

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

ROLL CALL #
MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Members Present:

INVOCATION

A. PASTOR RON TOTTINGHAM, EMPIRE BAPTIST TEMPLE

PLEDGE OF ALLEGIANCE

APPROVAL OF CONSENT AGENDA

MINUTES

- A. INFORMATIONAL MEETING OF MONDAY, NOVEMBER 16, 2009, AT 4:00 P.M.
- B. JOINT CITY COUNCIL/MINNEHAHA COUNTY MEETING OF MONDAY, NOVEMBER 16, 2009, AT 5:00 P.M.
- C. CITY COUNCIL MEETING OF MONDAY, NOVEMBER 16, 2009, AT 7:00 P.M.

COMMUNICATIONS

- 1. A COMMUNICATION WAS RECEIVED FROM SIOUX EMPIRE BASEBALL ASSOCIATION STATING ITS INTENT TO SELL RAFFLE TICKETS FROM JANUARY 22, 2010 TO MAY 17, 2010 FOR A GRAND PRIZE OF \$1000.00 AND TWENTY ADDITIONAL PRIZES OF \$50.00 EACH. TICKETS WILL BE \$5.00 EACH. THE PROCEEDS ARE TO BE USED TO BENEFIT THE YOUTH BASEBALL PROGRAM IN SIOUX FALLS.

APPLICATIONS

- 2. MINNEHAHA COUNTY TREASURER, PARCEL #41065, IS REQUESTING ABATEMENT FOR UNPAID PROPERTY TAXES, IN THE AMOUNT OF \$538.82. THE APPLICANT IS REQUESTING THE ABATEMENT TO REMOVE UNPAID TAXES BECAUSE THE TITLE WAS GIVEN TO MINNEHAHA COUNTY WITH A TREASURER'S DEED ON FEBRUARY 24, 2000.

NOTICE OF HEARINGS

Set hearing date for Monday, December 21, 2009, at 7:00 p.m. on Items 3 through 7:

3. TRANSFER OF A 2009 RETAIL LIQUOR LICENSE FROM DAKOTA CUISINE INC., RUBY TUESDAY, 3308 EAST TENTH STREET, TO HOWELL & HOWELL INC., HOLIDAY INN EXPRESS, TO BE OPERATED AT 2501 SOUTH SHIRLEY AVENUE, INCLUDING SUNDAY SALES, WITH THE SPECIAL USE PERMIT (2009-10-15) BEING CONSIDERED ON 12-02-09.
4. TRANSFER OF A 2009 RETAIL LIQUOR LICENSE FROM PORTER APPLE COMPANY "B" INC., APPLEBEE'S NEIGHBORHOOD GRILL AND BAR, 108 SOUTH MINNESOTA AVENUE, TO SOFT EGG INC., WHISK & CHOP, TO BE OPERATED AT 108 SOUTH MINNESOTA AVENUE, INCLUDING SUNDAY SALES, WITH THE CONDITIONAL USE PERMIT (2005-09-13) BEING APPROVED ON 10-05-05.
5. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR SMG TO BE OPERATED AT THE ORPHEUM THEATER, 315 NORTH PHILLIPS AVENUE, FOR WEDDING RECEPTIONS ON JANUARY 9, JUNE 4, AND JUNE 26, 2010.
6. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR WASHINGTON PAVILION MANAGEMENT INC., WASHINGTON PAVILION OF ARTS & SCIENCE, 301 SOUTH MAIN AVENUE, TO BE HELD ON JANUARY 5, 2010, FOR AN AVERA MCKENNAN RECEPTION, AND ON AUGUST 6, 2010, FOR A WEDDING RECEPTION.
7. VARIOUS RETAIL LIQUOR, PACKAGE LIQUOR, AND RETAIL WINE LICENSE RENEWALS FOR 2010 TO BE OPERATED AT VARIOUS LOCATIONS IN THE CITY OF SIOUX FALLS, IDENTIFIED AS EXHIBIT C.

Items 3-7 Memo-Council

Item 7 Exhibit C

| CONSENT AGENDA ITEMS |

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

8. NEW 2009-10 RETAIL MALT BEVERAGE LICENSE FOR TED HAMZE, UNOZONI, TO BE OPERATED AT 196 EAST SIXTH STREET #101, WITH THE SPECIAL USE PERMIT (2009-08-16) BEING APPROVED ON 10-07-09.
9. NEW 2009-10 RETAIL MALT BEVERAGE LICENSE FOR KDN CORPORATION, LOS TOROS, TO BE OPERATED AT 1010 NORTH MINNESOTA AVENUE, WITH THE MAJOR AMENDMENT (2005-03-06) BEING APPROVED ON 04-18-05.

10. TRANSFER OF A 2009 RETAIL LIQUOR LICENSE FROM GAME DAY INC., ROOKIE'S BAR & GRILL, 2616 SOUTH LOUISE AVENUE, TO SPORTS ZONE INC., ROOKIE'S BAR & GRILL, TO BE OPERATED AT 2616 SOUTH LOUISE AVENUE, INCLUDING SUNDAY SALES AND VIDEO LOTTERY TERMINALS, WITH THE CONDITIONAL USE PERMIT (2001-02-20) BEING APPROVED ON 03-19-01.

11. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR THE RONALD MCDONALD HOUSE CHARITIES OF SOUTH DAKOTA TO BE OPERATED AT 825 SOUTH LAKE AVENUE ON DECEMBER 10, 2009, FOR THE GIRLS' NIGHT OUT FUNDRAISER. PENDING FINAL INSPECTIONS PER FIRE.

12. VARIOUS RETAIL LIQUOR, PACKAGE LIQUOR, AND RETAIL WINE LICENSE RENEWALS FOR 2010 TO BE OPERATED AT VARIOUS LOCATIONS IN THE CITY OF SIOUX FALLS, IDENTIFIED AS EXHIBIT B.

Items 8-12 Memo-Council

Item 12 Exhibit B

INTRODUCTION AND ADOPTION OF ORDINANCES

13. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING SECTION 35-113 OF DIVISION I, ARTICLE III OF CHAPTER 35 PERTAINING TO INVESTMENT OF ASSETS OF THE FIREFIGHTERS' PENSION FUND.

Proposed Ord1112

14. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING SECTION 35-50 OF DIVISION I, ARTICLE II OF CHAPTER 35 PERTAINING TO INVESTMENT OF ASSETS OF THE EMPLOYEE'S RETIREMENT SYSTEM.

Proposed Ord1111

15. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT BRENNAN DR. AND SYCAMORE AVE. FROM THE C-4, PLANNED COMMERCIAL DISTRICT TO THE RA-1, RESIDENTIAL DISTRICT, PETITION NO. 2009-10-07 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord1101

PC Report

PC Exhibits

PC Minutes - Item 4

16. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. KLEIN AVE. AND WEST 56TH ST. FROM THE RA-1, RESIDENTIAL DISTRICT TO THE RD, RESIDENTIAL DISTRICT, PETITION NO. 2009-10-01 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord1102

PC Report

PC Exhibits

PC Minutes - Item 3

17. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING CHAPTER 15 OF APPENDIX B OF THE REVISED ORDINANCES OF SIOUX FALLS, SD, BY REVISING FINAL DEVELOPMENT PLAN EXCEPTIONS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Proposed Ord1100

PC Report

PC Minutes - Item 15

18. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS (HEALTH - \$372,483).

HD Memo

Proposed Ord1128

Set the hearing date and 2nd Reading for Monday, December 21, 2009, at 7:00 p.m. for Items 19 through 20:

19. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY ADDING ONE PROPERTY TO SECTION 39-82A, PROVIDING FOR RURAL SERVICE DISTRICT LANDS.

Proposed Ord1129

20. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING APPENDIX B, ZONING ORDINANCE, REGARDING CAMPGROUNDS AND CAMPING UNITS.

Proposed Ord0051

HEARINGS AND RESOLUTIONS

21. DEFERRED ACTION (FROM MEETING OF NOVEMBER 16, 2009): A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND THE CITY OF HARRISBURG FOR UTILIZATION OF THE WASTEWATER COLLECTION AND TREATMENT FACILITY OF SIOUX FALLS.

Proposed Res1676

Amended Agreement

22. A RESOLUTION ADOPTING THE SHAPE SIOUX FALLS 2035 COMPREHENSIVE PLAN.

Proposed Res1678

PC Minutes - Item 16

Executive Summary

23. A RESOLUTION AMENDING THE FUTURE LAND USE MAP AS A PART OF THE SIOUX FALLS 2015 GROWTH MANAGEMENT PLAN PETITION NO. 2009-08-12 AT S. MINNESOTA AVE. AND W. 85TH ST. FROM AN ALLOCATION OF PARKS AND OPEN SPACE, OFFICE, AND UNDESIGNATED LAND USES TO AN ALLOCATION OF COMMERCIAL, OFFICE, MULTI-FAMILY RESIDENTIAL, AND SINGLE-FAMILY RESIDENTIAL FUTURE LAND USES.

Proposed Res0038

PC Report

PC Exhibits

PC Minutes - Item 11

Res. 113.09 Exhibit A

24. A RESOLUTION AMENDING RESOLUTION NO. 102-09, WHICH AUTHORIZED THE CITY OF

SIOUX FALLS TO GIFT TO MINNEHAHA COUNTY ONE TRANSIT BUS.

Proposed Res0047

25. A RESOLUTION ESTABLISHING THE SIOUX FALLS CITY COUNCIL'S PRIORITIES FOR THE 2010 STATE LEGISLATIVE SESSION.

Proposed Res1684

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)

26. REPORT OF THE NOVEMBER 24, 2009, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

Memo-Transfer of Appropriations

ADJOURNMENT