

City of Sioux Falls Council Meeting Agenda

CarnegieTown Hall, 235 West Tenth Street  
MEETING OF Monday, March 19, 2007, at 7:00 p.m.

ROLL CALL#4

MEMBERS PRESENT/ABSENT

OFFICIAL AGENDA

Council Member Gerald Beninga

Council Member Vernon Brown

Council Member J. Pat Costello

Council Member Bob Jamison

Council Member Kevin Kavanaugh

Council Member De Knudson

Council Member Bob Litz

Council Member Kermit L. Staggers

Mayor Dave Munson

INVOCATION

Reverend Randy Rasmussen, Emmanuel Baptist Church

PLEDGE OF ALLEGIANCE

MEETING ASSISTANCE: UPON REQUEST, ACCOMMODATIONS FOR MEETINGS WILL BE PROVIDED FOR PERSONS WITH DISABILITIES. PLEASE CONTACT THE CITY CLERK S OFFICE, CARNEGIE TOWN HALL, AT (605) 367-7052 (VOICE) OR (605) 367-7039 (TDD) 24 HOURS IN ADVANCE OF THE MEETING.

ADDRESSING THE COUNCIL: PERSONS ADDRESSING THE COUNCIL SHALL USE THE MICROPHONE AT THE PODIUM. PLEASE STATE YOUR NAME AND ADDRESS. PRESENTATIONS ARE LIMITED TO FIVE MINUTES.

LIVE BROADCASTS OF COUNCIL MEETINGS ON CITYLINK 16: CITY COUNCIL MEETINGS AIR LIVE THE FIRST, SECOND, AND THIRD MONDAYS OF EACH MONTH AT 7 P.M. THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AIR LIVE THE THIRD MONDAY OF EACH MONTH AT 5:00 P.M.

CLOSED CAPTIONING: CITY COUNCIL MEETINGS ARE CLOSE CAPTIONED ON CITYLINK 16.

CITYLINK 16 REBROADCAST: CITY COUNCILMEETINGS AT 10:00 A.M. ON WEDNESDAYS, 1:00 A.M. ON THURSDAYS, AND 7 P.M. ON SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 10:00 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

- Informational Meeting of Monday, March 12, 2007, at 4:00 p.m.
- Regular Council Meeting of Monday, March 12, 2007, at 7:00 p.m.

COMMUNICATIONS

1.Mark and Carolee Jones are requesting permission to consume, but not sell, liquor, wine and/or malt beverage at the Old Courthouse Museum, 200 W. Sixth St., on Saturday, May 19, 2007, from 5:00 p.m. to 9:00 p.m. for a private college graduation party.

NOTICE OF HEARINGS

Set a hearing date for Monday, April 2, 2007, at 7:00 p.m. on Item 2:

2.New 2006-07 Retail Malt Beverage License for Dan Larsen, name to be determined, to be operated at 401 North Phillips Avenue, Suite 401M, with the Conditional Use Permit approved by the Planning Commission on 03-07-07.

Set a hearing date for Monday, April 9, 2007, at 7:00 p.m. on Item 3:

3.A proposed Resolution declaring the necessity to construct sidewalk on the east side of S. Western Ave. from W. 57th St. to W. 69th St. and assessing the cost to each lot or tract of land benefiting thereby.

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

#### PUBLIC INPUT

#### UNFINISHED BUSINESS

4.New 2007 Package Liquor License for Miles of Meat LLC, Cleaver s Market, to be operated at 5009 South Western Avenue, Suite 200.

5.Transfer of a 2007 Retail Liquor License from Sterling Restaurant Management Group LLC, Bennigan s Grill & Tavern, 2616 South Louise Avenue, to Game Day Inc., Rookies Sports Bar & Grill, to be operated at 2616 South Louise Avenue, including Sunday Sales and the addition of video lottery terminals. Pending final inspection per Health.

6.Special One-Day Liquor License requests for SMG to be operated at the Sioux Falls Arena, 1201 North West Avenue, for the Central Plains Dairy Expo to be held on March 20-21, 2007, and the Storm Football 2007 Home Season Games, including possible playoff games.

7.Special One-Day Liquor License requests for Washington Pavilion Management Inc., Washington Pavilion of Arts & Science, 301 South Main Avenue, for the following dates/events in 2007: March 29 for Broin Companies, April 12 for SD Chamber of Commerce, and April 14 and May 19 for wedding receptions.

8.Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Avera McKennan Foundation to be held at the Avera McKennan Health and Fitness Center, 3400 South Southeastern Avenue, on April 20, 2007, for The Big Grape.

9.Special One-Day Malt Beverage and Special One-Day Wine License requests for Main Street Sioux Falls for the following dates and events:

§ Cinco de Mayo Parade and Fiesta, May 5, 2007, at Falls Park

§ AutoMania, June 20, 2007, on S. Phillips Ave. from 9th to 14th St., Main Ave. from 9th to 13th St., Dakota Ave. from 10th to 13th St., 10th and 11th St. from Dakota Ave. to S. Mall Ave., 12th St. from Main Ave. to 1st Ave., 13th St. from Dakota Ave. to halfway between Phillips Ave. and 1st Ave.

§ Hot Summer Nights, July 18, 2007, on S. Phillips Ave. from 8th to 14th St., and 10th, 11th, 12th, and 13th Streets from Main to 1st Ave.

§ Stogeez Steak-Out, July 28, 2007, on Phillips Ave. from 10th to 11th St.

10.Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Southeastern Chapter of the South Dakota Engineering Society to be held at Dow Rummel Village, 1000 North Lake Avenue, changing the date from February 24 to March 24, 2007, for their annual banquet.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

11.Deferred Action: 2nd Reading Rezone 2007-01-06: An Ordinance of the City of Sioux Falls, rezoning property at E. Madison St. and N. Dubuque Ave., from the RS-1, Residential, RD, Residential and RA-1, Residential Districts to the RA-1, and RS-1, Residential Districts, to align the zoning with the approved street pattern, and amending the official zoning map of the City of Sioux Falls. Planning Commission recommends approval.

12.2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending the revised ordinances of the City by adding thereto a new Article VII to Chapter 39 of the Code of Ordinances entitled: Reduced taxation for new commercial structures or new commercial residential structures thereto, or additions, renovations, or reconstruction to existing structures located within the City s designated area of the City of Sioux Falls, SD.

13.2nd Reading: An Ordinance of the City of Sioux Falls, SD, providing supplemental appropriations. Fire: \$80,000. Library: \$218,220. Parks and Recreation: \$65,000, \$280,000, and \$20,000. Public Works-Engineering: \$650,000.

14.2nd Reading: An Ordinance of the City of Sioux Falls, SD, approving the

first amendment to amended and restated commitment agreement by and between Lewis and Clark Rural Water System, Inc. and the City of Sioux Falls.

15.2nd Reading: An Ordinance of the City of Sioux Falls, SD, approving a total cost capital lease. Two (2) wheeled tractor scrapers.

16.2nd Reading: An Ordinance of the City of Sioux Falls, SD, to repeal Ordinance No. 96-06 authorizing the issuance of Landfill Revenue Bonds and other actions related thereto.

17.2nd Reading: An Ordinance of the City of Sioux Falls, SD, authorizing the issuance of Landfill Revenue Bonds to the South Dakota Conservancy District, authorizing the use of the proceeds thereof for capital improvements, pledging a portion of the landfill revenue of the City to the payment of said revenue bonds, authorizing the execution and delivery of a loan agreement between the City and the South Dakota Conservancy District and authorizing the execution and delivery of such Landfill Revenue Bonds to the South Dakota Conservancy District.

18.2nd Reading: An Ordinance of the City of Sioux Falls, SD, authorizing the issuance of Landfill Revenue Bonds to the South Dakota Board of Water and Natural Resources, authorizing the use of the proceeds thereof for Capital Improvements, pledging a portion of the Landfill Revenue of the City to the payment of said Landfill Revenue Bonds, fixing the terms of such Landfill Revenue Bonds, authorizing the execution and delivery of a loan agreement between the City and the South Dakota Board of Water and Natural Resources and authorizing the execution and delivery of such Landfill Revenue Bonds to the South Dakota Board of Water and Natural Resources.

Set a hearing date and 2nd Reading for Monday, April 2, 2007, at 7:00 p.m. for Items 19 through 24:

19.1st Reading Major Amendment 2007-02-10: 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 and amending the official zoning map of the City of Sioux Falls. W. Career Ave. and W. Cayman St. Planning Commission recommends approval.

20.1st Reading Rezone 2007-01-22: An Ordinance of the City of Sioux Falls, SD, rezoning property at W. Benson Rd. and N. Northview Ave., from the AG, Agricultural District to the I-1, Light Industrial, C-2, General Commercial, C-4, Planned Commercial and O, General Office Districts, to rezone portions of the Jansmick Addition to conform with a previously approved preliminary subdivision plan, and amending the official zoning map of the City of Sioux Falls. Planning Commission recommends approval.

21.1st Reading Rezone 2007-02-15: An Ordinance of the City of Sioux Falls, SD, rezoning property at the SE corner of E. 26th St. and SD Highway 11, from the AG, Agricultural District to the C-4, Planned Commercial District, to develop neighborhood commercial services, and amending the official zoning map of the City of Sioux Falls. Planning Commission recommends approval.

22.1st Reading Rezone 2007-02-16: An Ordinance of the City of Sioux Falls, SD, rezoning property at Cleveland Ave. and E. 12th St., from the C-1, Neighborhood Commercial District to the C-2, General Commercial District, to increase the amount of signage allowed and allow a greater range of commercial uses, and amending the official zoning map of the City of Sioux Falls. Planning Commission recommends approval.

23.1st Reading Rezone 2007-01-16: An Ordinance of the City of Sioux Falls, SD, rezoning property South of E. 73rd St. near Cliff Ave., from the R-2, Residential District to the Tuscan Village Planned Development District, to develop condominiums within a Planned Development zoning district, and amending the official zoning map of the City of Sioux Falls. Planning Commission recommends approval.

24.1st Reading Rezone 2006-12-05: An Ordinance of the City of Sioux Falls, SD, rezoning property the NE Corner of W. 41st St. and Ellis Rd., from the AG, Agricultural District to the C-4, Planned Commercial, 41st Street Ten Planned Development, RA-1, Residential, RD, Residential and RS-2, Residential

Districts, to develop approximately 20 acres in the planned development district zoning district and 60 acres in conventional zoning districts, and amending the official zoning map of the City of Sioux Falls. Planning Commission recommends approval.

#### HEARINGS AND RESOLUTIONS

25.Deferred Action: A Resolution amending the 2007-2011 Capital Program. Fire Department (\$80,000); Health Department (\$106,352); Police Department (\$32,820); Library (\$218,220); Parks and Recreation (\$365,000); Public Works/Engineering (\$1,021,000); Public Works/Fleet (\$40,000).

26.A Resolution approving the 2007 Sculpture Walk.

27.A Resolution including certain contiguous territory within the corporate limits of the City of Sioux Falls, South Dakota. Annexation 2007-01-03 - Ronning - 57th Street.

28.A Resolution approving diagonal parking on N. Lake Ave.

29.A Resolution amending Resolution No. 152-06. (Vacating N. Furniture Cir.)

30.Preliminary Subdivison Plan (2006-09-06): Great Meadows Addition to the City of Sioux Falls, Minnehaha County, SD. 60th St. N. and N. Kiwanis Ave. The Planning Commission recommends approval. Applicants and Owner(s): Jeff Stockert/Wendel Potratz.

31.Preliminary Subdivision Plan (2006-10-18): Diamond Field Estates Addition to the City of Sioux Falls, Minnehaha County, SD. E. 41st St. and Hwy 11. The Planning Commission recommends approval. Applicants and Owner(s): Kim Buell/Chuck Moss.

32.Preliminary Subdivision Plan (2006-12-11): R. B. Flowerfields Addition to the City of Sioux Falls, Minnehaha County, SD. W. 41st St. and S. Grinnell Avenue. The Planning Commission recommends approval. Applicants and Owner(s): David Jibben, B & D Engineers, Inc.; and Scott Gilbert.

Set a hearing date for Monday, April 9, 2007, at 7:00 p.m. on Item 33:

33.A proposed Resolution vacating a portion of Co. Aud. Lot H-1 SW1/4 section of 36-101-49 as show on attached exhibit.

The City Council may include such other business as may come before this body.

#### ADJOURNMENT

MOTION TO GO INTO EXECUTIVE SESSION