

	City of Sioux Falls Council Meeting Agenda	
	Carnegie Town Hall, 235 West 10th Street	
	MEETING OF Monday, April 19, 2010, at 7:00 p.m.	

ROLL CALL #4

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

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

INVOCATION

A. PASTOR NATANAEL LIZARAZO, FIRST LUTHERAN CHURCH

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

A. NATIONAL VOLUNTEER WEEK - APRIL 18-24, 2010

B. MAY 2010 AS MOTORCYCLE SAFETY AND AWARENESS MONTH

RECOGNITION/AWARDS

A. MAYORAL BEAUTIFICATION AWARD FOR HOMES AND YARDS 2009-2010

B. MAYORAL BEAUTIFICATION AWARD FOR BUSINESS &/OR PUBLIC SPACE 2009-2010

C. MAYORAL BEAUTIFICATION AWARD FOR COMMUNITY LEADERSHIP 2009-2010

APPROVAL OF CONSENT AGENDA

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, APRIL 12, 2010, AT 4:00 P.M.

B. CITY COUNCIL MEETING OF MONDAY, APRIL 12, 2010, AT 7:00 P.M.

#### COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM AUGUSTANA DEAF AWARENESS ORGANIZATION STATING ITS INTENT TO SELL RAFFLE TICKETS FROM APRIL 30, 2010 TO MAY 1, 2010 FOR VARIOUS DONATED PRICES. TICKETS WILL BE \$1.00 EACH OR THREE NON-PERISHABLE FOOD ITEMS WHICH WILL BE DONATED TO THE FOOD PANTRY. THE PROCEEDS ARE TO BE USED TO BENEFIT AUGUSTANA DEAF AWARENESS ORGANIZATION AND THE SIOUX FALLS FOOD PANTRY.
2. A COMMUNICATION WAS RECEIVED FROM THE AUGUSTANA COLLEGE MEN'S WRESTLING TEAM STATING THEIR INTENT TO SELL RAFFLE TICKETS FROM MAY 24, 2010 TO DECEMBER 1, 2010 FOR A TRIP TO LAS VEGAS (VALUED AT \$500). TICKETS WILL BE \$10.00 EACH. THE PROCEEDS ARE TO BE USED FOR TRAVEL EXPENSES FOR THE WRESTLING PROGRAM.
3. A COMMUNICATION WAS RECEIVED FROM WENDY L. LEWIS REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AND MALT BEVERAGES AT SERTOMA BUTTERFLY HOUSE, 4320 S. OXBOW AVENUE, ON SUNDAY, JUNE 6, 2010, FROM 1:00 P.M. TO 5:00 P.M. FOR THE PURPOSE OF A PUBLIC RECEPTION FOR ARTIST JOHN GREENE HOSTED BY HISTORICAL SOCIETY.

#### APPLICATIONS

4. ARBOR'S EDGE, LLC, 1008 S. TORREY PINE, FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$80.07. THE 2009 VALUATION WAS ENTERED INCORRECTLY INTO THE SYSTEM SO TAXPAYER IS NOW REQUESTING ABATEMENT FOR THE DIFFERENCE.
5. DANIEL HARTMANN, 4725 W. ANTELOPE DR., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$3,179.46. PARCEL WAS SPLIT FOR 2009 AND THE VALUE WAS NOT CHANGED ON THE NEW SMALLER PARCEL SO TAXPAYER IS NOW REQUESTING ABATEMENT FOR THE DIFFERENCE.
6. ORLENE BRENDE, 504 S. VAN EPS AVE, FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$264.57. STRUCTURE WAS REMOVED ON FEBRUARY 28, 2009 SO TAXPAYER IS NOW REQUESTING ABATEMENT FOR THE TIME THAT STRUCTURE WAS GONE.
7. MERVA SCHMIDT, 212 W. 26TH STREET, FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$433.40. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
8. LAVONNE LEITHEISER, 321 N FANELLE AVE, FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$83.51. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
9. LOIS AULNER, 1420 N. JESSICA AVE., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$620.84. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.

10. LORNA SKINNER, 1414 E. 6TH ST., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$182.85. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
11. CLIFFORD OLSON, 1501 S. RIVERDALE RD, FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$847.55. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
12. DELBERT HEESCH, 608 S. HAWTHORNE AVE., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$809.09. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
13. VIOLA NELSON, 1217 E. RICE ST., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$364.25. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
14. PAMELA CORNER, 812 S. MABLE AVE., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$140.86. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
15. BERNADINE HOEL, 807 N. MABLE AVE., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$158.75. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
16. ESTHER BURNS, 3548 S. GATEWAY BLVD #202, FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$342.52. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
17. LURLINE OVERGARD, 517 S. BLAINE AVE., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$716.02. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
18. BONNIE PEKRON, 411 S. HOLLY AVE., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$570.79. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.

| CONSENT AGENDA ITEMS |

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

19. NEW 2010 RETAIL WINE LICENSE FOR TRI-STATE GAMING, FULL HOUSE CASINO, TO BE OPERATED AT 5005 WEST 12TH STREET, INCLUDING VIDEO LOTTERY TERMINALS PLACED WITH EXISTING RETAIL MALT BEVERAGE LICENSE (CUP NOT REQUIRED; THIS IS AN ADDITION TO AN EXISTING LICENSE WHICH PREDATES THE ORDINANCE). PENDING CORRECTIONS PER FIRE.
20. TRANSFER OF A 2009-10 RETAIL MALT BEVERAGE LICENSE FROM HANDOUGH INC., CLIFFSIDE CASINO, 904 SOUTH CLIFF AVENUE, TO SIM & SIM ENTERPRISE INC., J'S WILD CASINO, TO BE OPERATED AT 904 SOUTH CLIFF AVENUE, INCLUDING VIDEO LOTTERY TERMINALS, WITH THE CONDITIONAL USE PERMIT (2010-02-05) BEING APPROVED ON 03-03-10.
21. TRANSFER OF A 2009-10 RETAIL MALT BEVERAGE LICENSE FROM THE SIOUX FALLS CANARIES PROFESSIONAL BASEBALL CLUB LLC, SIOUX FALLS CANARIES, 1001 NORTH WEST AVENUE, TO OVATIONS FOOD SERVICES LP, SIOUX FALLS PHEASANTS BASEBALL CLUB, TO BE OPERATED AT 1001 NORTH WEST AVENUE, (CUP NOT REQUIRED; THIS PREDATES THE ORDINANCE).
22. TRANSFER OF A 2010 RETAIL WINE LICENSE FROM THE SIOUX FALLS CANARIES PROFESSIONAL BASEBALL CLUB LLC, SIOUX FALLS CANARIES, 1001 NORTH WEST AVENUE, TO OVATIONS FOOD SERVICES LP, SIOUX FALLS PHEASANTS BASEBALL CLUB, TO BE OPERATED AT 1001 NORTH WEST AVENUE, (CUP NOT REQUIRED; THIS PREDATES THE ORDINANCE).
23. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR OVATIONS FOOD SERVICES LP, SIOUX FALLS PHEASANTS BASEBALL CLUB, TO BE OPERATED AT 1001 NORTH WEST AVENUE, IN THE TIKI BAR AND SUITES, FOR THE 2010 HOME SEASON GAMES AND FOR THE SOUTH DAKOTA AMATEUR BASEBALL TOURNEY TO BE HELD AUGUST 4-15, 2010.
24. SPECIAL ONE-DAY LIQUOR LICENSE FOR BAKE'S LIQUOR INC. TO BE OPERATED AT THE OLD COURTHOUSE MUSEUM, 200 WEST SIXTH STREET, ON MAY 15, 2010, FOR A WEDDING RECEPTION.
25. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR WASHINGTON PAVILION MANAGEMENT INC., WASHINGTON PAVILION OF ARTS & SCIENCE, 301 SOUTH MAIN AVENUE, ON JUNE 25-26, 2010, FOR CLASS REUNIONS.
26. SPECIAL ONE-DAY WINE AND SPECIAL ONE-DAY OFF-SALE WINE LICENSES FOR THE SOUTH DAKOTA WINE GROWERS ASSOCIATION TO BE OPERATED AT THE SERTOMA BUTTERFLY HOUSE, 4320 SOUTH OXBOW AVENUE, ON APRIL 29, 2010, FOR A RECEPTION.
27. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR THE SIOUX FALLS JAZZ & BLUES SOCIETY TO BE OPERATED AT YANKTON TRAIL PARK, 3901 SOUTH MINNESOTA AVENUE, ON JULY 15-17, 2010, FOR THE JAZZFEST.
28. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR THE SIOUX FALLS AREA COMMUNITY FOUNDATION TO BE OPERATED AT SAMMONS FINANCIAL CENTER, ONE SAMMONS PLAZA, ON APRIL 29, 2010, FOR THE SFACF FUNDRAISING EVENT.

29. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY TO BE OPERATED AT FALLS PARK, FALLS PARK DRIVE, ON MAY 1, 2010, FOR THE CINCO DE MAYO CELEBRATION.
30. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR SANFORD HEALTH FOUNDATION TO BE OPERATED AT THE SANFORD RESEARCH FACILITY, 2301 EAST 60TH STREET NORTH, ON JUNE 12, 2010, FOR THE 2010 SANFORD CHILDREN'S GALA FUNDRAISER.
31. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR MAKE-A-WISH FOUNDATION OF SOUTH DAKOTA TO BE OPERATED AT THE PARK RIDGE GALLERIA, 1600 SOUTH WESTERN AVENUE, ON APRIL 30, 2010, FOR THE PARK RIDGE 55TH ANNIVERSARY CELEBRATION.

INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Monday, May 3, 2010, at 7:00 p.m. for Items 32 through 42:

32. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, CORRECTING CLERICAL ERRORS IN ORDINANCE 109-09.

Proposed ord1165

PC Minutes - Item 19

33. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1208 W. 28TH ST. FROM THE RS-2, RESIDENTIAL DISTRICT TO THE S, INSTITUTIONAL DISTRICT, PETITION NO. 2010-02-05 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

Proposed ord1175

PC Report

PC Exhibits

PC Minutes - Item 3

34. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 5700 E. RED OAK DR. FROM THE RS-2, RESIDENTIAL DISTRICT AND THE DAWLEY FARM VILLAGE PLANNED DEVELOPMENT DISTRICT TO THE RA-1, RESIDENTIAL DISTRICT, PETITION NO. 2010-02-07 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

Proposed ord1176

PC Report

PC Exhibits

PC Minutes - Item 4

35. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT NW CORNER OF S. MONTICELLO AND W. 26TH ST. FROM THE BERRY PLANNED DEVELOPMENT DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2010-03-01 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

Proposed ord1177

PC Report

PC Exhibits

PC Minutes - Item 5

36. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT NE CORNER OF S. DUBUQUE AVE. AND E. 41ST ST. FROM THE RD, RESIDENTIAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2010-03-02 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

Proposed ord1178

PC Report

PC Exhibits

PC Minutes - Item 6

37. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2010-03-03 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT SOUTH BAHNSON AVENUE AND EAST 57TH STREET ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA REGULATIONS AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

Proposed ord1179

PC Report

PC Exhibits

PC Minutes - Item 9

38. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 6101 E. 49TH ST. FROM THE S, INSTITUTIONAL DISTRICT TO THE RD, RESIDENTIAL DISTRICT AND THE RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2010-03-05 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

Proposed ord1180

PC Report

PC Exhibits

PC Minutes - Item 7

39. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT PETITION NO. 2010-03-07 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT 1030 N. MINNESOTA AVE. ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA REGULATIONS AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

Proposed ord1181

PC Report

PC Exhibits

PC Minutes - Item 15

40. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1816 S. SUMMIT AVE. FROM THE RS-2, RESIDENTIAL DISTRICT TO THE O, OFFICE DISTRICT, PETITION NO. 2010-03-09 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

Proposed ord1182

PC Report

PC Exhibits

PC Minutes - Item 14

41. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. MINNESOTA AVE. AND W. 85TH ST. FROM THE RA-1, RESIDENTIAL DISTRICT TO THE RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2010-03-10 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

Proposed ord1183

PC Report

PC Exhibits

PC Minutes - Item 8

42. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING SECTION 43-10, TRANSIT, PARATRANSIT, AND DEMAND RESPONSE FARES AS FOUND IN CHAPTER 43, VEHICLES FOR HIRE.

Proposed ord1171

HEARINGS AND RESOLUTIONS

43. A RESOLUTION APPROVING A SCULPTURE ON CITY PROPERTY (DAKOTA WIND).

Proposed res1720

Exhibit

44. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF A SCULPTURE ON CITY PROPERTY (BRONZE EAGLE).

Proposed res1721

Exhibit

45. A RESOLUTION MODIFYING SIOUX AREA METRO PARATRANSIT SERVICE HOURS AND CREATING "DEMAND RESPONSE" EVENING BUS SERVICE.

Proposed res1722



46. A RESOLUTION DECLARING THE RESULTS OF THE CITY OF SIOUX FALLS/SCHOOL BOARD  
ELECTION HELD IN THE CITY OF SIOUX FALLS, SD ON TUESDAY, THE 13TH DAY OF  
APRIL, 2010.

Proposed resp001

ADJOURNMENT