

City of Sioux Falls Council Meeting Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Monday, October 4, 2010 at 7:00 p.m.

ROLL CALL #6

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Members Present:

Council Member Jamison
Council Member Litz
Council Member Roling
Council Member Aguilar
Council Member Anderson Jr.
Council Member Brown
Council Member Entenman
Council Member Erpenbach
Mayor Mike T. Huether

INVOCATION

A. PASTOR KEVIN SCHNEIDER, GOOD NEWS REFORMED CHURCH

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

A. JAYCEE MISSION WEEK - OCTOBER 4

B. DOMESTIC VIOLENCE AWARENESS MONTH - OCTOBER

APPROVAL OF CONSENT AGENDA

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, SEPTEMBER 20, 2010, AT 4:00 P.M.

Minutes

B. REGULAR COUNCIL MEETING OF MONDAY, SEPTEMBER 20, 2010, AT 7:00 P.M.

Minutes

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM THE SIOUX FALLS JAZZ & BLUES SOCIETY, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM OCTOBER 9, 2010, TO APRIL 16, 2011, FOR TWO AUTOGRAPHED FENDER STRATOCASTER GUITARS (VALUED AT \$500 EACH). TICKETS WILL BE \$5.00 EACH OR 5 FOR \$20.00. THE PROCEEDS WILL BE USED FOR THE SIOUX FALLS JAZZ & BLUES SOCIETY EDUCATION FUND.
2. A COMMUNICATION WAS RECEIVED FROM THE BIG BROTHERS BIG SISTERS OF THE SIOUX EMPIRE, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM NOVEMBER 1, 2010, TO DECEMBER 3, 2010, FOR CASH PRIZES OF \$10,000, \$3,000 AND \$2,000. THE TICKETS WILL BE \$100.00 EACH. THE PROCEEDS WILL BE USED FOR BIG BROTHERS BIG SISTERS YOUTH MENTORING.
3. A COMMUNICATION WAS RECEIVED FROM THE SOUTH DAKOTA INSTITUTE OF ARCHITECTS REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AND MALT BEVERAGES AT 758 SOUTH PHILLIPS (THE WOMEN'S HISTORY CLUB) ON THURSDAY, OCTOBER 14, 2010, FROM 6:00 P.M. TO 9:00 P.M. FOR A SOCIAL HOUR DURING THEIR ANNUAL FALL CONVENTION.
4. A COMMUNICATION WAS RECEIVED FROM MR. ADAM NYHAUG REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AND MALT BEVERAGES AT THE OLD COURTHOUSE MUSEUM, 200 WEST SIXTH STREET, ON SATURDAY, DECEMBER 4, 2010, FROM 12:00 P.M. UNTIL 5:00 P.M. FOR A FAMILY REUNION AND HOLIDAY PARTY.

NOTICE OF HEARINGS

Set a hearing date for Tuesday, October 12, 2010, at 7:00 p.m. on Items 5 and 6:

5. SPECIAL ONE-DAY LIQUOR LICENSE FOR WASHINGTON PAVILION MANAGEMENT INC., WASHINGTON PAVILION OF ARTS & SCIENCE, 301 SOUTH MAIN AVENUE, FOR A RECEPTION ON OCTOBER 17, 2010, AND AUTHORIZE PUBLICATION OF NOTICE ON 10-01-10 TO SET THE HEARING DATE.
6. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR SMG, TO BE OPERATED AT THE SIOUX FALLS ARENA, 1201 NORTH WEST AVENUE, ON OCTOBER 17, 2010, FOR THE TIMBERWOLVES PRESEASON GAME, MARCH 29, 2011, FOR THE CENTRAL PLAINS DAIRY EXPO; ALL 2010-11 HOME SEASON GAMES FOR THE STAMPEDE, ALL 2010-11 HOME SEASON GAMES FOR THE SKYFORCE; INCLUDING STAMPEDE AND SKYFORCE POSSIBLE PLAYOFF GAMES BETWEEN APRIL 10 AND MAY 31, 2011, AND AUTHORIZE PUBLICATION OF NOTICE ON 10-01-10 TO SET THE HEARING DATE.

Doc: Alcohol Memo

Set a hearing date for Monday, October 18, 2010, at 7:00 p.m. on Item 7:

DOC: ALCOHOL MEMO

7. SPECIAL ONE-DAY LIQUOR LICENSE FOR AVERA MCKENNAN FOUNDATION TO BE HELD AT

THE AVERA CANCER INSTITUTE AND ADJOINING PARKING AREA, 1000 EAST 23RD STREET, FOR A GALA EVENT ON OCTOBER 29, 2010.

| CONSENT AGENDA ITEMS |

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

DOC: ALCOHOL MEMO

8. NEW 2010 RETAIL WINE LICENSE FOR HY-VEE INC., HY-VEE FOOD STORE #6, TO BE OPERATED AT 1231 EAST 57TH STREET, WITH THE CONDITIONAL USE PERMIT (2010-08-06) BEING APPROVED ON 09-01-10.
9. NEW 2010-11 RETAIL MALT BEVERAGE LICENSE FOR BRO'S BRASSERIE AMERICANO LLC, BRO'S BRASSERIE AMERICANO, TO BE OPERATED AT 332/334 SOUTH PHILLIPS AVENUE, WITH THE CONDITIONAL USE PERMIT (2010-08-04) BEING APPROVED ON 09-01-10. PENDING FINAL INSPECTION PER FIRE.
10. TRANSFER OF A 2010 RETAIL WINE LICENSE FROM CHEF AMY'S CAFE 334 LLC, CHEF AMY'S CAFE 334, 334 SOUTH PHILLIPS AVENUE, TO BRO'S BRASSERIE AMERICANO LLC, BRO'S BRASSERIE AMERICANO, TO BE OPERATED AT 332/334 SOUTH PHILLIPS AVENUE, WITH THE CONDITIONAL USE PERMIT (2010-08-04) BEING APPROVED ON 09-01-10.
11. TRANSFER OF A 2010 RETAIL LIQUOR LICENSE FROM 4900 BUILDING LLC, THE OAKS HOTEL, 3300 WEST RUSSELL STREET, TO 4900 BUILDING LLC, NAME TO BE DETERMINED, TO BE OPERATED AT 214 SOUTH PHILLIPS AVENUE, INCLUDING SUNDAY SALES, WITH THE CONDITIONAL USE PERMIT (2010-08-03) BEING APPROVED ON 09-01-10. PENDING FINAL INSPECTIONS PER FIRE, HEALTH, AND BUILDING SERVICES.
12. RENEWAL OF A 2011 RETAIL LIQUOR LICENSE FOR 4900 BUILDING LLC, NAME TO BE DETERMINED, TO BE OPERATED AT 214 SOUTH PHILLIPS AVENUE, INCLUDING SUNDAY SALES, WITH THE CONDITIONAL USE PERMIT (2010-08-03) BEING APPROVED ON 09-01-10. PENDING FINAL INSPECTIONS PER FIRE, HEALTH, AND BUILDING SERVICES.
13. TRANSFER OF A 2010 PACKAGE LIQUOR LICENSE FROM LUVERNE SUPERMARKETS INC., SUNSHINE FOODS, 3809 EAST TENTH STREET, TO LUVERNE SUPERMARKETS INC., SUNSHINE FOODS, TO BE OPERATED AT 530 SOUTH SECOND AVENUE.
14. RESCIND 2010-11 PACKAGE MALT BEVERAGE LICENSE ISSUED TO LUVERNE SUPERMARKETS INC., SUNSHINE FOODS, 530 SOUTH SECOND AVENUE.
15. SPECIAL ONE-DAY LIQUOR LICENSE FOR WASHINGTON PAVILION MANAGEMENT INC.,

WASHINGTON PAVILION OF ARTS & SCIENCE, 301 SOUTH MAIN AVENUE, FOR A RECEPTION AND AWARDS DINNER ON OCTOBER 8, 2010.

16. SPECIAL ONE-DAY LIQUOR LICENSE FOR GREAT BEAR RECREATION PARK INC., GREAT BEAR RECREATION PARK, TO BE OPERATED AT 5901 EAST RICE STREET, FOR A RECEPTION ON OCTOBER 9, 2010.

17. SPECIAL ONE-DAY OFF-SALE PACKAGE WINE LICENSE FOR THE SIOUX FALLS JAZZ & BLUES SOCIETY TO BE OPERATED AT THE SIOUX FALLS CONVENTION CENTER, 1211 NORTH WEST AVENUE, ON OCTOBER 15-16, 2010, FOR THE 'EXPO FOR HER.'

INTRODUCTION AND ADOPTION OF ORDINANCES

18. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING APPROPRIATIONS AND THE MEANS OF FINANCING FOR THE FISCAL YEAR ENDING DECEMBER 31, 2011.

Document: Ord. 1132

Exhibit A

19. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY THE PROMOTION/TRANSFER PROVISIONS OF SECTION 30-37B.

Document: Ord. 1218

20. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 704 S. CLEVELAND AVE. FROM THE RD, RESIDENTIAL DISTRICT TO THE C-2, GENERAL COMMERCIAL DISTRICT, PETITION NO. 2010-07-18, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (THE PLANNING COMMISSION RECOMMENDS DENIAL.)

Document: Ord. 0001

PC Report

PC Exhibits

PC Minutes - Item 13

21. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2010-08-01 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT S. SOLBERG AVE., SOUTH OF W. 57TH ST. AND WEST OF S. LOUISE AVE. AMENDING THE WEST 57TH STREET NO. 2 PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS. (THE PLANNING COMMISSION RECOMMENDS

APPROVAL.)

Document: Ord. 0002

PC Report

PC Exhibits

PC Minutes - Item 14

Set a hearing date and 2nd Reading for Tuesday, October 12, 2010, at 7:00 p.m. for Item 22:

22. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING CHAPTER 2, ARTICLE XIII, OF THE REVISED ORDINANCES OF SIOUX FALLS, SD.

Document: Ord. 1210

HEARINGS AND RESOLUTIONS

23. DEFERRED ACTION (FROM MEETING ON 9/20/10): A RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON TRACT NO. 57 OF COUNTY AUD. SUBD. IN THE NE1/4 OF SECTION 8-T101N-R49W, MINNEHAHA COUNTY, SD (NORTH E AVE. FROM W. BLACKHAWK ST. TO W. ALGONQUIN ST.).

Document: Res. 0016

Link to discussion at 09/20/10 City Council Meeting - Item 29

24. A RESOLUTION APPROVING PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NUMBER TEN, CITY OF SIOUX FALLS.

Document: Res. 1769

Document: Tax Incremental Project Plan

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)

25. REPORT OF SEPTEMBER 27, 2010, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS. (MEMO 1)

Document: Memo 1

NEW BUSINESS/ ITEMS ADDED AFTER AGENDA DEADLINE

ADJOURNMENT