendment

20. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY WEST OF CULBERT AVE. AT THE END OF W. 60TH ST. FROM THE AG, AGRICULTURAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2008-05-08, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0104

PC Staff Report

PC Exhibits

PC Minutes - Item 3

21. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SE CORNER OF E. 26TH ST. AND SD HWY 11 FROM THE AG, AGRICULTURAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2008-08-04, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE

PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0105

PC Staff Report

PC Exhibits

PC Minutes - Item 4

22. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. 57TH ST. AND SD HWY 11 FROM THE AG, AGRICULTURAL DISTRICT TO THE FALCON HEIGHTS PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2008-06-19, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0106

PC Staff Report

PC Exhibits

PC Minutes - Item 14

23. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT WEST 85TH ST. AND SOUTH RAMBLER PLACE FROM THE O, OFFICE DISTRICT TO THE RA-1, RESIDENTIAL DISTRICT, PETITION NO. 2008-08-15, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0107

PC Staff Report

PC Exhibits

PC Minutes - Item 5

24. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2008-08-14, TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICT, AT THE NW CORNER OF W. 18TH ST. AND S. GRANGE AVE. AMENDING THE SANFORD USD MEDICAL CENTER PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord0108

PC Staff Report

PC Exhibits

PC Minutes - Item 6

Set the hearing date and 2nd Reading for Monday, October 20, 2008, at 7:00 p.m.
for Item 25:

25. 1ST 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

Item 25 SDCL 35-4-81.1

26. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE
REVISED ORDINANCES OF THE CITY BY AMENDING THE FEE SCHEDULE SET FORTH IN
CHAPTER 23, LICENSES.

Proposed Ord0002

Health Department Letters

Exhibit

HEARINGS AND RESOLUTIONS

27. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF
GALWAY PARK - PHASE 5 ADDN. (2008-05-11) THE PLANNING COMMISSION RECOMMENDS
APPROVAL.

Proposed Res0002

PC Staff Report

PC Exhibits

PC Minutes - Item 7

28. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF COPPER CREST CIRCLE, AN EXTENSION OF COPPER CREEK ADDN. (2008-08-03) THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Res0003

PC Staff Report

PC Exhibits

PC Minutes - Item 8

29. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND TERRAPASS INC., A DELAWARE CORPORATION, FOR A VERIFIED EMISSION REDUCTIONS PURCHASE AND SALE AGREEMENT.

Proposed Res0009 & Agreement

30. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. (ANNEXATION 2008-08-02 - 57TH ST. AND ONE-HALF MILE EAST OF SD HWY. 11 TENCATE)

Proposed Res0008

Staff Report

Annexation Map

Concept Plan

31. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, CORRECTING THE LEGAL DESCRIPTION OF ANNEXATION RESOLUTION NO. 143-08. (ANNEXATION LEGAL DESCRIPTION CORRECTION 2008-05-14 - 26TH ST. AND SD HWY. 11 HALLSTROM.)

Proposed Res0006

Staff Report

Annexation Map

ADJOURNMENT