



# *City of Sioux Falls Council Meeting Minutes*

*Carnegie Town Hall, 235 West Tenth Street*

**REGULAR MEETING OF Monday, August 19, 2002, at 7:00 p.m.**

The City Council of the City of Sioux Falls, Minnehaha and Lincoln Counties, South Dakota, met in Regular session at the Carnegie Hall, Sioux Falls, South Dakota, on Monday, August 19, 2002, at 7:00 p.m., pursuant to law, with the following members present at roll call: Council Members Andy Howes, Kenyon Gleason, De Knudson, Gerald Beninga, Darrin Smith, Kevin Kavanaugh, Kermit L. Staggers, and Mayor Dave Munson. Absent: Council Member Curt Rust.

## **CONSENT AGENDA ITEMS**

### **APPROVAL OF CONSENT AGENDA**

A motion was made by Council Member Gleason and seconded by Council Member Kavanaugh to approve the items on the Consent Agenda with one vote as follows. **Roll Call: Yeses, Howes, Gleason, Knudson, Beninga, Smith, Kavanaugh, Staggers, 7. Noes, None.**

### **MINUTES**

- ◆ Briefing Meeting of Monday, August 12, 2002, at 4:00 p.m.
- ◆ Closed Executive Briefing of Monday, August 12, 2002, at 4:15 p.m.
- ◆ Informational Meeting of Monday, August 12, 2002, at 4:30 p.m.
- ◆ Regular Council Meeting of Monday, August 12, 2002, at 7:00 p.m.

### **NOTICE OF HEARINGS**

**Set hearing date for Monday, September 9, 2002, at 7 p.m. on Items 1 through 10:**

1. Amendment to a Special One-Day Wine License for The Banquet to be operated at the Park Ridge Galleria, 1604 South Western Avenue, for a fundraiser for The Banquet, changing the date from July 13, 2002, to September 14, 2002.
2. Special One-Day Liquor License requests for SMG, to be operated at the Sioux Falls Arena, 1201 West Avenue North, for Sioux Falls Stampede and Sioux Falls Skyforce Home Season Games, CBA All-Star Gala and Game, SD Cattleman's Association Fundraiser, and Skyforce and Stampede playoff games throughout 2002-03.
3. Transfer of a 2002-03 Retail Malt Beverage License from Myron Kutz, Classic Café & Play, 825 South Minnesota Avenue, to M & M Casino Inc., M & M Casino, to be operated at 825 South Minnesota Avenue, including video lottery terminals.
4. New 2002-03 Retail Malt Beverage License for Tienya Y Taqueria America Ltd., Taqueria America, to be operated at 802 East Tenth Street.

5. New 2002-03 Package Malt Beverage License for Wal-Mart Stores Inc., Wal-Mart Supercenter #1535, to be operated at 3209 South Louise Avenue.
6. New 2002-03 Package Malt Beverage License for Wal-Mart Stores Inc., Wal-Mart Supercenter #3237, to be operated at 5521 East 12<sup>th</sup> Street.
7. New 2002-03 Retail Malt Beverage License for Thomas and Janet Veigh, Sousley's Hillbilly Bar-B-Que, to be operated at 1205 East 9<sup>th</sup> Street.
8. New 2002 Retail Wine License for Thomas and Janet Veigh, Sousley's Hillbilly Bar-B-Que, to be operated at 1205 East 9<sup>th</sup> Street.
9. Special One-Day Liquor License requests for Washington Pavilion Management Inc. to be operated at the Washington Pavilion of Arts and Science, 301 South Main Avenue, for various events in 2002-03.
10. Transfer of a 2002-03 Retail Malt Beverage License from Darin and Beth Lubbers, Player's Club and Casino, 2909 East Tenth Street, to Houli Inc., Player's Club and Casino, to be operated at 2909 East Tenth Street, including video lottery terminals.

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## REGULAR AGENDA ITEMS

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### APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Gleason and seconded by Council Member Beninga to approve the Regular Agenda. **Roll Call: Yeses, Howes, Gleason, Knudson, Beninga, Smith, Kavanaugh, Staggers, 7. Noes, None.**

### PETITIONS

11. A motion was made by Council Member Gleason and seconded by Council Member Smith to approve a Conditional Use Permit—2002-07-09, located at 1701 West 12<sup>th</sup> Street, to allow motor vehicle display and sales, with the Planning Commission recommending approval for the plans as presented at the public hearing. **Roll Call: Yeses, Howes, Gleason, Knudson, Beninga, Smith, Kavanaugh, Staggers, 7. Noes, None.**
12. A motion was made by Council Member Gleason and seconded by Council Member Kavanaugh to approve a Major Amendment—2002-07-08, located at 1200 East 57<sup>th</sup> Street, in the Subarea D, River Oaks Planned Development District, to allow a pet grooming salon, with the Planning Commission recommending approval subject to: The Subarea D, River Oaks Planned Development District Subarea regulations to be updated to reflect the pet grooming business as an allowed use. **Roll Call: Yeses, Howes, Gleason, Knudson, Beninga, Smith, Kavanaugh, Staggers, 7. Noes, None.**
13. A motion was made by Council Member Gleason and seconded by Council Member Beninga to approve a Major Amendment—2002-06-11, located east of Marion Road, south of Jeanne

Drive, north of the Interstate, in the Lake Park Planned Development District, to allow a mixed use development, with the Planning Commission recommending approval with the following stipulations: 1. Revised Lake Park PD initial development plans including Subarea Regulations as presented. 2. A revised preliminary subdivision plan shall be submitted per Title 15A of the city code. **Roll Call: Yeses, Howes, Gleason, Knudson, Beninga, Smith, Kavanaugh, Stagers, 7. Noes, None.**

### **INTRODUCTION AND ADOPTION OF ORDINANCES**

**A motion was made by Council Member Gleason and seconded by Council Member Kavanaugh to set a hearing date and 2<sup>nd</sup> reading for Tuesday, September 3, 2002, at 7:00 p.m., for Items 14 through 24, which were introduced and given their first reading. Roll Call: Yeses, Howes, Gleason, Knudson, Beninga, Smith, Kavanaugh, Stagers, 7. Noes, None.**

14. **1st Reading-Rezone: 2002-05-22:** An Ordinance of the City of Sioux Falls, SD, amending the Code of Ordinances of said City by rezoning property at West 57<sup>th</sup> Street South and Galway Avenue, from AG-Agricultural District to RS-2-Residential District, to allow single family development. Planning Commission recommends approval.
15. **1st Reading-Rezone: 2002-05-23:** An Ordinance of the City of Sioux Falls, SD, amending the Code of Ordinances of said City by rezoning property at West 57<sup>th</sup> Street South and Galway Avenue, from AG-Agricultural District to RS-2-Residential District, for single family residential development. Planning Commission recommends approval.
16. **1st Reading-Rezone: 2002-05-33:** An Ordinance of the City of Sioux Falls, SD, amending the Code of Ordinances of said City by rezoning property at East 10<sup>th</sup> Street between 4812 E. 10<sup>th</sup> Street and Foss Avenue, from Unzoned Land to C-2-General Commercial District, for future development and to conform with existing zoning of properties surrounding said land. Planning Commission recommends approval.
17. **1st Reading-Rezone: 2002-07-10:** An Ordinance of the City of Sioux Falls, SD, amending the Code of Ordinances of said City by rezoning property at 1604 & 1700 East 18<sup>th</sup> Street, from RC-Recreation Conservation District to I-1-Light Industrial District, to bring parcel land uses into conformance with zoning. Planning Commission recommends approval.
18. **1st Reading-Rezone: 2002-05-12:** An Ordinance of the City of Sioux Falls, SD, amending the Code of Ordinances of said City by rezoning property at West 85<sup>th</sup> Street South and South Western Avenue, from AG-Agricultural District to the Heather Ridge Planned Development District, to allow for mixed use development. Planning Commission recommends approval.
19. **1st Reading-Rezone: 2002-06-17:** An Ordinance of the City of Sioux Falls, SD, amending the Code of Ordinances of said City by rezoning property at 1212 South Southeastern Drive, from RS-2-Residential District to RA-1-Residential District, to allow multi-family townhouse development. Planning Commission recommends **denial**.
20. **1st Reading-Rezone: 2002-06-25:** An Ordinance of the City of Sioux Falls, SD, amending the Code of Ordinances of said City by rezoning property at proposed West 34<sup>th</sup> Street North

and North Career Avenue, from AG-Agricultural District to O-Office, RA-1-Residential, and RD-Residential Districts, to allow development. Planning Commission recommends approval.

21. **1st Reading-Rezone: 2002-07-04:** An Ordinance of the City of Sioux Falls, SD, amending the Code of Ordinances of said City by rezoning property at proposed North Career Drive and Markey Avenue, from I-1-Light Industrial District to the Flynn Heights Planned Development District, to allow mixed use development including commercial, office, multi-family, and light industrial. Planning Commission recommends approval.
22. **1st Reading:** An Ordinance of the City of Sioux Falls, SD, amending the Revised Ordinances of the City by providing supplemental appropriations. (1999 Sales Tax Construction Fund & Park)
23. **1st Reading:** An Ordinance of the City of Sioux Falls, SD, amending the Revised Ordinances of the City by providing supplemental appropriations. (Public Works, Park, Police)
24. **1st Reading:** An Ordinance of the City of Sioux Falls, SD, amending the Revised Ordinances of the City by changing the Council's Order of Business.

#### HEARINGS AND RESOLUTIONS

25. A motion was made by Council Member Smith and seconded by Council Member Gleason to authorize the transfer of appropriations from the 2002 Contingency account to the library major organizational unit, and the following Resolution was adopted. **Roll Call: Yeses, Howes, Gleason, Knudson, Beninga, Smith, Kavanaugh, Staggars, 7. Noes, None.**

#### RESOLUTION NO. 97-01

A RESOLUTION AUTHORIZING THE TRANSFER OF APPROPRIATIONS FROM THE 2002 CONTINGENCY ACCOUNT TO THE LIBRARY MAJOR ORGANIZATIONAL UNIT.

BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That General Fund contingency appropriations be transferred to the Library major organizational unit.

<u>MOU/Division</u>	<u>Purpose</u>	<u>Amount</u>
Library	Purchase two self-service checkout systems	\$40,530

Date adopted: August 19, 2002.

Dave Munson  
Mayor

ATTEST:

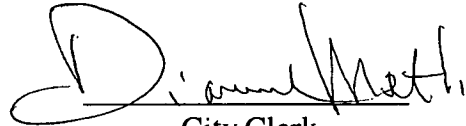
Dianne Metli  
City Clerk

**PUBLIC INPUT**

26. Dick Robinson, downtown businessman, informed the Council that he will be pursuing removing parking meters from the downtown area.

**ADJOURNMENT**

A motion was made by Council Member Gleason and seconded by Council Member Howes to adjourn at 8:05pm. **Roll Call: Yeses, Howes, Gleason, Knudson, Beninga, Smith, Kavanaugh, Staggers, 7. Noes, None.**

  
City Clerk