

|| City of Sioux Falls Council Meeting Agenda
|| 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

A. PASTOR CARL SERR - SPIRIT OF PEACE UNITED CHURCH OF CHRIST

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

A. WORLD REFUGEE DAY - JUNE 20, 2007

APPROVAL OF CONSENT AGENDA

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. 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.

| CONSENT AGENDA ITEMS |

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

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 CAF^', 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.
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.

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.
20. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY INCREASING WATER RATES.

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).
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.
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.
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."
25. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING CHAPTER 38 OF THE REVISED ORDINANCES OF THE CITY.
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.
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.
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.
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).
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.
31. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, ALLOWING TRANSFER OF REAL PROPERTY TO THE AFFORDABLE HOUSING PROGRAM.
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.

Set a hearing date and second reading for Monday, July 2, 2007, at 7:00 p.m. for Items 32 through 49:

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.

Set a hearing date and second reading for Monday, July 9, 2007, at 7:00 p.m. for Item 50:

HEARINGS AND RESOLUTIONS

51. A RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPER FOR THE CITY OF SIOUX FALLS, SD.

Res. 005

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

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

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.

ADJOURNMENT at 9:20 p.m.

Date: 2007-06-18
SIRE Meeting ID: 1168
Meeting Type: City Council

YouTube:<https://youtu.be/ndbEDv4MMys>
Agenda Item: Not Assigned
Item ID: 52632

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

MINUTES

Monday, June 11, 2007



Informational Meeting
Sioux Falls City Council

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

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

Staff Present: City Clerk Debra A. Owen and Assistant City Clerk Denise D. Tucker.

1. Call To Order

Council Chair Bob Jamison called the meeting to order.

2. City Council Staff Report

City Clerk Debra A. Owen:

A. Item 7 on the 7:00 p.m. agenda is a request by the applicant to withdraw. The item is in reference to the Thoms agreement.

B. Informed the City Council that the Granicus program is being implemented and asked that they state their name when they make a motion or a second.

C. Four Executive Orders given by the Administration deal with Risk Management, which were primarily clarifications and updates. There was also one from the Mayor refining ComTrak, a customer service system used by the City.

D. Granicus is a program that the City Council has purchased and it has been a process of implementing the program with IT, the Assistant City Clerks, Webmasters, and with CityLink. It will be a process of getting to know this new software and at some point there will be a "go-live" meeting with the City Council. There will be webstreaming allowing anyone to watch this, who doesn't have access to Channel 16. The agenda will scroll right alongside the video. If you're on Item 25, you'll be able to click on that item and pull up the legislation being reviewed by the Council. It will be a great tool to help with transparency in government. Two benefits why the City Council has purchased this: increase efficiency, for all of us, in our workload; and transparency in government where people can clearly see how the work of the City is being done, which is, an important vision of the Council. At the 7:00 p.m. meeting tonight there may be delays in your vote, if there is a delay we'll ask you to wait a minute, while we are posting your vote on the agenda.

3. Mayor Munson

No Report.

City Council Chair: Bob Jamison

City Council Vice Chair: De Knudson

AUDIT COMMITTEE

FISCAL COMMITTEE

LAND USE
COMMITTEE

METRO MGMT.
COUNCIL

PUBLIC SERVICES
COMMITTEE

Bob Jamison
Kevin Kavanaugh

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

Chair—Bob Litz
Bob Jamison
Kermit Staggers

Gerald Beninga
J. Pat Costello

Chair—Kermit Staggers
De Knudson
J. Pat Costello

MINUTES for Informational Meeting, Sioux Falls City Council

Monday, June 11, 2007

Page 2

4. Audit Committee

No Report.

5. Fiscal Committee

Committee Chair Vernon Brown said they will meet immediately following the meeting to discuss the Derivatives Policy and to also talk about the CIP.

6. Land Use Committee

Committee member Bob Jamison said they are meeting at 5:00 p.m.

7. Public Services Committee

Committee member De Knudson said they are working hard at reviewing the Campaign Finance Ordinance that the City uses. The committee will be meeting on Monday, June 18, 2007, at 3:00 p.m. at the Carnegie Town Hall. All citizens are encouraged to provide input by appearing in person, or through emails, or phone calls. Jamison asked if there has been any discussion to holding the meetings at another time. Knudson said the committee is working on a draft and plan to hold public meetings for input in the evenings.

8. City Council Open Discussion

A. Owen said if there are any questions for tonight regarding, their first reading for an ordinance on the Uptown agreement, Erica Beck is in the audience to answer questions.

B. Kavanaugh asked for an update on Item 7 on tonight's agenda, which has been withdrawn. Council member J. Pat Costello said that he and Council member Bob Litz met with Mark Cotter, director of Public Works, Mike Cooper, direct of Planning, Gary Colwill, City Attorney, and the TV group. He said there are still considerable discussions that need to take place on that project. Costello said the ordinance on tonight's agenda is from when they were considering debt and were talking about using future CIP dollars. He said now that this is no longer a consideration, it should probably be in the form of a resolution. There was some talk of reworking this in the form of a pre-annexation. He said City Council should see that in a couple of weeks. Colwill said they found out today that TV has some third party agreements that they haven't worked out yet. He said it made sense to make a preliminary agreement and to allow them to get their third party agreements in place. Kavanaugh said the Infrastructure Review Advisory Board met on this last week and declined to take any formal position but they are very interested in coming up with a formal policy. I believe we have a draft here. Is that something we can expect the review board to bring to us soon? Costello said it was clear from the meeting that that policy will take months to work out. And when this resolution comes through we'll have to evaluate its merits of what they're offering without the benefits of a policy. He said it was unfair to have IRAB review this, because many of them are partners and have business dealings going back and forth. Kavanaugh said if they were to see the resolution before the policy is done would it be reasonable for us to look at their draft policies and judge those annexations by those policies? Colwill was asked his opinion, but he said he was gone all of last week and wasn't the best person to answer. Cooper said it's Staff's intent to keep moving it forward with this policy/guideline. The draft of the proposed annexation meets preliminary guidelines. He said there are a couple of issues that must be worked out. He said he was not sure how soon they would be back with the resolution. Kavanaugh commended the Planning Staff for drafting some questions, which he said were pretty thought provoking. Knudson wanted to know if there are other cities with similar policies. Cooper said they have contacted other cities and will continue to work with them and will get examples to look at. Staggers said he was concerned because he hasn't heard much verbally from the TV people. Costello said he and Litz have meet with the TV people and staff a lot over the last couple of weeks. And he said they get all kinds of documents from them and they

MINUTES for Informational Meeting, Sioux Falls City Council

Monday, June 11, 2007

Page 3

always say please call. He said the deal is evolving and it's taking time. Jamison said they are stepping into new ground and they need to do it right.

C. Brown reminded the City Council about the Legislative hosting that the Chamber of Commerce is putting together this week. Bob O'Connell, Public Affairs and Communications Director with the Chamber of Commerce, described the planned events.

D. Knudson reminded everyone that there will be a picnic on the Fourth of July, from 10:00 a.m. to 2:00 p.m., free food for the first 5,000 people, and there will be games.

City Council Member Kermit Staggers arrived at this time.

9. Staff Report

No Report.

10. Executive Session

11. Adjournment at 4:19 p.m.

Denise D. Tucker
Assistant City Clerk

Date: 2007-06-18
SIRE Meeting ID: 1168
Meeting Type: City Council

YouTube:<https://youtu.be/ndbEDv4MMys>
Agenda Item: Not Assigned
Item ID: 52633

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 11, 2007, at 7:00 PM

ROLL CALL #4

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

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

INVOCATION

Pastor Dan Freed - Hilltop United Methodist Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

[APPROVAL OF CONSENT AGENDA](#)

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

MINUTES

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

[Regular Council Meeting of Monday, June 4, 2007, at 7:00 p.m.](#)

COMMUNICATIONS

1. A communication was received from the Sioux Falls Jazz and Blues Society, stating its intent to sell raffle tickets from July 20th, 2007, to September 30, 2007, for a HD TV and Home Entertainment System valued at \$3,500.00. Tickets will be \$25.00 each with the proceeds to be used to benefit the SFJB Scholarship fund.
2. A communication was received from The Great Plains Zoo and Delbridge Museum requesting permission to consume, but not sell, liquor, wine beer and malt beverages at the Great Plains Zoo and Delbridge Museum, 805 South Kiwanis Avenue, on Monday, June 25, 2007, from 6:00 p.m. to 11:00 p.m. for a private "Dinner with the Giraffes" for a client.
3. A communication was received from The Great Plains Zoo and Delbridge Museum requesting permission to consume, but not sell, liquor, wine beer and malt beverages at the Great Plains Zoo and Delbridge Museum, 805 South Kiwanis Avenue, on Tuesday, June 26th, 2007, from 6:00 p.m. to 11:00 p.m. for a private facility rental for a client.

NOTICE OF HEARINGS

4. A proposed Resolution approving the special assessment roll for construction of grading, gravel, asphalt surfacing, curb and gutter with driveway approaches, sidewalk, sanitary sewer main, and water main on W. 26th St. from S. Ellis Rd. to 600' west.
5. A proposed Resolution approving the special assessment roll for construction of grading, gravel, curb and gutter, sidewalk, storm sewer, asphalt surfacing, water main, and sanitary sewer main on S. Beal Ave. from north property line of Tract 3 Harrisburg School addition to W. 82nd St. and W. 82nd St. from proposed S. Beal Ave. to 300' East.
6. A proposed Resolution approving the cost recovery roll for construction of sanitary sewer and water main along S. Beal Ave. from north property line of Tract 3 Harrisburg School addition to W. 82nd St. and W. 82nd St. from proposed S. Beal Ave. to 300' East.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Jamison and seconded by Council Member Brown to approve the Regular Agenda. Roll Call: Yeses, Council Member Jamison, Council Member Kavanaugh, Council Member Knudson,

Council Member Litz, Council Member Staggers, Council Member Beninga, Council Member Brown, Council Member Costello, 8. Noes, 0.

PUBLIC INPUT

Charles Santee - Regarding snow removal.

INTRODUCTION AND ADOPTION OF ORDINANCES

7. [Deferred Action: 2nd Reading: An Ordinance of the City of Sioux Falls, SD, authorizing the Mayor to enter into an annexation agreement between the City of Sioux Falls and TV Real Estate, LLC.](#)
8. [2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending the code of ordinances of said city by changing a street name. \(Jeanne Drive to Lake Shore Boulevard\).](#)

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

Set a hearing date and second reading for Monday, June 18, 2007, at 5:00 p.m. at the Joint Minnehaha County/City Council Meeting for Item 9:

9. [1st 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 Beninga and seconded by Council Member Knudson to set a hearing date and second reading for Monday, June 18th, 2007, at 5:00 p.m. at the Joint Minnehaha County/City Council Meeting for Item 9. *Roll Call: Yeses, Council Member Jamison, Council Member Kavanaugh, Council Member Knudson, Council Member Litz, Council Member Staggers, Council Member Beninga, Council Member Brown, Council Member Costello, 8. Noes, 0.*

Set a hearing date and second reading for Monday, June 18th, 2007, at 7:00 p.m. at the City Council Meeting for Items 10 through 12

10. [1st 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. \(Uptown Phase One\).](#)
11. [1st 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.](#)

12. [1st 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 Litz and seconded by Council Member Jamison to set a hearing date and second reading for Monday, June 18th, 2007, at 7:00 p.m. at the City Council Meeting for Items 10 through 12 .
Roll Call: Yeses, Council Member Jamison, Council Member Kavanaugh, Council Member Knudson, Council Member Litz, Council Member Staggers, Council Member Beninga, Council Member Brown, Council Member Costello, 8. Noes, 0.

Set a hearing date and second reading for Monday, July 9, 2007, at 7:00 p.m. at the City Council Meeting for Item 13

13. [1st Reading: An Ordinance of the City of Sioux Falls, SD, amending the code of ordinances of said city by changing a street name.](#)

A motion was made by Council Member Knudson and seconded by Council Member Litz to set a hearing date and second reading for Monday, July 9, 2007, at 7:00 p.m. at the City Council Meeting for Item 13.
Roll Call: Yeses, Council Member Jamison, Council Member Kavanaugh, Council Member Knudson, Council Member Litz, Council Member Staggers, Council Member Beninga, Council Member Brown, Council Member Costello, 8. Noes, 0.

HEARINGS AND RESOLUTIONS

14. [A Resolution approving the Special Assessment Roll for construction of grading, gravel, curb and gutter, sidewalk, storm sewer, asphalt surfacing, driveway approaches, water main, sanitary sewer main, and streetlights on S. Solberg Ave. from W. 57th St. to 2,700' south.](#)

A motion was made by Council Member Jamison and seconded by Council Member Litz to defer this item to the City Council Meeting on Monday, July 9th, 2007, at 7:00 p.m.
Roll Call: Yeses, Council Member Jamison, Council Member Kavanaugh, Council Member Knudson, Council Member Litz, Council Member Staggers, Council Member Beninga, Council Member Brown, Council Member Costello, 8. Noes, 0.

15. [A Resolution approving the Special Assessment Roll for construction of grading, gravel, curb and gutter, sidewalk, storm sewer, asphalt surfacing, water main, and streetlights on N. Lewis Ave. from E. 34th St. N. to E. 39th St. N.](#)

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

RESOLUTION NO. 98-07

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR CONSTRUCTION OF GRADING, GRAVEL, CURB AND GUTTER, SIDEWALK, STORM SEWER, ASPHALT SURFACING, WATER MAIN, AND STREETLIGHTS ON N. LEWIS AVE. FROM E. 34TH ST. N. TO E. 39TH ST. N.

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

SECTION 1. That the special assessment roll for the assessment of the property assessable for construction of grading, gravel, curb and gutter, sidewalk, storm sewer, asphalt surfacing, water main, and streetlights on N. Lewis Ave. from E. 34th St. N. to E. 39th St. N. pursuant to a contract entered into with Terin Corporation on the 26th day of June, 2006, be and the same is hereby approved and the assessment as set out in the special assessment roll approved this date is hereby levied against the property described therein and becomes a lien against such property upon filing of the special assessment roll in the City Accounting Office.

SECTION 2. The assessment may be paid in five annual installments and shall be collected under Plan One—Collection by County Treasurer as provided in SDCL 9-43.

Date adopted: 6/11/07.

Dave Munson
Mayor

ATTEST:

Debra A. Owen
City Clerk

NOTICE TO PROPERTY OWNERS

Notice is hereby given that assessments levied under the above resolution will become due and payable at the office of the County Treasurer in five installments, together with interest at 8.25 percent per annum in accordance with SDCL 9-43. The first installment, with interest, will become due with general taxes and will be payable at the County Treasurer's Office on January 1, 2008; the remaining installments, with interest, will become due and payable annually at the County Treasurer's Office on January 1 of each following year until total assessment, with interest, is paid in full.

Notice is further given that the special assessment roll approved in the above resolution was filed with the City Clerk's Office on the 13th day of June, 2007, and that the whole of said assessment, or any installment thereof, may be paid without interest to the City Accounting Office on or before 30 days after said filing.

Debra A. Owen

16. [A Resolution declaring the necessity to grade, gravel, construct curb and gutter, construct sidewalk, storm sewer, asphalt surfacing, street lights, water main, and sanitary sewer on W. 22nd St., and assessing the cost to each lot or tract of land benefiting thereby.](#)

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

RESOLUTION NO. 99-07

A RESOLUTION DECLARING THE NECESSITY TO GRADE, GRAVEL, CONSTRUCT CURB AND GUTTER, CONSTRUCT SIDEWALK, STORM SEWER, ASPHALT SURFACING, STREET LIGHTS, WATER MAIN, AND SANITARY SEWER ON W. 22ND ST., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

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

Section 1. It is necessary to GRADE, GRAVEL, CONSTRUCT CURB AND GUTTER WITH DRIVEWAY APPROACHES, CONSTRUCT SIDEWALK, STORM SEWER, ASPHALT SURFACING AND STREET LIGHTS in accordance with specifications prepared by the Office of the City Engineer and on file in the Office of the City Engineer on the following streets in the City of Sioux Falls, SD, fronting or abutting upon the following described property to be assessed:

W. 22nd St. from S. Discovery Ave. to Approximately 804' West

Lot 1 Blk 5 North Raegan Addn.

Lot 2 Blk 5 North Raegan Addn.

Lot 3 Blk 5 North Raegan Addn.

Lot 4 Blk 5 North Raegan Addn.

Lot 5 Blk 5 North Raegan Addn.

Lot 6 Blk 5 North Raegan Addn.
Lot 7 Blk 5 North Raegan Addn.
Lot 8 Blk 5 North Raegan Addn.
Lot 9 Blk 5 North Raegan Addn.
N1/2 SW1/4 (ex H-1 and ex W558.32' and Memorial Park Estates Addn.)
22-101-50 Minnehaha County, SD

ALL ADDITIONS TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY,
SOUTH DAKOTA.

Section 2. The cost and expense of the improvements shall be levied by special assessment upon the above-described property in accordance with Section 38-32 of the Revised Ordinances of Sioux Falls and SDCL Chapter 9-43. Subject to exceptions described in City ordinance, the improvements shall be assessed upon the above-described property abutting upon the same in proportion to the number of front feet fronting or abutting, as provided by law. The cost of each intersection shall be assessed to all lots according to the area so as to include one-half of the property between the street improved and the next street, pursuant to SDCL 9-45-31.

Section 3. Notice. If you are an owner-occupant of a single-family dwelling to be specially assessed and whose total household income is \$10,000 annually, or less, you may be eligible for the waiving or reduction of the special assessment described herein. In order to qualify and be eligible for the waiving or reduction of such special assessments, you must make application on forms provided at the City of Sioux Falls Community Development, Carnegie Town Hall, 235 W. 10th St., or call 367-7125, prior to the date of the 'Final Levy of the Assessment Roll' before the Sioux Falls City Council. Failure to make proper written application prior to this date will disqualify you from being eligible for waiving or reduction of the special assessment.

Section 4. The assessment may be paid in 5 equal annual installments. If not paid within 30 days after the assessment roll has been filed in the City Accounting Office, the assessment or any installment shall be collected with interest in accordance with the procedure provided by SDCL 9-43-31 through 9-43-41.

Interest on the assessment or installment will be charged and collected in accordance with law. The rate to be charged will be set by the City Council in the year of assessment.

Section 5. The estimated cost of the above-named improvements is as follows:

Grading	\$25.00 Per Front Foot
Gravel.....	\$10.00 Per Front Foot
Curb & Gutter	\$20.00 Per Front Foot
Sidewalk.....	\$15.00 Per Front Foot
Street Lights	\$5.00 Per Front Foot

Storm Sewer.....	\$30.00 Per Front Foot
Asphalt Surfacing.....	\$25.00 Per Front Foot
Water.....	\$30.00 Per Front Foot
Sanitary	\$30.00 Per Front Foot
Engineering Fee	\$25.00 Per Front Foot

Section 6. The assessment will be levied on the above-described property pursuant to Section 38-32 of the Revised Ordinances of Sioux Falls.

Section 7. A copy of the resolution will be recorded at the Register of Deeds Office, Minnehaha County, SD, as a notice to all potential or actual future landowners, of present or future assessment payments on said property.

Date adopted: 6/11/07.

Dave Munson
Mayor

ATTEST:

Debra A. Owen
City Clerk

ADJOURNMENT

A motion was made by Council Member Kavanaugh and seconded by Council Member Jamison to approve the meeting at 7:44 p.m. Roll Call: *Yeses, Council Member Jamison, Council Member Kavanaugh, Council Member Knudson, Council Member Litz, Council Member Staggers, Council Member Beninga, Council Member Brown, Council Member Costello, 8. Noes, 0.*

Tamara M. Jorgensen
Assistant City Clerk

Date: 2007-06-18
SIRE Meeting ID: 1168
Meeting Type: City Council

YouTube:<https://youtu.be/ndbEDv4MMys>
Agenda Item: Not Assigned
Item ID: 52694

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

Notice of Hearing
Date of Hearing
Date Adopted
Date Published
Date Effective

RESOLUTION NO. _____

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: .

Mayor

ATTEST:

City Clerk

S:\AS\Clerk\RES\PERM\Resp005.doc

08/10/07