

	City of Sioux Falls Council Meeting Minutes	
	Carnegie Town Hall, 235 West Tenth Street	
	REGULAR MEETING OF Monday, February 2, 2009 at 7:00 p.m.	

ROLL CALL #7

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Members Present:	Members Absent:
Council Member Staggers	Council Member Litz
Council Member Anderson Jr.	Council Member Costello
Council Member Beninga	Council Member Jamison
Council Member Brown	
Council Member Knudson	
Mayor Dave Munson	

INVOCATION

A. PASTOR RON TOTTINGHAM - EMPIRE BAPTIST TEMPLE

PLEDGE OF ALLEGIANCE

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Knudson and seconded by Council Member Brown to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, Anderson Jr., Brown, Knudson, Staggers, Beninga, 5. Noes, 0.

Motion Passed

MINUTES

A. INFORMATIONAL MEETING OF TUESDAY, JANUARY 20, 2009, AT 4:00 P.M.

B. REGULAR COUNCIL MEETING OF TUESDAY, JANUARY 20, 2009, AT 7:00 P.M.

C. INFORMATIONAL MEETING OF MONDAY, JANUARY 26, 2009, AT 4:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM THE SIOUXLAND RENAISSANCE ASSOCIATION, STATING ITS INTENT TO SELL RAFFLE TICKETS ON FEBRUARY 21, 2009, FOR A SRA ENGRAVED LEATHER MUG (VALUE \$80.00). TICKETS COST \$1.00 A PIECE OR SIX FOR \$5.00. PROCEEDS WILL GO TOWARDS SUPPORT OF FUNDRAISING EFFORTS FOR THE SRA.

2. A COMMUNICATION WAS RECEIVED FROM THE DOWNTOWN LIONS CLUB, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM FEBRUARY 24, 2009, THROUGH APRIL 22, 2009, FOR TWO ROUNDTRIP TICKETS TO LAS VEGAS (COST APPROXIMATELY \$450.00). TICKETS COST \$2.00 APIECE OR THREE FOR \$5.00. PROCEEDS WILL GO TOWARDS CHARITIES FOR THE BLIND/SIGHT IMPAIRED.
3. A COMMUNICATION WAS RECEIVED FROM SENIOR COMPANIONS OF SOUTH DAKOTA, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM MARCH 12, 2009, THROUGH APRIL 19, 2009, FOR A HANDMADE QUILT (VALUE \$250.00), APPROXIMATELY EIGHT GIFT CERTIFICATES TO VARIOUS PLACES IN SIOUX FALLS (RANGING IN VALUE FROM \$20.00 TO \$50.00), HANDMADE JEWELRY (VALUE \$25.00), TWO STADIUM BLANKETS (VALUE \$50.00), AND FOOD COUPONS (VALUE \$20.00). TICKETS COST \$2.00 APIECE OR THREE FOR \$5.00. PROCEEDS WILL GO TOWARDS SUPPORTING THE WORK OF THE SENIOR COMPANIONS PROGRAM.

APPLICATIONS

4. THE CITY OF SIOUX FALLS FOR PROPERTY PURCHASED FROM WESTWARD HO CC INC. IN 2008. THEY ARE NOW REQUESTING AN ABATEMENT FOR THE TIME OWNED. THE PROPERTIES ARE: #54552, 3410 W. 22ND ST., FOR 2008 PROPERTY TAXES, \$93.96, FOR 142 DAYS; #65608, FOR 2008 PROPERTY TAXES, \$29.80, FOR 142 DAYS; #65609, FOR 2008 PROPERTY TAXES, \$121.53, FOR 142 DAYS; AND #82715, FOR 2008 PROPERTY TAXES, \$101.76, FOR 142 DAYS.
5. JIM MAMMENGA, 712 S. CHURCHILL AVE., FOR 2008 PROPERTY TAXES, \$538.70. MONIES REQUESTED ARE THE DIFFERENCE BETWEEN OWNER OCCUPIED AND NON OWNER OCCUPIED.
6. KRISTI STAR BROER, 1304 E. SAGE PL., FOR 2008 PROPERTY TAXES, \$130.92. MONIES REQUESTED ARE THE DIFFERENCE BETWEEN OWNER OCCUPIED AND NON OWNER OCCUPIED.
7. HOPE PODGORNIK, 1112 W. 27TH ST., FOR 2008 PROPERTY TAXES, \$449.58. MONIES REQUESTED ARE THE DIFFERENCE BETWEEN OWNER OCCUPIED AND NON OWNER OCCUPIED.
8. HENRY BAYNE, 6313 W. GROVE PL., FOR 2008 PROPERTY TAXES, \$192.36. MONIES REQUESTED ARE THE DIFFERENCE BETWEEN OWNER OCCUPIED AND NON OWNER OCCUPIED.
9. JESSICA PETERSON, 910 S. JOSEPH PL., FOR 2008 PROPERTY TAXES, \$2,116.24. A CLERICAL ERROR WAS MADE IN THE LAND VALUATION FOR 2008. TAXPAYER IS NOW REQUESTING AN ABATEMENT FOR THIS VALUE DIFFERENCE.
10. KRISTIN HARKEMA, 1509 S. COMET RD., FOR 2008 PROPERTY TAXES, \$861.44. A CLERICAL ERROR WAS MADE IN THE LAND VALUATION FOR 2008. TAXPAYER IS NOW REQUESTING AN ABATEMENT FOR THIS VALUE DIFFERENCE.
11. ESMERIDA CORTES, 218 N. SPRING AVE., FOR 2008 PROPERTY TAXES, \$320.85. MONIES REQUESTED ARE DIFFERENCE BETWEEN ELDERLY FREEZE AND NON ELDERLY FREEZE.

12. MARY TRAMP, 1300 W. 10TH ST., FOR 2008 PROPERTY TAXES, \$201.86. MONIES REQUESTED ARE DIFFERENCE BETWEEN ELDERLY FREEZE AND NON ELDERLY FREEZE.
13. BETTY NORBY, 4201 S. HIGHLAND AVE., FOR 2008 PROPERTY TAXES, \$1,102.66. MONIES REQUESTED ARE DIFFERENCE BETWEEN ELDERLY FREEZE AND NON ELDERLY FREEZE.
14. MARVIN AND KATHRYN MENGE, 604 S. LYNDALE AVE., FOR 2008 PROPERTY TAXES, \$681.25. MONIES REQUESTED ARE DIFFERENCE BETWEEN ELDERLY FREEZE AND NON ELDERLY FREEZE.
15. HELMA SEVERSON, 1411 N. MAIN AVE., FOR 2008 PROPERTY TAXES, \$275.14. MONIES REQUESTED ARE DIFFERENCE BETWEEN ELDERLY FREEZE AND NON ELDERLY FREEZE.
16. DONALD COHOON, 1708 S. SILVER CIRCLE, FOR 2008 PROPERTY TAXES, \$494.52. MONIES REQUESTED ARE DIFFERENCE BETWEEN ELDERLY FREEZE AND NON ELDERLY FREEZE.
17. AUDREY (DAVIE) KNUTSON, 3212 S. GLENDALE, FOR 2008 PROPERTY TAXES, \$751.38. MONIES REQUESTED ARE DIFFERENCE BETWEEN ELDERLY FREEZE AND NON ELDERLY FREEZE.
18. BETTY L. JOHNSON, 7105 W. 56TH ST. NO. 9, FOR 2008 PROPERTY TAXES, \$162.48. MONIES REQUESTED ARE DIFFERENCE BETWEEN ELDERLY FREEZE AND NON ELDERLY FREEZE.

NOTICE OF HEARINGS

Set hearing date for Tuesday, February 17, 2009, at 7:00 p.m. on Items 19 through 26:

DOC: MEMO

19. NEW 2009 RETAIL WINE LICENSE FOR SANDTRAP INC., BOGEY'S BAR AND GRILL, TO BE OPERATED AT 815 SOUTH MARION ROAD, INCLUDING VIDEO LOTTERY TERMINALS, WITH THE CONDITIONAL USE PERMIT (2005-10-09) BEING APPROVED IN 2005.

Conditional Use Info

20. NEW 2008-09 RETAIL MALT BEVERAGE LICENSE FOR DAKOTA COFFEE ROASTERS LLC, BLACK SHEEP BISTRO, TO BE OPERATED AT 453 WEST 69TH STREET, WITH THE SPECIAL USE PERMIT (2008-10-10) BEING APPROVED ON 01-07-09.

Conditional Use Info

21. NEW 2009 RETAIL WINE LICENSE FOR DAKOTA COFFEE ROASTERS LLC, BLACK SHEEP BISTRO, TO BE OPERATED AT 453 WEST 69TH STREET, WITH THE SPECIAL USE PERMIT (2008-10-10) BEING APPROVED ON 01-07-09.

Conditional Use Info

22. TRANSFER OF A 2009 RETAIL LIQUOR LICENSE FROM PARTNERS TWO LIMITED PARTNERSHIP, T.G.I. FRIDAY'S RESTAURANT, 4200 WEST EMPIRE PLACE, TO MAIN AND MAIN LLC, HILTON GARDEN INN, TO BE OPERATED AT 5300 SOUTH GRAND CIRCLE, INCLUDING SUNDAY SALES (FULL SERVICE RESTAURANT; CUP NOT REQUIRED).

23. TRANSFER OF A 2008-09 RETAIL MALT BEVERAGE LICENSE FROM DAWIT DABA AND SADIYA ABDU, SHALOM ETHIOPIAN COFFEE HOUSE, 1701 EAST TENTH STREET, TO FIREW-HAILU HORDOFA AND AMANUAL-MOLU LIBEN, SHALOM ETHIOPIAN COFFEE HOUSE, TO BE OPERATED AT 1701 EAST TENTH STREET, WITH THE CONDITIONAL USE PERMIT (2001-06-04) BEING APPROVED IN 2001.

Conditional Use Info

24. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSE REQUESTS FOR DOWNTOWN SIOUX FALLS FOR EVENTS IN 2009 AS FOLLOWS: 1) MAY 2 FOR CINCO DE MAYO AT FALLS PARK; 2) JUNE 5, JULY 3, AND AUGUST 7 FOR THE DOWNTOWN BLOCK PARTY ON THE EAST BANK AT THE 8TH AND RAILROAD PARKING LOT; 3) JUNE 16 AND 17 FOR AUTOMANIA ON PHILLIPS AND MAIN AVENUES FROM 9TH TO 14TH STREETS; 4) JUNE 20 FOR GAMEON! YOUTH NIGHT ON PHILLIPS AND MAIN AVENUES FROM 9TH TO 14TH STREETS; 5) JULY 15 FOR HOT SUMMER NITES ON PHILLIPS AND MAIN AVENUES FROM 9TH TO 14TH STREETS; AND 6) JULY 25 FOR STOGEEZ STEAKOUT ON PHILLIPS AVENUE FROM 10TH TO 11TH STREETS.

25. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR THE AVERA MCKENNAN FOUNDATION TO BE HELD AT THE AVERA MCKENNAN FITNESS CENTER, 3400 SOUTH SOUTHEASTERN AVENUE, ON APRIL 17, 2009, FOR THE BIG GRAPE.

26. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSE REQUESTS FOR THE SIOUX FALLS JAZZ & BLUES SOCIETY TO BE OPERATED ON JULY 17-18, 2009, AT YANKTON TRAIL PARK, 3901 SOUTH MINNESOTA AVENUE, FOR THE JAZZFEST, AND ON SEPTEMBER 26, 2009, AT VERN EIDE BMW, 1500 SOUTH MINNESOTA AVENUE, FOR THE JAZZ & BREWS FUNDRAISER.

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Beninga and seconded by Council Member Anderson Jr. to approve the Regular Agenda.

Vote to approve: Roll Call: Yeses, Anderson Jr., Brown, Knudson, Staggers, Beninga, 5. Noes, 0.

Motion Passed

PUBLIC INPUT

Lloyd Stivers, a member of the City's Board of Ethics, spoke about the proposed revisions to the Board of Ethics ordinance.

INTRODUCTION AND ADOPTION OF ORDINANCES

27. DEFERRED ACTION: 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. 57TH ST. AND S. DUBUQUE AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT, PETITION NO. 2008-10-18, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL. ITEM WITHDRAWN.

Ord. 0040

28. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE NORTHEAST CORNER OF E. 69TH ST. AND S. SYCAMORE AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE RC, RECREATION/ CONSERVATION DISTRICT; RS-2, RESIDENTIAL DISTRICT; RD, RESIDENTIAL DISTRICT; AND THE BRIARWOOD ESTATES SOUTH PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2008-12-09, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0048

PC Report

PC Exhibits

PC Minutes - Item 4

A motion was made by Council Member Beninga and seconded by Council Member Brown to adopt said Ordinance 12-09.

Vote to adopt: Roll Call: Yeses, Anderson Jr., Brown, Knudson, Staggers, Beninga, 5. Noes, 0.

Motion Passed

29. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. TUSCAN CLUB CIR. FROM THE RS-1, RESIDENTIAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2008-12-03, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0049

PC Report

PC Exhibits

PC Minutes - Item 3

A motion was made by Council Member Knudson and seconded by Council Member Anderson Jr. to adopt said Ordinance 13-09.

Vote to adopt: Roll Call: Yeses, Anderson Jr., Brown, Knudson, Staggers, Beninga, 5. Noes, 0.
Motion Passed

Set a hearing date and 2nd Reading for Monday, February 9, 2009, at 7:00 p.m. on Items 30 through 31:

30. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING THE BOARD OF ETHICS ORDINANCES AS FOUND IN CHAPTER 12 1/2 OF THE REVISED ORDINANCES OF SIOUX FALLS, SD.

Ord. 0050

A motion was made by Council Member Knudson and seconded by to set a hearing date and 2nd Reading for Monday, March 9, 2009, at 7:00 p.m. for Item 30.

31. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, CONVEYING LOT 5A, BLOCK 1, HEL RAY ADDITION TO THE CITY OF SIOUX FALLS.

Ord. 0047

Purchase Offer

Exhibit

A motion was made by Council Member Knudson and seconded by Council Member Brown to set a hearing date and 2nd Reading for Monday, February 9, 2009, at 7:00 p.m. on Items 30 through 31.

Vote to set a hearing date: Roll Call: Yeses, Anderson Jr., Brown, Knudson, Staggers, Beninga, 5. Noes, 0.
Motion Passed

ADJOURNMENT

A motion was made by Council Member Brown and seconded by Council Member Beninga to adjourn at 7:26 p.m.

Vote to adjourn: Roll Call: Yeses, Anderson Jr., Brown, Knudson, Staggers, Beninga, 5. Noes, 0.

Motion Passed

Denise D. Tucker, CMC
Assistant City Clerk