

|| City of Sioux Falls Council Meeting Agenda
|| Carnegie Town Hall, 235 West 10th Street
|| MEETING OF Monday, October 5, 2009, at 7:00 p.m. |

ROLL CALL #7

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

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

INVOCATION

A. PASTOR DENNIS THOMAS, FREE METHODIST CHURCH

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

A. DOMESTIC VIOLENCE AWARENESS MONTH - OCTOBER 2009

APPROVAL OF CONSENT AGENDA

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, SEPTEMBER 21, 2009, AT 4:00 P.M.

B. CITY COUNCIL MEETING OF MONDAY, SEPTEMBER 21, 2009, AT 7:00 P.M.

C. INFORMATIONAL MEETING OF MONDAY, SEPTEMBER 28, 2009, AT 4:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM THE SIOUXLAND HERITAGE MUSEUMS REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AND/OR MALT BEVERAGES AT THE OLD COURTHOUSE MUSEUM, 200 W. SIXTH ST., ON THURSDAY, OCTOBER 22, 2009, FROM 5:00 P.M. TO 7:00 P.M. FOR THE OPENING RECEPTION OF THE NEW EXHIBIT "UNDERWEAR: A BRIEF HISTORY".

2. A COMMUNICATION WAS RECEIVED FROM TRI-STATE WHOLESALE FLOORING, INC. REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, LIQUOR, WINE AND/OR MALT BEVERAGES AT THE OLD COURTHOUSE MUSEUM, 200 W. SIXTH ST., ON SATURDAY, DECEMBER 19, 2009, FROM 5:00 P.M. TO 10:00 P.M. FOR THE TRI-STATE WHOLESALE FLOORING'S EMPLOYEE CHRISTMAS PARTY.

APPLICATIONS

3. SANFORD MEDICAL CENTER, 1402 W. 17TH ST., FOR 2008 PROPERTY TAXES, IN THE AMOUNT OF \$608.11. THEY WERE GRANTED EXEMPT STATUS ON THIS PARCEL FOR 2009, TAXES PAYABLE 2010. TAXPAYER IS NOW REQUESTING AN ABATEMENT FOR THE 2008 TAXES.
4. DANIEL HOILAND, 807 N. CLIFF AVE., FOR 2008 PROPERTY TAXES, IN THE AMOUNT OF \$937.60 FOR 266 DAYS; AND 805 N. CLIFF AVE., FOR 2008 PROPERTY TAXES IN THE AMOUNT OF \$374.70 FOR 266 DAYS. THE STRUCTURES WERE RAZED ON APRIL 10, 2008. TAXPAYER IS NOW REQUESTING AN ABATEMENT FOR THE AMOUNT OF TIME THE STRUCTURES WERE GONE IN 2008.
5. VERNA LESTON, 901 SCOTLAND PLACE, FOR 2008 PROPERTY TAXES, IN THE AMOUNT OF \$28.47. MONIES REQUESTED ARE THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
6. CAROL BOESE, 1104 S. MAIN AVE., FOR 2008 PROPERTY TAXES, IN THE AMOUNT OF \$213.44. MONIES REQUESTED ARE THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
7. CLEOPHA DIRKS, 2504 S. VAN EPS AVE., FOR 2008 PROPERTY TAXES, IN THE AMOUNT OF \$1,056.73. MONIES REQUESTED ARE THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
8. DIANNE PAYTON, 3016 S. GLENDALE AVE., FOR 2008 PROPERTY TAXES, IN THE AMOUNT OF \$296.46. MONIES REQUESTED ARE THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
9. ROBERT C. ITZEN, 523 N. PRAIRIE AVE., FOR 2008 PROPERTY TAXES, IN THE AMOUNT OF \$755.50. MONIES REQUESTED ARE THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
10. SIOUX FALLS VOA LIVING CENTER II, 700 N. SOLAR DR., FOR 2008 PROPERTY TAXES, IN THE AMOUNT OF \$976.57 FOR 322 DAYS. THEY WERE GRANTED EXEMPT STATUS ON THIS PARCEL FOR 2009, TAXES PAYABLE 2010. TAXPAYER IS NOW REQUESTING AN ABATEMENT FOR THE TIME WHEN CONSTRUCTION BEGAN IN 2008.

NOTICE OF HEARINGS

DOC: MEMO

Set hearing date for Monday, October 19, 2009, at 7:00 p.m. on Items 11 through 22:

11. TRANSFER OF A 2009 RETAIL LIQUOR LICENSE FROM ROD WOELFEL, NAME T/B/D, 3100-3108-3110 WEST 12TH STREET, TO DAKOTA BILLIARDS INC., BIGS SPORTS BAR AND CASINO, TO BE OPERATED AT 3108-3110 WEST 12TH STREET, INCLUDING SUNDAY SALES AND VIDEO LOTTERY TERMINALS, WITH THE CONDITIONAL USE PERMIT (2009-08-02) BEING APPROVED ON 09-02-09.

Conditional Use Permit

12. TRANSFER OF A 2009 RETAIL LIQUOR LICENSE FROM WOOS LANDING INC., FALLS LANDING, 200 EAST 8TH STREET, TO FALLS LANDING INC., FALLS LANDING, TO BE OPERATED AT 200 EAST 8TH STREET, INCLUDING SUNDAY SALES AND VIDEO LOTTERY TERMINALS (CUP NOT REQUIRED; THIS LICENSE PREDATES THE ORDINANCE).
13. TRANSFER OF A 2009-10 RETAIL MALT BEVERAGE LICENSE FROM THE NEW CHINA STAR INC., CHINA STAR, 1721 WEST 41ST STREET, TO SIOUX FALLS CHINA STAR INC., SIOUX FALLS CHINA STAR, TO BE OPERATED AT 1721 WEST 41ST STREET, WITH THE CONDITIONAL USE PERMIT (98-11-14) BEING APPROVED ON 01-19-99.

conditional use permit

14. TRANSFER OF A 2009 RETAIL WINE LICENSE FROM THE NEW CHINA STAR INC., CHINA STAR, 1721 WEST 41ST STREET, TO SIOUX FALLS CHINA STAR INC., SIOUX FALLS CHINA STAR, TO BE OPERATED AT 1721 WEST 41ST STREET, WITH THE CONDITIONAL USE PERMIT (98-11-14) BEING APPROVED ON 01-19-99.
15. TRANSFER OF A 2009 PACKAGE LIQUOR LICENSE FROM AMANUAL LIBEN AND LEANN BEANER, ABYSSINIA, 209 SOUTH BLAUVELT AVENUE, TO AMANUAL LIBEN AND LEANN BEANER, ABYSSINIA, TO BE OPERATED AT 1403 WEST 12TH STREET.
16. SPECIAL ONE-DAY LIQUOR LICENSE FOR SMG TO BE OPERATED AT THE SIOUX FALLS ARENA, 1201 NORTH WEST AVENUE, ON DECEMBER 31, 2009, FOR THE NEW YEAR'S EVE GALA.
17. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR HY-VEE INC., ALL OCCASIONS BY HY-VEE, TO BE OPERATED AT THE DELBRIDGE MUSEUM OF NATURAL HISTORY, 805 SOUTH KIWANIS AVENUE, ON NOVEMBER 13 AND 14, 2009, FOR A HOLIDAY PARTY AND A FUNDRAISER, AND TO RESCIND THE LICENSES PREVIOUSLY ISSUED FOR SEPTEMBER 26 AND OCTOBER 3, 2009.
18. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR WASHINGTON PAVILION MANAGEMENT INC., WASHINGTON PAVILION OF ARTS & SCIENCE, 301 SOUTH MAIN AVENUE, FOR NOVEMBER 7, 2009, AND AUGUST 21 AND 28, 2010, FOR WEDDING RECEPTIONS.
19. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR DOWNTOWN SIOUX FALLS TO BE OPERATED AT 431 NORTH PHILLIPS AVENUE ON OCTOBER

31, 2009, FOR A HALLOWEEN EVENT.

20. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR AVERA MCKENNAN FOUNDATION TO BE HELD AT 196 EAST 6TH STREET, SUITE 100, ON OCTOBER 23, 2009, FOR THE 'PAINT THE NIGHT PINK' FUNDRAISER.
21. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR SENIOR CITIZENS SERVICES INC., TO BE OPERATED AT THE CENTER FOR ACTIVE GENERATIONS, 2300 WEST 46TH STREET, ON APRIL 18, 2010, FOR THE GOURMET GUYS FUNDRAISER.
22. AMEND THE SPECIAL ONE-DAY WINE LICENSE FOR XI ALPHA LLAMBDA TO BE OPERATED AT THE CENTER FOR ACTIVE GENERATIONS, 2300 WEST 46TH STREET, ON APRIL 10, 2010, FOR A SORORITY EVENT APPROVED ON 09-21-09, CHANGING THE DATE OF THE EVENT TO APRIL 22, 2010.

| CONSENT AGENDA ITEMS |

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

INTRODUCTION AND ADOPTION OF ORDINANCES

23. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2009-08-06 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT SE CORNER OF I-29 AND I-90, ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA REGULATIONS AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 1102

PC Staff Report

PC Exhibits

PC Minutes - Item 13

24. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. BENSON RD. AND S. WESTPORT AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2009-08-07, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 1103

PC Staff Report

PC Exhibits

PC Minutes - Item 4

25. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. BENSON RD. AND S. WESTPORT AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE SANFORD SPORTS COMPLEX PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2009-08-08, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 1104

PC Report

PC Exhibits

PC Minutes - Item 5

26. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT SE CORNER OF S. CLIFF AVE. AND E. 69TH ST. FROM THE AG, AGRICULTURAL DISTRICT TO THE SHADOW CREEK PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2009-08-13, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 1105

PC Report

PC Exhibits

PC Minutes - Item 7

HEARINGS AND RESOLUTIONS

27. DEFERRED ACTION (FROM SEPTEMBER 21, 2009 MEETING): A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR NUISANCE REMOVAL FOR PROPERTY ID NUMBERS 053900 (806 W. 6TH STREET) AND 039640 (909 N. WALTS AVENUE) IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA. THESE PROPERTIES WERE DEFERRED FROM THE CITY COUNCIL MEETING OF MONDAY, SEPTEMBER 21, 2009, AND WERE INITIALLY A PART OF RESOLUTION 88-09.

Resp 002B

Litter Removal List

Litter Removal List Revised

28. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF REDSTONE VILLAGE ADDITION. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Res. 1664

PC Report

PC Exhibits

PC Minutes - Item 16

29. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF SANFORD SPORTS COMPLEX ADDITION. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Res. 1665

PC Report

PC Exhibits

PC Minutes - Item 11

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)

30. REPORT OF THE SEPTEMBER 25, 2009, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

Memo

31. REPORT OF THE SEPTEMBER 28, 2009, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

Memo

ADJOURNMENT