

|| City of Sioux Falls Council Meeting Agenda
|| Carnegie Town Hall, 235 West Tenth Street
|| MEETING OF Monday, July 2, 2007 at 7:00 p.m. |

ROLL CALL #6

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Council Member Knudson
Council Member Litz
Council Member Staggers
Council Member Beninga
Council Member Brown
Council Member Costello
Council Member Jamison
Council Member Kavanaugh
Mayor Munson

INVOCATION

PLEDGE OF ALLEGIANCE

APPROVAL OF CONSENT AGENDA

MINUTES

INFORMATIONAL MEETING OF MONDAY, JUNE 18, 2007, AT 4:00 P.M.

JOINT MINNEHAHA COUNTY CITY COUNCIL MEETING OF MONDAY, JUNE 18, 2007, AT 5:00 P.M.

CITY COUNCIL MEETING OF MONDAY, JUNE 18, 2007, AT 7:00 P.M.

INFORMATIONAL MEETING OF MONDAY, JUNE 25, 2007, AT 4:00 P.M.

JOINT LINCOLN COUNTY CITY COUNCIL MEETING OF MONDAY, JUNE 25, 2007, AT 7:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM MS. JENNIFER SCOTT AND MR. SETH TIEDEMAN REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, LIQUOR, WINE, AND MALT BEVERAGES AT THE OLD COURTHOUSE MUSEUM, 200 WEST SIXTH STREET, SIOUX FALLS, SD 57104, ON SATURDAY, AUGUST 18, 2007, FOR THE PURPOSE OF THEIR WEDDING RECEPTION.

2. A COMMUNICATION WAS RECEIVED FROM THE SIOUX FALLS JAZZ AND BLUES SOCIETY, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM JULY 20, 2007 TO SEPTEMBER 30, 2007, FOR A CRUISE VALUED AT \$2,800.00. TICKETS WILL BE \$10.00/ONE AND \$20.00/THREE WITH THE PROCEEDS TO BE USED TO BENEFIT THE SFJB SCHOLARSHIP FUND.

NOTICE OF HEARINGS

Set hearing date for Monday, July 16, 2007, at 7:00 pm on Items 3 through 6:

3. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR WASHINGTON PAVILION MANAGEMENT INC., WASHINGTON PAVILION OF ARTS & SCIENCE, TO BE OPERATED AT 301 SOUTH MAIN AVENUE, AS FOLLOWS IN 2007: AUGUST 31 FOR A CLASS REUNION; AUGUST 10, 11, 17, 18, SEPTEMBER 8, 14, 15 FOR WEDDING RECEPTIONS.
4. SPECIAL ONE-DAY MALT BEVERAGE LICENSE FOR THE EL RIAD SHRINE, 510 SOUTH PHILLIPS AVENUE, TO BE OPERATED IN THE CITY PARKING LOT DIRECTLY BEHIND THEIR BUILDING AT 501 SOUTH FIRST AVENUE, COMMONLY KNOWN AS THE 13TH STREET LOT, ON AUGUST 4, 2007, FOR THE ROCK ?N RIDE.
5. SPECIAL ONE-DAY MALT BEVERAGE LICENSE REQUESTS FOR THE SISTER CITIES ASSOCIATION, TO BE HELD ON JULY 25, 2007, AT THE MULTI-CULTURAL CENTER, 515 NORTH MAIN AVENUE, TO HOST A GERMAN BAND, AND ON SEPTEMBER 15, 2007, FOR THE GERMAN FEST OF SIOUX FALLS, ON PHILLIPS AVENUE FROM 10TH TO 12TH STREETS.
6. SPECIAL ONE-DAY MALT BEVERAGE LICENSE FOR PHILANTHROPY PROMOTIONS INC., TO BE OPERATED AT J&L HARLEY-DAVIDSON, 2601 WEST 60TH STREET NORTH, ON JULY 25, 2007, FOR BIKE NIGHT.

Set public hearing date for Monday, July 16, 2007, at 7:00 p.m., and set adoption date of resolution for Monday, August 6, 2007, at 7:00 p.m., on Item 7:

7. A PROPOSED RESOLUTION TO ADOPT THE 2008-2012 CAPITAL PROGRAM.

| CONSENT AGENDA ITEMS |

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

PETITIONS

8. CONDITIONAL USE PERMIT APPEAL (2007-04-11): CORNER OF 22ND & SERTOMA. THE CONDITIONAL USE PERMIT WAS TO CHANGE EXISTING HOME TO A DAY CARE CENTER. THE PLANNING COMMISSION DENIED THE CONDITIONAL USE PERMIT.

UNFINISHED BUSINESS

9. NEW 2007-08 RETAIL MALT BEVERAGE LICENSE FOR PHILANTHROPY PROMOTIONS INC., J&L HARLEY DAVIDSON, TO BE OPERATED AT 2601 WEST 60TH STREET NORTH, WITH THE CONDITIONAL USE PERMIT BEING APPROVED ON 05-02-07, PENDING FINAL INSPECTION PER BUILDING SERVICES.
10. NEW 2007-08 RETAIL MALT BEVERAGE LICENSE FOR CYNTHIA EVANS, LATITUDE 44, TO BE OPERATED AT 201 NORTH WEBER AVENUE, WITH THE CONDITIONAL USE PERMIT BEING APPROVED ON 06-06-07, PENDING FINAL INSPECTIONS PER FIRE AND BUILDING SERVICES.
11. NEW 2007 RETAIL WINE LICENSE FOR CYNTHIA EVANS, LATITUDE 44, TO BE OPERATED AT 201 NORTH WEBER AVENUE, WITH THE CONDITIONAL USE PERMIT BEING APPROVED ON 06-06-07, PENDING FINAL INSPECTIONS PER FIRE AND BUILDING SERVICES.
12. NEW 2007-08 RETAIL MALT BEVERAGE LICENSE FOR LINS CHINA BUFFET OF SIOUX FALLS INC., CHINA BUFFET, TO BE OPERATED AT 3408 SOUTH WESTERN AVENUE, WITH THE CONDITIONAL USE PERMIT BEING APPROVED ON 05-02-07.
13. NEW 2007-08 RETAIL MALT BEVERAGE LICENSE FOR LINS CHINA BUFFET OF SIOUX FALLS INC., CHINA BUFFET, TO BE OPERATED AT 3408 SOUTH WESTERN AVENUE, WITH THE CONDITIONAL USE PERMIT BEING APPROVED ON 05-02-07.
14. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR SIOUX FALLS CANARIES PROFESSIONAL BASEBALL CLUB LLC, SIOUX FALLS CANARIES, TO BE HELD ON JULY 16-17, 2007, FOR HOSTING EVENTS WITH THE AMERICAN ASSOCIATION IN SUITES 7 AND 8.

INTRODUCTION AND ADOPTION OF ORDINANCES

15. DEFERRED ACTION: 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALL, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS- 2007 COOPERATIVE AGREEMENTS FOR MOSQUITO CONTROL/HEALTH.
16. 2ND READING - MAJOR AMENDMENT - 2007-04-03: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA REGULATIONS. S. BEDFORD AVE. BETWEEN E. 41ST ST. AND E. 42ND ST. TO ALLOW FOR A DANCE STUDIO. THE PLANNING COMMISSION RECOMMENDS APPROVAL.
17. 2ND READING - REZONE - 2007-05-17: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1210 AND 1212 W. 28TH ST., FROM THE RS-2, RESIDENTIAL DISTRICT TO THE S, INSTITUTIONAL DISTRICT, TO ALLOW THE PROPERTY TO BE USED AS THEME HOUSE STUDENT HOUSING, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

18. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING APPENDIX B OF THE REVISED ORDINANCES OF THE CITY BY AMENDING THE DEFINITION OF PERSONAL SERVICES. THE PLANNING COMMISSION RECOMMENDS APPROVAL.
19. 2ND READING - REZONE - 2007-03-24: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 85TH ST. AND S. MINNESOTA AVE., FROM THE AG, AGRICULTURAL DISTRICT TO THE C-4, PLANNED COMMERCIAL, O, GENERAL OFFICE, RA-1, RESIDENTIAL, RD, RESIDENTIAL, RS-2, RESIDENTIAL, AND THE RC, RECREATION/CONSERVATION DISTRICTS, TO REFLECT THE FUTURE LAND USE ALLOCATIONS OF THE 2015 LAND USE MAP, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.
20. 2ND READING - REZONE - 2007-04-26: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1413 S. MENLO AVE., FROM THE RS-2, RESIDENTIAL DISTRICT TO THE S, INSTITUTIONAL DISTRICT, TO RELOCATE AN EXISTING PRIVATE CLUB - A HOSPITAL LADIES AUXILIARY - FROM 1104 S. MENLO AVE. TO THE SUBJECT PROPERTY, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.
21. 2ND READING - REZONE - 2007-05-02: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT NE CORNER OF E. 57TH ST. AND SD HWY. 11, FROM THE AG, AGRICULTURAL DISTRICT TO THE C-4, PLANNED COMMERCIAL AND THE RC, RECREATION/CONSERVATION DISTRICT, TO ALLOW THE SUBDIVISION AND DEVELOPMENT OF COMMERCIAL USES AND TO CONSERVE A SECTION OF WETLAND AND DRAINAGE LAND, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.
22. 2ND READING - REZONE - 2007-05-03: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1201 S. LYONS AVE., FROM THE I-1, LIGHT INDUSTRIAL DISTRICT TO THE C-2, GENERAL COMMERCIAL DISTRICT, TO CONSTRUCT A 127-UNIT EXTENDED STAY HOTEL WITH ACCESSORY PARKING, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.
23. 2ND READING - REZONE - 2007-05-04: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY EAST OF I-229 BETWEEN 60TH ST. N. AND E. BENSON RD., FROM AG, AGRICULTURAL DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT, FOR THE PURPOSE OF FUTURE SUBDIVISION AND DEVELOPMENT OF LIGHT INDUSTRIAL USES, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.
24. 2ND READING - REZONE - 2007-05-08: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. 60TH ST. N. AND N. SYCAMORE AVE., FROM THE AG, AGRICULTURAL DISTRICT TO I-1, LIGHT INDUSTRIAL DISTRICT, FOR THE PURPOSE OF FUTURE SUBDIVISION AND DEVELOPMENT OF LIGHT INDUSTRIAL USES, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.
25. 2ND READING - REZONE - 2007-05-10: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1924 S. PRAIRIE AVE., FROM THE RD, RESIDENTIAL DISTRICT TO THE S, INSTITUTIONAL DISTRICT, TO EXPAND THE COLLEGE CAMPUS, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

26. 2ND READING - REZONE - 2007-05-12: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 2324 S. SUMMIT AVE., FROM THE RD, RESIDENTIAL DISTRICT TO THE S, INSTITUTIONAL DISTRICT, TO EXPAND THE COLLEGE CAMPUS, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.
27. 2ND READING - REZONE - 2007-05-11: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1939 S. SUMMIT AVE., FROM THE RS-2, RESIDENTIAL DISTRICT TO THE S, INSTITUTIONAL DISTRICT, TO EXPAND THE COLLEGE CAMPUS, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.
28. 2ND READING - REZONE - 2007-05-14: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 2408 S. SUMMIT AVE., FROM THE RD, RESIDENTIAL DISTRICT TO THE S, INSTITUTIONAL DISTRICT, FOR USE AS A COLLEGE OWNED THEME HOUSE FOR STUDENT HOUSING AND AN APPLICATION FOR A CONDITIONAL USE PERMIT WILL BE SUBMITTED FOR THE NEXT PLANNING COMMISSION MEETING, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.
29. 2ND READING - REZONE - 2007-05-15: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 2404 S. SUMMIT AVE., FROM THE RD, RESIDENTIAL DISTRICT TO THE S, INSTITUTIONAL DISTRICT, FOR USE AS A COLLEGE OWNED THEME HOUSE FOR STUDENT HOUSING AND A CONDITIONAL USE PERMIT WILL BE SUBMITTED FOR THE NEXT PLANNING COMMISSION MEETING, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.
30. 2ND READING - REZONE - 2007-05-16: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 2404 S. EUCLID AVE., FROM THE RS-2, RESIDENTIAL DISTRICT TO THE S, INSTITUTIONAL DISTRICT, FOR USE AS A COLLEGE OWNED THEME HOUSE FOR STUDENT HOUSING AND A CONDITIONAL USE PERMIT WILL BE SUBMITTED FOR THE NEXT PLANNING COMMISSION MEETING, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.
31. 2ND READING - REZONE - 2007-05-18: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 600 N. MAIN AVE., FROM THE C-2, GENERAL COMMERCIAL DISTRICT TO THE C-3, CENTRAL BUSINESS DISTRICT, TO PROVIDE FOR A MIXED-USE URBAN DOWNTOWN DEVELOPMENT TITLED, "UPTOWN AT FALLS PARK," AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.
32. 2ND READING - REZONE - 2007-05-21: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. 85TH ST. AND S. KIWANIS AVE., FROM THE AG, AGRICULTURAL DISTRICT TO THE S, INSTITUTIONAL DISTRICT, FOR THE DEVELOPMENT OF A CHURCH, CLASSROOMS, PRE-SCHOOL, DAY-CARE, GARAGE AND THE POTENTIAL DEVELOPMENT OF ANY PERMISSIVE, PERMITTED SPECIAL, CONDITIONAL OR ACCESSORY USE ALLOWED IN THE S, INSTITUTIONAL DISTRICT, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

33. 2ND READING - REZONE - 2007-04-27: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1305 W. 18TH ST., FROM THE SIOUX VALLEY HOSPITAL CAMPUS PLANNED DEVELOPMENT DISTRICT TO THE SANFORD USD MEDICAL CENTER PLANNED DEVELOPMENT DISTRICT, TO RENAME THE PLANNED DEVELOPMENT DISTRICT, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Set a hearing date and second reading for Monday, July 9, 2007, at 7:00 p.m. for Item 33:

34. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD APPROVING THE LEASE OF CITY PROPERTY TO THE UNIVERSITY OF SOUTH DAKOTA.

Set a hearing date and second reading for Monday, August 13, 2007, at 7:00 p.m. for Item 34:

35. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY TO PROVIDE THE FIREFIGHTER'S PENSION FUND WITH A RETIREMENT PENSION OPTION THAT IS SUBSTANTIALLY SIMILAR TO AN OPTION CURRENTLY AVAILABLE TO THE EMPLOYEE'S RETIREMENT SYSTEM.

HEARINGS AND RESOLUTIONS

36. A RESOLUTION APPROVING THE NAMING OF THE TRAILHEAD ALONG THE BIKE TRAIL TO "ELMEN PARK TRAILHEAD" AND AUTHORIZING THE MAYOR TO SIGN A CONDITIONAL GIFTING AGREEMENT FOR A FUTURE CASH GIFT FOR THE DEVELOPMENT OF ELMEN PARK TRAILHEAD ALONG THE SIOUX FALLS BIKE TRAIL.

37. A RESOLUTION APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND POLICE OFFICERS AND SERGEANTS SIOUX FALLS FRATERNAL ORDER OF POLICE LODGE NO. 1 L.C.

38. A RESOLUTION ADOPTING A DERIVATIVE POLICY FOR THE CITY OF SIOUX FALLS.

NEW BUSINESS/ ITEMS ADDED AFTER AGENDA DEADLINE

39. ELECTION OF CITY COUNCIL CHAIR.

40. ELECTION OF CITY COUNCIL VICE-CHAIR.

ADJOURNMENT

MOTION TO GO INTO EXECUTIVE SESSION

Date: 2007-07-02
SIRE Meeting ID: 1167
Meeting Type: City Council

YouTube:<https://youtu.be/kwlhOGS7qpk>
Agenda Item: Not Assigned
Item ID: 52563

The following document(s) are public records obtained from the
City of Sioux Falls.

MINUTES

June 18, 2007



Informational Meeting
Sioux Falls City Council

4:00 p.m. at Carnegie Town Hall
235 West Tenth Street

Members Present: Vernon Brown, J. Pat Costello, Bob Jamison, Kevin Kavanaugh, De Knudson, Bob Litz and Kermit Stagers. **Absent:** Gerald Beninga and Mayor Dave Munson.

Staff Present: City Clerk Debra A. Owen and Assistant City Clerk Tamara M. Jorgensen

1. Call To Order

Council Chair Jamison called the meeting to order.

2. City Council Staff Report

City Clerk Debra A. Owen:

- a. There will be a request to defer Item 29 on tonight's Agenda. This item concerns approving the sale of real estate belonging to the City of Sioux Falls, and directing Deed of Conveyance be delivered to the purchaser thereof." (Uptown Phase One.) Ms. Erica Beck from the Planning Department is here to answer any questions later on in the meeting regarding this item. Mark Cotter, Director of Public Works is also here to discuss this item.
- b. Jay Kilian, a technician from Granicus, was here last week and trained the Assistant City Clerks for three days on the Granicus system. We are looking for the 'go-live' date to occur in late July or the first week of August, 2007.

At this time, Council Member Knudson asked for an update on Item 29. Erica Beck and Mark Cotter gave an update on Item 29 covering the following items: the meeting today with the Uptown Group, the description of the need to defer this item due to water and drainage concerns, the questions regarding the Preliminary Development Agreement, the timeline and financial changes made in this agreement.

3. Mayor Munson

- a. No Report

4. Audit Committee

- a. No Report

5. Fiscal Committee

- a. The next meeting is scheduled for Monday, June 25, 2007, at 5:00 p.m. to finish the discussions on the derivative policy and to discuss infrastructure funding.

City Council Chair: Bob Jamison

City Council Vice Chair: De Knudson

AUDIT COMMITTEE

Bob Jamison
Kevin Kavanaugh

FISCAL COMMITTEE

Chair—Vernon Brown
Gerald Beninga
J. Pat Costello
Kevin Kavanaugh

**LAND USE
COMMITTEE**

Chair—Bob Litz
Bob Jamison
Kermit Stagers

**METRO MGMT.
COUNCIL**

Gerald Beninga
J. Pat Costello

**PUBLIC SERVICES
COMMITTEE**

Chair—Kermit Stagers
De Knudson
J. Pat Costello

MINUTES for Informational Meeting, Sioux Falls City Council

June 18, 2007

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6. Land Use Committee

- a. The last meeting concerned a parking study from Walker and Associates. There will be a presentation to the City Council soon.

7. Public Services Committee

- a. The committee met today at 3:00 p.m. and continues to move forward with discussions regarding campaign reform. The next meeting is scheduled for Monday, June 25, 2007, at 3:00 p.m.

8. Staff Report

- a. No Report

9. Open Discussion

- a. Knudson encouraged everyone to participate in "Dump the Pump" day which is Thursday, June 21, 2007. This is a day when people are encouraged to use their local transit systems vs. driving their cars.
- b. Jamison advised the Council that Monday, July 2nd is the City Council Meeting when the election will occur for the Chair and Vice Chair of the Council for the upcoming year.
- c. Stagers, City Attorney Gary Colwill and Director of Finance Eugene Rowenhorst discussed the Quality of Life bond.

10. Adjournment at 4:20 p.m.

Tamara M. Jorgensen
Assistant City Clerk

Date: 2007-07-02
SIRE Meeting ID: 1167
Meeting Type: City Council

YouTube:<https://youtu.be/kwlhOGS7qpk>
Agenda Item: Not Assigned
Item ID: 52564

The following document(s) are public records obtained from the
City of Sioux Falls.



City of Sioux Falls Council Meeting Minutes

Joint City Council/Minnehaha County MEETING OF Monday, June 18, 2007, at 5:00 p.m.

The City Council of the City of Sioux Falls, Minnehaha and Lincoln Counties, South Dakota, met in Joint session with the Minnehaha County Commission in the Minnehaha County Administration Building, Sioux Falls, South Dakota, on Monday, June 18, 2007, at 5:00 p.m., pursuant to law, with the following members present at roll call: Council Members Vernon Brown, J. Pat Costello, Bob Jamison, Kevin Kavanaugh, De Knudson, Bob Litz, Kermit L. Staggers, and Mayor Dave Munson. Absent: Council Member Gerald Beninga.

PLEDGE OF ALLEGIANCE

REGULAR AGENDA ITEMS

RECOGNITION/AWARDS

1. Tom Dempster was recognized for his Service as Chairman of the Minnehaha County/City of Sioux Falls Metro Management Council by Mayor Dave Munson and Commissioner John Pekas.

INTRODUCTION AND ADOPTION OF ORDINANCES

2. **2nd Reading:** An Ordinance of the City of Sioux Falls, SD, providing supplemental appropriations – 2007 Cooperative Agreements for Mosquito Control/Health.

A motion was made by Council Member Jamison and seconded by Council Member Costello to **defer** this item to the City Council Meeting on Monday, July 2, 2007 at 7:00 p.m. Roll Call: Yeses, Brown, Costello, Jamison, Kavanaugh, Knudson, Litz, Staggers, 7. Noes, 0.

3. **2nd Reading:** An Ordinance of the City of Sioux Falls, SD, amending the code of ordinances of said City by rezoning property at ¼ mile north of the Sioux Falls Airport from the A-1, Agricultural District to the I-2, General Industrial District.

A motion was made by Council Member Kavanaugh and seconded by Council Member Costello to refer this item to the Joint Planning Committee. Roll Call: Yeses, Brown, Costello, Jamison, Kavanaugh, Knudson, Litz, Staggers, 7. Noes, 0.

ADJOURNMENT

A motion was made by Council Member Jamison and seconded by Council Member Brown to adjourn at 5:50 p.m. Roll Call: Yeses, Brown, Costello, Jamison, Kavanaugh, Knudson, Litz, Staggers, 7. Noes, 0.

Tamara M. Jorgensen
Assistant City Clerk

Date: 2007-07-02
SIRE Meeting ID: 1167
Meeting Type: City Council

YouTube:<https://youtu.be/kwlhOGS7qpk>
Agenda Item: Not Assigned
Item ID: 52565

The following document(s) are public records obtained from the
City of Sioux Falls.



City of Sioux Falls Council
Meeting Minutes
Carnegie Town Hall, 235 West Tenth Street
MEETING OF Monday, June 18, 2007, at 7:00 P.M.

ROLL CALL #5

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Council Member Kavanaugh
Council Member Knudson
Council Member Litz
Council Member Staggers
Council Member Beninga
Council Member Costello
Council Member Jamison
Mayor Munson

INVOCATION

Pastor Carl Serr - Spirit of Peace United Church of Christ

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

PROCLAMATIONS

World Refugee Day - June 20, 2007

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Jamison and seconded by Council Member Brown to approve the Consent Agenda. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Staggers, Beninga, Brown, Costello, Jamison, 8. Noes, 0. **Motion Passed.**

MINUTES

[A. Informational Meeting of Monday, June 11, 2007, at 4:00 p.m.](#)

[B. Regular Council Meeting of Monday, June 11, 2007, at 7:00 p.m.](#)

COMMUNICATIONS

1. The Great Plains Zoo & Delbridge Museum of Natural History is requesting permission to consume, but not sell, liquor, wine, beer, and malt beverages at the Great Plains Zoo & Delbridge Museum, 805 S. Kiwanis Ave., on Thursday, July 12, 2007, from 5:00 p.m. to 11:00 p.m. for a private reception for a client.
2. Ms. Elisabeth Rusch is requesting permission to consume, but not sell, wine at the Old Courthouse Museum, 200 W. Sixth St., on Saturday, October 6, 2007, from 5:00 p.m. to 9:00 p.m. for a wedding reception.
3. A communication was received from the Children's Home Society of South Dakota, stating its intent to sell raffle tickets on August 5, 2007, for a Rolex Watch (valued at \$3,000.00), a set of Callaway Irons (valued at \$1,000.00), and a "Kitchen Shower" package (valued at \$350.00). The tickets will sell for 3 for \$10.00 or 10 for \$25.00 and the proceeds will benefit the Children's Home Society.

NOTICE OF HEARINGS

4. New 2007-08 Retail Malt Beverage License for Philanthropy Promotions Inc., J&L Harley Davidson, to be operated at 2601 West 60th Street North, with the Conditional Use Permit being approved on 05-02-07.
5. New 2007-08 Retail Malt Beverage License for Cynthia Evans, Latitude 44, to be operated at 201 North Weber Avenue, with the Conditional Use Permit being approved on 06-06-07.
6. New 2007 Retail Wine License for Cynthia Evans, Latitude 44, to be operated at 201 North Weber Avenue, with the Conditional Use Permit being approved on 06-06-07.
7. New 2007-08 Retail Malt Beverage License for Lins China Buffet of Sioux Falls Inc., China Buffet, to be operated at 3408 South Western Avenue, with the Conditional Use Permit being approved on 05-02-07.
8. Special One-Day Liquor License requests for Sioux Falls Canaries Professional Baseball Club LLC, Sioux Falls Canaries, to be held on July 16-17, 2007, for hosting events with the American Association in Suites 7 and 8.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Knudson and seconded by Council Member Litz to approve the Regular Agenda. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Staggers, Beninga, Brown, Costello, Jamison, 8. Noes, 0. **Motion Passed.**

PUBLIC INPUT

Paul Kern spoke about yard fines.

Marvin Okrina spoke on behalf of Paul Kern.

Donald Warren spoke on behalf of Paul Kern.

Mary Lou Schramm spoke about yard fines.

UNFINISHED BUSINESS

A motion was made by Council Member Kavanaugh and seconded by Council Member Knudson to approve with one vote Items 9 through 17. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Staggers, Beninga, Brown, Costello, Jamison, 8. Noes, 0. **Motion Passed.**

9. New 2007 Convention Facility On-Sale License for Ovations Food Services LP, to be operated at the Sioux Falls Convention Center, 1211 North West Avenue, including Sunday Sales, effective July 1, 2007.
10. New 2007-08 Retail Malt Beverage License for Fortune Chinese Restaurant Inc., Fortune Chinese Restaurant, to be operated at 3720 North Cliff Avenue, Suite 8, effective July 1, 2007, with the Conditional Use Permit being approved by the Planning Commission on May 2, 2007, pending final inspections per Fire and Health.
11. New 2007 Retail Wine License for Fortune Chinese Restaurant Inc., Fortune Chinese Restaurant, to be operated at 3720 North Cliff Avenue, Suite 8, with the Conditional Use Permit being approved by the Planning Commission on May 2, 2007, pending final inspections per Fire and Health.
12. Transfer of a 2007 Package Liquor License from JeJo LLC, BP Shop, 2800 E Marson Drive, to East West Ventures LLC, 4 Hills Express, to be operated at 2800 East Marson Drive.
13. Transfer of a 2006-07 Retail Malt Beverage License from Sweet Indulgence LLC, River Walk Café, 196 E 6th Street Ste 101, to JSF Enterprises LLC, The River Walk, to be operated at 196 E 6th Street Ste 101.

14. Special One-Day Liquor License for Catering America LLC, Chef Dominique's Catering, to be operated at the Old Courthouse Museum, 200 West Sixth Street, on September 15, 2007, for a wedding reception.
15. Special One-Day Liquor License for the Zoological Society of Sioux Falls to be operated at the Great Plains Zoo and Delbridge Museum of Natural History, 805 South Kiwanis Avenue, on July 26, 2007, for the Jungle Jubilee.
16. Special One-Day Malt Beverage and Special One-Day Wine Licenses for South Dakota Achieve, to be operated at 4100 South Western Avenue, on September 11, 2007, for a Chamber Mixer.
17. Special One-Day Malt Beverage License for Main Street Sioux Falls to be operated at Fawick Park, 10th and Second Street, on August 25, 2007, for the Fire Fighter Pentathlon.

A motion was made by Council Member Beninga and seconded by Council Member Litz to approve Item 18. Roll Call: Yeses, Knudson, Litz, Staggers, Beninga, Brown, Costello, Jamison, 7. Noes, Kavanaugh, 1. **Motion Passed.**

18. Various Retail Malt Beverage and Package Malt Beverage License renewals for 2007-08 to be operated at various locations in the City of Sioux Falls, known as Exhibit C, with the Retail Malt Beverage renewal for Paramount Studio Inc., Paramount Studio, 307 South Phillips Avenue, being approved pending final inspection per Fire, and the Retail Malt Beverage renewal for Dakota Lodging & Entertainment LLC, Quality Inn & Suites, 5410 N Granite Ln, being withdrawn.

RETAIL MALT BEVERAGE

<u>OWNER'S NAME</u>	<u>BUSINESS NAME</u>	<u>ADDRESS</u>
Daba, Dawit & Abdu, Sadiya	Shalom Ethiopian Coffee House	1701 E Tenth St
Dill, Michelle P.	Michelle's	324 S Phillips Ave
Family Mexican Rest. Inc.	Los Girasoles Family Mexican Restaurant	811 S Minnesota Ave
Frannea Inc.	Kings Casino	721 W 11th St
Grand China Star Inc., The	The Grand China Star	1721 W 41st St
Hinojos, Saul Orozco	Billares don Saul	4601 E Arrowhead Pkwy
JSF Enterprises LLC	The River Walk	196 E 6th St #101
Jenny O's LLC	The Pickle Barrel	1612 S Western Ave
Nelson Operating Co.	Friday's Hero	1004 W 18th St
Nelson Operating Co.	Rice Street Casino	1810 E Rice St
Puerto Vallarta Rest LLC	Puerto Vallarta Restaurant	1801 E Tenth St
Restaurant Mgmt Group Inc.	KC's Restaurant	1430 N Minnesota Ave
Rue 41 LLC	Rue 41 Bakery & Café	2530 S Louise Ave
Washington Pavilion Management Inc.	Washington Pavilion of Arts and Science	301 S Main Ave

PACKAGE MALT BEVERAGE

<u>OWNER'S NAME</u>	<u>BUSINESS NAME</u>	<u>ADDRESS</u>
C-Store Services Inc.	Pump 'N Pak	3700 N Potsdam Ave
Casey's Retail Company	Casey's General Store #2174	1705 W Burnside St
Casey's Retail Company	Casey's General Store #2334	701 S Sycamore Ave
Casey's Retail Company	Casey's General Store #2343	1809 E Rice St
Casey's Retail Company	Casey's General Store #2351	901 E Benson Rd
Casey's Retail Company	Casey's General Store #2464	500 N Kiwanis Ave
D&J Station Inc.	The Gas Stop	2200 E Tenth St
Faulds, Jon	Jon Faulds' Amoco	3308 W Russell St

INTRODUCTION AND ADOPTION OF ORDINANCES

19. [2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending the revised ordinances of the city revising sewer utility rates and charges.](#)

A motion was made by Council Member Knudson and seconded by Council Member Costello to adopt the said ordinance. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Beninga, Brown, Costello, Jamison, 7. Noes, Stagers, 1. **Motion Passed.**

20. [2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending the revised ordinances of the city by increasing water rates.](#)

A motion was made by Council Member Brown and seconded by Council Member Jamison to adopt said ordinance. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Stagers, Beninga, Brown, Costello, Jamison, 8. Noes, 0. **Motion Passed.**

21. [2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending the revised ordinances of the city by revising Chapter 18 thereof \(increasing landfill rates\).](#)

A motion was made by Council Member Jamison and seconded by Council Member Costello to adopt said ordinance. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Beninga, Brown, Costello, Jamison, 7. Noes, Stagers, 1. **Motion Passed.**

22. [2nd Reading: An Ordinance of the City of Sioux Falls, SD amending the revised ordinances of the city by amending the schedule of rates to be charged by the City Light and Power Department for furnishing electric current for light and power purposes.](#)

A motion was made by Council Member Costello and seconded by Council Member Kavanaugh to adopt said ordinance. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Stagers, Beninga, Brown, Costello, Jamison, 8. Noes, 0. **Motion Passed.**

23. [2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending Chapter 38 \(Right-of-Way Vacation Petition\) of the Revised Ordinances of the City.](#)

A motion was made by Council Member Knudson and seconded by Council Member Litz to adopt said ordinance. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Beninga, Brown, Costello, Jamison, 7. Noes, Staggars, 1. **Motion Passed.**

24. [2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending the revised ordinances of the city by adding a new Article X to Chapter 38 of the Code of Ordinances entitled: Plan Review Fees."](#)

A motion was made by Council Member Knudson and seconded by Council Member Litz to adopt said ordinance . Roll Call: Yeses, Kavanaugh, Knudson, Litz, Beninga, Brown, Costello, Jamison, 7. Noes, Staggars, 1. **Motion Passed.**

25. [2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending Chapter 38 of the revised ordinances of the city.](#)

A motion was made by Council Member Jamison and seconded by Council Member Litz to adopt said ordinance. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Beninga, Brown, Costello, Jamison, 7. Noes, Staggars, 1. **Motion Passed.**

26. [2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending Chapter 41, Utilities, of the revised ordinances of the city by adjusting the fee schedule for the light department.](#)

A motion was made by Council Member Brown and seconded by Council Member Costello to adopt said ordinance. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Staggars, Beninga, Brown, Costello, Jamison, 8. Noes, 0. **Motion Passed.**

27. [2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending Chapter 41, Utilities, of the revised ordinance of the city by adjusting the fee schedule for the water department.](#)

A motion was made by Council Member Kavanaugh and seconded by Council Member Knudson to adopt said ordinance. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Staggars, Beninga, Brown, Costello, Jamison, 8. Noes, 0. **Motion Passed.**

28. [2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending the revised ordinances of the city by increasing permitted front foot street assessments.](#)

A motion was made by Council Member Jamison and seconded by Council Member Litz to adopt said ordinance. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Beninga, Brown, Costello, Jamison, 7. Noes, Staggars, 1. **Motion Passed.**

29. [2nd Reading: An Ordinance of the City of Sioux Falls, SD, approving the sale of real estate belonging to the City of Sioux Falls, and directing Deed of Conveyance be delivered to the purchaser thereof. \(Uptown Phase One\).](#)

A motion was made by Council Member Jamison and seconded by Council Member Kavanaugh to **defer** this item to the City Council Meeting on Monday, July 16, 2007, at 7:00 p.m. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Staggers, Beninga, Brown, Costello, Jamison, 8. Noes, 0. **Motion Passed.**

30. [2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending the revised ordinances of the City to allow for City boards and commissions to receive their orientation materials on a CD or on-line.](#)

A motion was made by Council Member Knudson and seconded by Council Member Costello to adopt said ordinance. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Staggers, Beninga, Brown, Costello, Jamison, 8. Noes, 0. **Motion Passed.**

31. [2nd Reading: An Ordinance of the City of Sioux Falls, SD, allowing transfer of real property to the Affordable Housing Program.](#)

A motion was made by Council Member Knudson and seconded by Council Member Brown to adopt said ordinance. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Beninga, Brown, Costello, Jamison, 7. Noes, Staggers, 1. **Motion Passed.**

At 8:41 p.m., Mayor Munson recessed the meeting for a 9 minute break.

At 8:50 p.m., the meeting reconvened.

32. [1st Reading - Major Amendment - 2007-04-03: An Ordinance of the City of Sioux Falls, SD, amending Chapter 15.45.070, Planned Development Districts, allowing changes in land use as reflected in the revised subarea regulations. S. Bedford Ave. between E. 41st St. and E. 42nd St. To allow for a dance studio. The Planning Commission recommends approval.](#)

33. [1st Reading - Rezone - 2007-05-17: An Ordinance of the City of Sioux Falls, SD, rezoning property at 1210 and 1212 W. 28th St., from the RS-2, Residential District to the S, Institutional District, to allow the property to be used as theme house student housing, and amending the official zoning map of the City of Sioux Falls. The Planning Commission recommends approval.](#)

34. [1st Reading: An Ordinance of the City of Sioux Falls, SD, amending Appendix B of the revised ordinances of the City by amending the definition of personal services. The Planning Commission recommends approval.](#)

35. [1st Reading - Rezone - 2007-03-24: An Ordinance of the City of Sioux Falls, SD, rezoning property at 85th St. and S. Minnesota Ave., from the AG, Agricultural](#)

District to the C-4, Planned Commercial, O, General Office, RA-1, Residential, RD, Residential, RS-2, Residential, and the RC, Recreation/Conservation Districts, to reflect the future land use allocations of the 2015 land use map, and amending the official zoning map of the City of Sioux Falls. The Planning Commission recommends approval.

36. 1st Reading - Rezone - 2007-04-26: An Ordinance of the City of Sioux Falls, SD, rezoning property at 1413 S. Menlo Ave., from the RS-2, Residential District to the S, Institutional District, to relocate an existing private club - a hospital Ladies Auxiliary - from 1104 S. Menlo Ave. to the subject property, and amending the official zoning map of the City of Sioux Falls. The Planning Commission recommends approval.
37. 1st Reading - Rezone - 2007-05-02: An Ordinance of the City of Sioux Falls, SD, rezoning property at NE Corner of E. 57th St. and SD Hwy. 11, from the AG, Agricultural District to the C-4, Planned Commercial and the RC, Recreation/Conservation District, to allow the subdivision and development of commercial uses and to conserve a section of wetland and drainage land, and amending the official zoning map of the City of Sioux Falls. The Planning Commission recommends approval.
38. 1st Reading - Rezone - 2007-05-03: An Ordinance of the City of Sioux Falls, SD, rezoning property at 1201 S. Lyons Ave., from the I-1, Light Industrial District to the C-2, General Commercial District, to construct a 127-unit extended stay hotel with accessory parking, and amending the official zoning map of the City of Sioux Falls. The Planning Commission recommends approval.
39. 1st Reading - Rezone - 2007-05-04: An Ordinance of the City of Sioux Falls, SD, rezoning property east of I-229 between 60th St. N. and E. Benson Rd., from AG, Agricultural District to the C-4, Planned Commercial District, for the purpose of future subdivision and development of light industrial uses, and amending the official zoning map of the City of Sioux Falls. The Planning Commission recommends approval.
40. 1st Reading - Rezone - 2007-05-08: An Ordinance of the City of Sioux Falls, SD, rezoning property at E. 60th St. N. and N. Sycamore Ave., from the AG, Agricultural District to I-1, Light Industrial District, for the purpose of future subdivision and development of light industrial uses, and amending the official zoning map of the City of Sioux Falls. The Planning Commission recommends approval.
41. 1st Reading - Rezone - 2007-05-10: An Ordinance of the City of Sioux Falls, SD, rezoning property at 1924 S. Prairie Ave., from the RD, Residential District to the S, Institutional District, to expand the college campus, and amending the official zoning map of the City of Sioux Falls. The Planning Commission recommends approval.

42. [1st Reading - Rezone - 2007-05-12: An Ordinance of the City of Sioux Falls, SD, rezoning property at 2324 S. Summit Ave., from the RD, Residential District to the S, Institutional District, to expand the college campus, and amending the official zoning map of the City of Sioux Falls. The Planning Commission recommends approval.](#)
43. [1st Reading - Rezone - 2007-05-11: An Ordinance of the City of Sioux Falls, SD, rezoning property at 1939 S. Summit Ave., from the RS-2, Residential District to the S, Institutional District, to expand the college campus, and amending the official zoning map of the City of Sioux Falls. The Planning Commission recommends approval.](#)
44. [1st Reading - Rezone - 2007-05-14: An Ordinance of the City of Sioux Falls, SD, rezoning property at 2408 S. Summit Ave., from the RD, Residential District to the S, Institutional District, for use as a college owned theme house for student housing and an application for a Conditional Use Permit will be submitted for the next Planning Commission meeting, and amending the official zoning map of the City of Sioux Falls. The Planning Commission recommends approval.](#)
45. [1st Reading - Rezone - 2007-05-15: An Ordinance of the City of Sioux Falls, SD, rezoning property at 2404 S. Summit Ave., from the RD, Residential District to the S, Institutional District, for use as a college owned theme house for student housing and a Conditional Use Permit will be submitted for the next Planning Commission meeting, and amending the official zoning map of the City of Sioux Falls. The Planning Commission recommends approval.](#)
46. [1st Reading - Rezone - 2007-05-16: An Ordinance of the City of Sioux Falls, SD, rezoning property at 2404 S. Euclid Ave., from the RS-2, Residential District to the S, Institutional District, for use as a college owned theme house for student housing and a Conditional Use Permit will be submitted for the next Planning Commission meeting, and amending the official zoning map of the City of Sioux Falls. The Planning Commission recommends approval.](#)
47. [1st Reading - Rezone - 2007-05-18: An Ordinance of the City of Sioux Falls, SD, rezoning property at 600 N. Main Ave., from the C-2, General Commercial District to the C-3, Central Business District, to provide for a mixed-use urban downtown development titled, "Uptown at Falls Park," and amending the official zoning map of the City of Sioux Falls. The Planning Commission recommends approval.](#)
48. [1st Reading - Rezone - 2007-05-21: An Ordinance of the City of Sioux Falls, SD, rezoning property at E. 85th St. and S. Kiwanis Ave., from the AG, Agricultural District to the S, Institutional District, for the development of a church, classrooms, pre-school, day-care, garage and the potential development of any permissive, permitted special, conditional or accessory use allowed in the S, Institutional District, and amending the official zoning map of the City of Sioux Falls. The](#)

[Planning Commission recommends approval.](#)

49. [1st Reading - Rezone - 2007-04-27: An Ordinance of the City of Sioux Falls, SD, rezoning property at 1305 W. 18th St., from the Sioux Valley Hospital Campus Planned Development District to the Sanford USD Medical Center Planned Development District, to rename the Planned Development District, and amending the official zoning map of the City of Sioux Falls. The Planning Commission recommends approval.](#)

A motion was made by Council Member Knudson and seconded by Council Member Costello to set a hearing date and second reading for Monday, July 2, 2007, at 7:00 p.m. for Items 32 through 49. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Staggers, Beninga, Brown, Costello, Jamison, 8. Noes, 0. **Motion Passed.**

50. [1st Reading: An Ordinance of the City of Sioux Falls, SD, approving a "Lease Agreement," being a 50-year lease of City land for the purpose of a vehicle driveway and lawn area located adjacent to First Bank & Trust, NA, 2300 West 57th Street, Sioux Falls, SD.](#)

A motion was made by Council Member Jamison and seconded by Council Member Litz to set a hearing date and second reading for Monday, July 9, 2007, at 7:00 p.m. for Item 50. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Staggers, Beninga, Brown, Costello, Jamison, 8. Noes, 0. **Motion Passed.**

HEARINGS AND RESOLUTIONS

51. [A Resolution designating the official newspaper for the City of Sioux Falls, SD.](#)

A motion was made by Council Member Kavanaugh and seconded by Council Member Costello to adopt said resolution. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Staggers, Beninga, Brown, Costello, Jamison, 8. Noes, 0. **Motion Passed.**

RESOLUTION NO. **100-07**

A RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPER FOR THE CITY OF SIOUX FALLS, SD. BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD: Pursuant to SDCL 9-12-6, the official newspaper for the City of Sioux Falls, SD, shall be the *Argus Leader*, for a period from July 1, 2007, through June 30, 2008. This Resolution is effective upon the date of publication.

Date adopted: 06/18/07.

Dave Munson
Mayor

ATTEST:
Debra A. Owen
City Clerk

52. [A Resolution declaring it necessary to levy and levying a special front foot assessment fee for street maintenance and repair.](#)

A motion was made by Council Member Jamison and seconded by Council Member Beninga to adopt said resolution. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Beninga, Brown, Costello, Jamison, 7. Noes, Stagers, 1. **Motion Passed.**

RESOLUTION NO. 101-07

A RESOLUTION DECLARING IT NECESSARY TO LEVY AND LEVYING A SPECIAL FRONT FOOT ASSESSMENT FEE FOR STREET MAINTENANCE AND REPAIR.

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

Section 1. It is necessary to levy and there shall be levied a special front foot assessment fee upon each lot, tract, and parcel of land fronting upon every street and part thereof, within the city of Sioux Falls, to be used to maintain and repair street surfacing or pavement.

Section 2. There is hereby assessed against each and every lot, tract, and parcel of land fronting upon every street or part thereof, 90 cents per front foot for the year 2008, which shall be apportioned as the assessment for maintaining of street surfacing or pavement. Front foot, for the purposes of this Resolution, means the actual front of the premises as established by the buildings thereon, record title, and use of the property regardless of the original plat.

Section 3. The City Clerk shall certify such special front foot assessment fees to the County Auditors of Minnehaha and Lincoln Counties, SD, and the same shall be collected as municipal taxes for general purposes.

Section 4. This resolution is necessary for the immediate support of the municipal government and its existing public institutions and shall take effect upon its passage and publication.

Date adopted: 06/18/07.

Dave Munson
Mayor

ATTEST:
Debra A. Owen
City Clerk

Street Maintenance Assessment Summary

Year	Actual Revenue	Assessment, \$ Per Front Ft.
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1992	\$1,043,061	\$0.40
1993	\$1,058,105	\$0.40
1994	\$1,100,155	\$0.40
1995	\$1,116,567	\$0.40
1996	\$1,414,956	\$0.50
1997	\$1,546,213	\$0.53
1998	\$1,473,268	\$0.50
1999	\$1,488,489	\$0.50
2000	\$1,514,684	\$0.50
2001	\$1,549,185	\$0.50
2002	\$1,612,007	\$0.50
2003	\$1,687,826	\$0.50
2004	\$1,724,590	\$0.50
2005	\$2,105,537	\$0.60
2006	\$2,516,296	\$0.70

53. [A Resolution approving project and issuance of bonds by Lincoln County.](#)

A motion was made by Council Member Beninga and seconded by Council Member Jamison to adopt said resolution. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Staggers, Beninga, Brown, Costello, Jamison, 8. Noes, 0. **Motion Passed.**

RESOLUTION NO. 102-07

A RESOLUTION APPROVING PROJECT AND ISSUANCE OF BONDS BY LINCOLN COUNTY.

WHEREAS, \$6,200,000 revenue bonds (the “Bonds”) were issued by Lincoln County, South Dakota, under Chapter 9-54, South Dakota Codified Laws (the “Act”), to finance a project located in the city of Sioux Falls on behalf of the Augustana College Association, a South Dakota nonprofit corporation (the “Borrower”); and

WHEREAS, the proceeds from the sale of the Bonds were loaned by Lincoln County to the Borrower, and used by the Borrower to pay the costs of issuance of the Bonds, and to acquire, remodel, construct, equip, and furnish the Madsen Social Science Building, the Mortenson Theatre Complex, the Humanities Building, the Old Main Buildings, the Administration Building, the Telephone Switch, the Center for Western Studies, the Administration Building, and related facilities to be located on the campus of Augustana College at 2001 S. Summit Ave., Sioux Falls, SD (together, the “Project”), all of which are operated by the Borrower; and

WHEREAS, as a remedial action requested by the Borrower to satisfy the requirements of Section 147(f) of the Internal Revenue Code of 1986, this Council, being the elected representatives of the governmental unit in which the Project is located, conducted a public hearing on the Project and the Bonds.

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

1. The Project and the Bonds are hereby approved for purposes of Section 147(f) of the Internal Revenue Code of 1986.
2. This Council is not aware of any reason that the approval of the Project and the Bonds would not have been given if this hearing had been conducted in 1999 prior to the issuance of the Bonds.

Date adopted: 06/18/07.

Dave Munson
Mayor

ATTEST:
Debra A. Owen
City Clerk

54. [A Resolution of the City of Sioux Falls, SD, correcting the legal description of Annexation Resolution No. 33-07. Annexation legal description correction 2007-01-06 - Jansmick - 54th St. N. and I-29.](#)

A motion was made by Council Member Knudson and seconded by Council Member Costello to adopt said resolution. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Staggers, Beninga, Brown, Costello, Jamison, 8. Noes, 0. **Motion Passed.**

RESOLUTION NO. 103-07

ANNEXATION LEGAL DESCRIPTION CORRECTION 2007-01-06—
JANSMICK—54TH ST. N. AND I-29

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, CORRECTING THE LEGAL DESCRIPTION OF ANNEXATION RESOLUTION NO. 33-07.

WHEREAS, on March 5, 2007, the City Council of the City of Sioux Falls adopted Resolution No. 33-07 to include certain contiguous territory within the corporate limits of the city of Sioux Falls, South Dakota.

WHEREAS, the annexation map boundaries have been approved by the City Council.

WHEREAS, the legal description as set forth in Resolution 33-07 was not accurate.

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

That the legal description as set forth in Resolution 33-07 hereby is amended to read as follows:

Lot 2, except Lot H-2, in Johnson's 2nd Addition, in Government Lot 2 of the NW1/4 of Section 31-T102N-R49W, Minnehaha County, South Dakota.

And that the City Clerk shall cause to be filed with the Register of Deeds, Minnehaha County, South Dakota, a duly certified transcript of this resolution.

Date adopted: 06/18/07.

Dave Munson
Mayor

ATTEST:
Debra A. Owen
City Clerk

ADJOURNMENT at 9:20 p.m.

A motion was made by Council Member Kavanaugh and seconded by Council Member Jamison to approve Adjournment. Roll Call: Yeses, Kavanaugh, Knudson, Litz, Staggers, Beninga, Brown, Costello, Jamison, 8. Noes, 0. **Motion Passed.**

Denise D. Tucker
Assistant City Clerk

Date: 2007-07-02
SIRE Meeting ID: 1167
Meeting Type: City Council

YouTube:<https://youtu.be/kwlhOGS7qpk>
Agenda Item: Not Assigned
Item ID: 52566

The following document(s) are public records obtained from the
City of Sioux Falls.

MINUTES

Monday, June 25, 2007

Informational Meeting
Sioux Falls City Council

4:00 p.m. at Carnegie Town Hall
235 West Tenth Street



Members Present: Vernon Brown, J. Pat Costello, Bob Jamison, Kevin Kavanaugh, De Knudson, Bob Litz, Kermit L. Staggers, and Mayor Dave Munson **Absent:** Gerald Beninga.

Staff Present: City Clerk Debra A. Owen and Assistant City Clerk Jamie L. Palmer

1. [Call To Order](#)
2. [City Council Staff Report](#)

Debra Owen, City Clerk reminded the Council and public that there is a Joint Lincoln County/City Council Meeting at 7:00 p.m. at the Lincoln County Courthouse in Canton.

The Council staff is working through the Granicus learning curve and the "go-live" date is scheduled for August 6, 2007.

Owen stated that utilizing superprecincts will enable the city to keep election expenses at about \$12,000-\$13,000.

3. Mayor Munson

No report.

4. Audit Committee

No report.

5. Fiscal Committee

The committee will be meeting today immediately following the Informational Meeting.

6. Land Use Committee

No report.

7. Public Services Committee

Committee Chair Staggers stated that the committee is discussing Campaign Finance Reform. There will be another meeting on Monday, July 2, 2007, at 3:00 p.m.

8. City Council Open Discussion

No discussion.

9. Staff Report

a. Monthly City Financial Statement Review, Eugene Rowenhorst, Dir. Of Finance

Eugene Rowenhorst stated that the CIP proposal information was distributed to the Council today. It will also be available on the Internet tomorrow. Rowenhorst gave a brief overview of the Monthly Financial Status Report.

b. Global Spectrum, Frank Russo Sr. Vice President

Mike Cooper, Director of Planning & Building Services spoke regarding the new management team for the Convention Center which consists of Global Spectrum and the Convention Visitors Bureau (CVB). They will officially begin on July 1, 2007. Cooper introduced Dean Dennis, Vice President for Business Development & Client Relations for Global Spectrum.

Dean Dennis thanked the Council for the opportunity to give their brief overview. He introduced Brett Mitchell, Regional Vice President, who will oversee the day to day operations; Scott Kavanaugh, General Manager; and Teri Ellis-Schmidt, CVB. Each team member spoke on the individual role they will have in the management of the convention center. Discussion and questions followed the presentation.

10. Executive Session

Adjourned into Executive Session at 4:44 p.m.

11. Adjournment at 5:37 p.m.

Jamie L. Palmer

Assistant City Clerk

City Council Chair: Bob Jamison

City Council Vice Chair: De Knudson

AUDIT COMMITTEE Bob Jamison Kevin Kavanaugh	FISCAL COMMITTEE Chair - Vernon Brown Gerald Beninga J. Pat Costello Kevin Kavanaugh	LAND USE COMMITTEE Chair - Bob Litz Bob Jamison Kermit Staggers	METRO MGMT. COUNCIL Gerald Beninga Pat Costello	PUBLIC SERVICES COMMITTEE Chair - Kermit Staggers De Knudson J. Pat Costello
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Date: 2007-07-02
SIRE Meeting ID: 1167
Meeting Type: City Council

YouTube:<https://youtu.be/kwlhOGS7qpk>
Agenda Item: Not Assigned
Item ID: 52567

The following document(s) are public records obtained from the
City of Sioux Falls.



City of Sioux Falls Council Meeting Minutes

JOINT CITY COUNCIL/LINCOLN COUNTY MEETING OF **Monday, June 25, 2007, at 7:00 p.m.**

The City Council of the City of Sioux Falls, Minnehaha and Lincoln Counties, South Dakota, met in Joint session with the Lincoln County Commission in the Lincoln County Courthouse, in Canton, South Dakota, on Monday, June 25, 2007, at 7:00 p.m., pursuant to law, with the following members present at roll call: Council Members Vernon Brown, J. Pat Costello, Bob Jamison, Kevin Kavanaugh, De Knudson, Bob Litz, Kermit L. Staggers, and Mayor Dave Munson. Absent: Council Member Gerald Beninga.

REGULAR AGENDA ITEMS

INTRODUCTION AND ADOPTION OF ORDINANCES

1. This was the date set for a hearing and second reading on **Ordinance 103-07**, of the City of Sioux Falls, SD, amending the code of ordinances of said city by rezoning property at half mile south of the intersection of 57th St. and SD HWY 11 from the A-1, Agricultural District to the C, Commercial District, which was given its first and second readings, and a motion was made by Council Member Staggers and seconded by Council Member Kavanaugh to adopt said ordinance. **Roll Call: *Yeses, Kavanaugh, Knudson, Litz, Staggers, Brown, Costello, Jamison, 7. Noes, None.***

ADJOURNMENT

A motion was made by Council Member Costello and seconded by Council Member Staggers to adjourn at 7:08 p.m. **Mayor Munson called for a voice vote on the adjournment. All Council Members voted yes.**

Denise D. Tucker
Assistant City Clerk