

	City of Sioux Falls Council Meeting Agenda	
	Carnegie Town Hall, 235 West 10th Street	
	REGULAR MEETING OF Monday, April 5, 2010, at 7:00 p.m.	

ROLL CALL #2

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.
Mayor Dave Munson

INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

APPROVAL OF CONSENT AGENDA

MINUTES

- A. INFORMATIONAL MEETING OF MONDAY, MARCH 15, 2010, AT 4:00 P.M.
- B. JOINT CITY COUNCIL/MINNEHAHA COUNTY MEETING OF MONDAY, MARCH 15, 2010, AT 5:00 P.M.
- C. CITY COUNCIL MEETING OF MONDAY, MARCH 15, 2010, AT 7:00 P.M.
- D. INFORMATIONAL MEETING OF MONDAY, MARCH 29, 2010, AT 4:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM THE CHILDREN'S CARE FOUNDATION, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM APRIL 5, 2010, TO APRIL 10, 2010, FOR A GUNDERSON'S SHOPPING SPREE (VALUED AT \$1,000.00). TICKETS WILL BE \$10.00 EACH. THE PROCEEDS ARE TO BE USED TO BENEFIT THE CHILDREN'S CARE HOSPITAL AND SCHOOL.
2. A COMMUNICATION WAS RECEIVED FROM THE SIOUX FALLS IRISH CLUB, STATING ITS INTENT TO SELL RAFFLE TICKETS ON APRIL 10, 2010, FOR A TRIP TO IRELAND

(VALUED AT \$5,000.00.) 100 TICKETS WILL BE SOLD FOR \$100.00 EACH. THE PROCEEDS ARE TO BE USED TO BENEFIT THE 2010 DAKOTA IRISH FAIR.

3. A COMMUNICATION WAS RECEIVED FROM THE FIRST REFORMED CHURCH OF SIOUX FALLS, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM APRIL 15, 2010, TO JUNE 30, 2010, FOR \$100.00 CASH. THE TICKETS WILL BE SOLD FOR \$5.00 EACH. THE PROCEEDS ARE TO BE USED TO BENEFIT THE FIRST REFORMED CHURCH OF SIOUX FALLS.
4. A COMMUNICATION WAS RECEIVED FROM THE CENTER FOR ACTIVE GENERATIONS, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM MAY 6, 2010, TO AUGUST 5, 2010, FOR A DOLLHOUSE (VALUED AT \$350.00). THE TICKETS WILL BE SOLD FOR \$2.00 EACH, THREE FOR \$5.00 OR SEVEN FOR \$10.00. APRIL 15, 2010, TO JUNE 30, 2010, FOR \$100.00 CASH. THE TICKETS WILL BE SOLD FOR \$5.00 EACH. THE PROCEEDS ARE TO BE USED FOR RECREATIONAL AND EDUCATIONAL PROGRAMS AT THE CENTER FOR ACTIVE GENERATIONS.
5. A COMMUNICATION WAS RECEIVED FROM THE CENTER FOR ACTIVE GENERATIONS, STATING ITS INTENT TO SELL RAFFLE TICKETS ON JUNE 24, 2010, FOR A QUILT (VALUED AT \$125.00) AND A WALL HANGING (VALUED AT \$40.00). THE QUILT TICKETS WILL BE SOLD FOR \$2.00 EACH, THREE FOR \$5.00 OR SEVEN FOR \$10.00 AND THE WALL HANGING TICKETS WILL BE SOLD FOR \$1.00 EACH OR SIX FOR \$5.00. THE PROCEEDS ARE TO BE USED FOR RECREATIONAL AND EDUCATIONAL PROGRAMS AT THE CENTER FOR ACTIVE GENERATIONS.
6. A COMMUNICATION WAS RECEIVED FROM JONATHAN A. KOBES, COUNSEL FOR POET PAC, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM APRIL 22, 2010 TO MAY 5, 2010, FOR A 2010 ATV (VALUED AT \$4,999.00) AND A 42-INCH PLASMA TELEVISION (VALUED AT \$700.00). THE TICKETS WILL BE SOLD FOR \$25.00 EACH. THE PROCEEDS ARE TO BE USED IN CONNECTION WITH FEDERAL ELECTIONS PURSUANT TO FEDERAL ELECTION COMMISSION REGULATIONS.
7. A COMMUNICATION WAS RECEIVED FROM FATHER HAL L. BARBER REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, BEER AND WINE AT THE ST. THERESE CATHOLIC CHURCH, 901 N. TAHOE TRAIL, ON SATURDAY, APRIL 17, 2010, FROM 7:00 P.M. TO 10:00 P.M. FOR THE PURPOSE OF A CHURCH DINNER.
8. A COMMUNICATION WAS RECEIVED FROM THE DIPLOMAT COMMITTEE OF THE SIOUX FALLS AREA CHAMBER OF COMMERCE REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AND BEER AT THE OLD COURTHOUSE MUSEUM, 200 WEST SIXTH STREET ON FRIDAY, APRIL 30, 2010, FROM 5:00 P.M. TO 10:00 P.M. FOR THE PURPOSE OF A MEMBERSHIP DINNER.
9. A COMMUNICATION WAS RECEIVED FROM DINA PHO AND ADAM CENSKY REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, BEER AND WINE AT THE MULTI CULTURAL CENTER, 515 NORTH MAIN AVENUE, ON SATURDAY, JUNE 5, 2010, FROM 5:00 P.M. TO 11:00 P.M. FOR THE PURPOSE OF CELEBRATING THEIR MARRIAGE.
10. A COMMUNICATION WAS RECEIVED FROM DAVID KNUDSON REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, LIQUOR, WINE AND/OR MALT BEVERAGES AT THE OLD COURTHOUSE MUSEUM, 200 WEST SIXTH STREET ON FRIDAY, JUNE 11, 2010, FROM 5:00 P.M. TO MIDNIGHT FOR THE PURPOSE OF THE WEDDING RECEPTION FOR MARK KNUDSON AND ROHINI RAJARAMAN.

11. A COMMUNICATION WAS RECEIVED FROM CARRIE DUNCAN AND ADAM ENSZ REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AND BEER AT THE OLD COURTHOUSE MUSEUM, 200 WEST SIXTH STREET ON FRIDAY, JULY 16, 2010, FROM 5:00 P.M. TO MIDNIGHT FOR THE PURPOSE OF THEIR WEDDING CEREMONY AND RECEPTION.
12. A COMMUNICATION WAS RECEIVED FROM DAVID TAYLOR AND MELODY JEWELL REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, LIQUOR, BEER, WINE, AND/OR MALT BEVERAGES AT THE OLD COURTHOUSE MUSEUM, 200 WEST SIXTH STREET ON SATURDAY, JULY 31, 2010, FROM 5:00 P.M. TO MIDNIGHT FOR THE PURPOSE OF THEIR WEDDING CEREMONY AND RECEPTION.

APPLICATIONS

13. THE FATHER'S HOUSE, PARCEL #29052 AT 1201 W. 11TH STREET, FOR 2008 PROPERTY TAXES IN THE AMOUNT OF \$578.07 AND PARCEL #29053 AT 311 S. EUCLID AVENUE FOR 2008 PROPERTY TAXES IN THE AMOUNT OF \$323.38. THE STRUCTURES WERE RAZED ON 2008.
14. DON BOYD, DECAL \$591, 1974 MARSHFIELD MH FOR THE PROPERTY TAXES FOR THE FOLLOWING YEARS/AMOUNTS: 2006/\$90.57; 2007/\$83.36; 2008/\$74.94 AND 2009/\$75.42. PROPERTY OWNER FILED AN "AFFIDAVIT FOR THE PURPOSE OF MOVEMENT OF AN ABANDONED MOBILE/MANUFACTURED HOME" WITH THE TREASURER'S OFFICE TO COMPLETE THE DISPOSAL OF THE MOBILE HOME.
15. LUCILLE LAURENCE, 1104 W. 57TH STREET, #102, FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$154.44. MONIES REQUESTED ARE THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND THE NON ELDERLY FREEZE.

NOTICE OF HEARINGS

DOC: DOCUMENT: ALCOHOL MEMO

Set the hearing date for Monday, April 19, 2010, at 7:00 p.m. on Items 16 through 28:

16. 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).
17. 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.
18. 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).

19. 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).
20. 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.
21. 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.
22. 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.
23. 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.
24. 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.
25. 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.
26. 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.
27. 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.
28. 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.

| CONSENT AGENDA ITEMS |

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

INTRODUCTION AND ADOPTION OF ORDINANCES

29. DEFERRED ACTION (FROM THE MEETING OF FEBRUARY 8, 2010) 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING CHAPTER 15 1/2, FEES.

Document: Ord. 1124 with the original proposed amendment

Document: Ord. 1124c -proposed amendment from K. Staggers

Document: Ord. 1124b - proposed amendment from G. Beninga

Document: Ord. 1124d - proposed amendment from B. Litz

30. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING APPENDIX B OF THE REVISED ORDINANCES OF THE CITY FOR ZONING BOARD OF ADJUSTMENT VOTE. (THE PLANNING COMMISSION RECOMMENDS APPROVAL.)

Document: Ord. 1149

PC Staff Report

PC Minutes - Item 10

31. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT NE CORNER OF S. MINNESOTA AVE. AND W. THIRD ST. FROM THE C-4, PLANNED COMMERCIAL DISTRICT AND THE RA-2, RESIDENTIAL DISTRICT TO THE SUBAREA A, MINNEHAHA COUNTY COURTHOUSE PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2010-01-06, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (THE PLANNING COMMISSION RECOMMENDS APPROVAL.)

Document: Ord. 1169

PC Staff Report

PC Exhibits

PC Minutes - Item 8

32. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 6300 S. TALLGRASS AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT, PETITION NO. 2010-02-03, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (THE PLANNING COMMISSION RECOMMENDS APPROVAL.)

Document: Ord. 1170

PC Staff Report

PC Exhibits

PC Minutes - Item 3

33. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2010-01-02, TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT S. SOUTHEASTERN AVE. AND WHISPER TRL., ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA MAP AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (THE PLANNING COMMISSION RECOMMENDS APPROVAL.)

Document: Ord. 1167

PC Staff Report

PC Exhibits

PC Minutes - Item 4

34. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2010-02-01, TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT 8000 E. ARROWHEAD PARKWAY, ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA MAP AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (THE PLANNING COMMISSION RECOMMENDS APPROVAL.)

Document: Ord. 1168

PC Staff Report

PC Exhibits

PC Minutes - Item 5

Set the hearing date and 2nd Reading for Monday, April 12, 2010, at 7:00 p.m.
on Item 35:

35. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING ARTICLE II OF CHAPTER 23, AND ARTICLE VII OF CHAPTER 26 OF THE REVISED ORDINANCES OF SIOUX FALLS, SD.

Document: Ord. 0109

Document: Alarm fees in other cities

HEARINGS AND RESOLUTIONS

36. A RESOLUTION REAPPOINTING AUDIT COMMITTEE MEMBERS TO THE AUDIT COMMITTEE.

Document: Res. 1718

37. A RESOLUTION AMENDING THE 2010-2014 CAPITAL PROGRAM TO ADD A CAMERA SYSTEM.

Document: Res. 1717

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)

38. REPORT OF THE MARCH 31, 2010, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS. (MEMO 1)

Document: Memo 1

NEW BUSINESS

ADJOURNMENT