

City of Sioux Falls Council Meeting Agenda

CarnegieTown Hall, 235 West Tenth Street

REGULAR MEETING OF Monday, March 5, 2007, at 7:00 p.m.

ROLL CALL#2

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

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 Tuesday, February 20, 2007, at 4:00 p.m.
- Closed Executive Briefing of Tuesday, February 20, 2007, at 4:40 p.m.
- Joint City Council/Minnehaha County Meeting of Tuesday, February 20, 2007, at 5:00 p.m.
- Regular Council Meeting of Tuesday, February 20, 2007, at 7:00 p.m.

COMMUNICATIONS

1.The Siouxland Heritage Museums is requesting permission to consume, but not sell, liquor, wine and/or malt beverages at the Old Courthouse Museum, 200 W. Sixth St., on Thursday, April 26, 2007, from 5:00 p.m. to 7:00 p.m. at the reception of the opening of a new exhibit.

2.Patrick Donelan and Kimberly Crowley are requesting permission to consume, but not sell, liquor, wine and malt beverages at the Old Courthouse Museum, 200 W. Sixth St., on Saturday, September 29, 2007, from 5:00 p.m. to midnight for a wedding reception.

3.A communication was received from the Avera McKennan Foundation stating its intent to sell raffle tickets from April 6, 2007, through April 20, 2007, for a Rolex watch, valued at \$3,500. Tickets will cost \$10 per chance or \$25 for

three chances. The proceeds are to be used for the Avera Children s Hospital and Clinics.

4.A communication was received from the Sioux Empire Spectacular Committee stating its intent to conduct a 50/50 raffle on June 19, 2007. Tickets will cost \$1 per chance or \$5 for 10 chances. Proceeds will be put into their fund to provide scholarship assistance to high school students from Sioux Falls who march in a Drum Corps International group or are majoring in music in college.

APPLICATIONS

The following abatements were recommended for approval by the Director of Equalization and the State s Attorney s Office for Minnehaha County; and the City Attorney for Sioux Falls:

5.Sioux Valley Hospital, 1408 W. 26th St., for 2006 Property Taxes in the amount of \$1,319.50. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

6.Sioux Valley Hospital, 1609 W. 18th St., for 2006 Property Taxes in the amount of \$648.97. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

7.Sioux Valley Hospital, 1613 W. 18th St., for 2006 Property Taxes in the amount of \$472.29. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

8.Sioux Valley Hospital, 1617 W. 18th St., for 2006 Property Taxes in the amount of \$1,006.03. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

9.Sioux Valley Hospital, 1605 W. 18th St., for 2006 Property Taxes in the amount of \$674.09. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

10.Sioux Valley Hospital, 1603 W. 18th St., for 2006 Property Taxes in the amount of \$730.86. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

11.Sioux Valley Hospital, 1601 W. 18th St., for 2006 Property Taxes in the amount of \$769.97. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

12.Sioux Valley Hospital, 1005 S. Lake Ave., for 2006 Property Taxes in the amount of \$485.21. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

13.Sioux Valley Hospital, 1015 S. Lake Ave., for 2006 Property Taxes in the amount of \$357.91. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

14.Sioux Valley Hospital, 1505 S. Grange Ave., for 2006 Property Taxes in the amount of \$442.31. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

15.Sioux Valley Hospital, 1101 S. Lake Ave., for 2006 Property Taxes in the amount of \$532.25. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

16.Sioux Valley Hospital, 1109 S. Lake Ave., for 2006 Property Taxes in the amount of \$735.98. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

17.Sioux Valley Hospital, 1124 S. West Ave., for 2006 Property Taxes in the amount of \$881.99. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

18.Sioux Valley Hospital, 1114 S. West Ave., for 2006 Property Taxes in the amount of \$928.35. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

19.Sioux Valley Hospital, 1118 S. West Ave., for 2006 Property Taxes in the amount of \$1,584.37. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

20.Sioux Valley Hospital, 1104 S. West Ave., for 2006 Property Taxes in the amount of \$1,369.43. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

21.Sioux Valley Hospital, 1108 S. West Ave., for 2006 Property Taxes in the

amount of \$1,637.96. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

22.Sioux Valley Hospital, 1100 S. West Ave., for 2006 Property Taxes in the amount of \$1,558.35. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

23.Sioux Valley Hospital, 1600 W. 20th St., for 2006 Property Taxes in the amount of \$718.51. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

24.Sioux Valley Hospital, 1117 S. Lake Ave., for 2006 Property Taxes in the amount of \$562.91. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

25.Sioux Valley Hospital, 1113 S. Lake Ave., for 2006 Property Taxes in the amount of \$617.22. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

26.Sioux Valley Hospital, 1208 S. West Ave., for 2006 Property Taxes in the amount of \$314.44. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

27.Sioux Valley Hospital, 1217 S. Lake Ave., for 2006 Property Taxes in the amount of \$377.77. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

28.Sioux Valley Hospital, 1215 S. Lake Ave., for 2006 Property Taxes in the amount of \$426.54. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

29.Sioux Valley Hospital, 1600 W. 22nd St., for 2006 Property Taxes in the amount of \$474.11. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

30.Sioux Valley Hospital, 1602 W. 22nd St., for 2006 Property Taxes in the amount of \$291.77. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

31.Sioux Valley Hospital, 1616 W. 22nd St., for 2006 Property Taxes in the amount of \$351.83. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

32.Sioux Valley Hospital, 1620 W. 22nd St., for 2006 Property Taxes in the amount of \$337.44. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

33.Sioux Valley Hospital, 1309 S. Lake Ave., for 2006 Property Taxes in the amount of \$375.42. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

34.Sioux Valley Hospital, 1301 S. Lake Ave., for 2006 Property Taxes in the amount of \$392.90. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

35.Sioux Valley Hospital, 1305 S. Lake Ave., for 2006 Property Taxes in the amount of \$366.71. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

36.Sioux Valley Hospital, 1308 S. West Ave., for 2006 Property Taxes in the amount of \$213.06. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

37.Sioux Valley Hospital, 1312 S. West Ave., for 2006 Property Taxes in the amount of \$239.61. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

38.Sioux Valley Hospital, 1304 S. West Ave., for 2006 Property Taxes in the amount of \$367.02. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

39.Sioux Valley Hospital, 1300 S. West Ave., for 2006 Property Taxes in the amount of \$165.41. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

40.Sioux Valley Hospital, 1700 W. 20th St. (aka 1115 S. West Ave.), for 2006 Property Taxes in the amount of \$851.72. The property was razed and the applicant is now requesting an abatement for the time the structure was gone.

41.Bernhard Family Trust, 314 W. Third St., for 2006 Property Taxes in the

amount of \$766.60. The property was destroyed by fire on May 3, 2006, and the applicant is now requesting an abatement for the time the structure was gone.
42. Newcomb Family Trust, parcel No. 51412 W22 S132 Lot 8, Walkin s & McDonald s Addition, for 2006 Property Taxes in the amount of \$120.95. This is a double assessment and property owner is now requesting an abatement.
43. Evelyn Funck, 521 S. Elmwood Ave., for 2006 Property Taxes in the amount of \$668.96. Amount requested is the difference between the Elderly Freeze and the Non-Elderly Freeze.

NOTICE OF HEARINGS

Set hearing date for Monday, March 19, 2007, at 7:00 p.m. on Items 44 through 49:

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

45. 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.

46. 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.

47. 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.

48. 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.

49. 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.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

50. Transfer of a 2007 Package Liquor License from Looks Fine Foods LLC, Looks Meat Market, 6213 South Old Village Place, to Heineman Hospitality Corp, Looks Fine Foods, to be operated at 6213 South Old Village Place.

51. Transfer of a 2006-07 Retail Malt Beverage License from Winder Inc., Sidewinder, 3613 North Cliff Avenue, to Commonwealth Gaming & Holdings Corp, Jackson s Casino II, to be operated at 3613 North Cliff Avenue, including video lottery terminals. Pending final inspection per Fire.

INTRODUCTION AND ADOPTION OF ORDINANCES

52. 2nd Reading: An Ordinance of the City of Sioux Falls, South Dakota (The City), authorizing the issuance of its sales tax revenue bonds in one or more series, authorizing the use of the proceeds thereof to pay the costs of (i) the expansion, renovation, and equipping of the existing library and parking lots at 201 N. Main Ave., 301 N. Main Ave., and Seventh St. Right-of-way between N. Dakota Ave. and N. Main Ave., Sioux Falls, South Dakota; (ii) the acquisition, construction, and equipping of a sports facility on approximately 111 acres

known as Harmondon Park located at the Southwest Corner of the intersection of Highway 11 and 41st St. in Sioux Falls, South Dakota; (iii) the acquisition, construction, and equipping of an aquatic facility, which shall include a swimming pool, play area space, and public gathering space, on approximately 34 acres at the southwest corner of the intersection of Tenth St. and Cliff Ave. commonly known as Nelson Park; and (iv) sales tax funded projects for park-related projects in the Capital Improvements Plan adopted by the City Council on August 7, 2006, pledging a portion of the sales and use tax proceeds of the city to the payment of said sales tax revenue bonds, fixing the terms of such sales tax revenue bonds, authorizing the execution and delivery of one or more supplemental indentures between the City and the First National Bank in Sioux Falls, and authorizing the sale, execution, and delivery of such sales tax revenue bonds. The Sioux Falls Library, Harmondon Park, and Nelson Park/Drake Springs Pool.

53.2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending the revised ordinances of the City by eliminating the ambiguity which directs parties that they may appeal their decisions to Circuit Court and inserting that aggrieved parties may have their decisions subject to Judicial Review as provided by law.

54.2nd Reading Major Amendment 2006-12-01: 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. W. 77th St. and Minnesota Ave. Planning Commission recommends approval.

55.2nd Reading Rezone 2006-10-24: An Ordinance of the City of Sioux Falls, SD, rezoning property at W. 34th St. and N. Career Ave., from the RD, Residential District to the O, General Office District and the O, General Office to the RD, Residential Districts, to allow a mixed use residential and office subdivision, and amending the official zoning map of the City of Sioux Falls. Planning Commission recommends approval.

56.2nd Reading Rezone 2007-01-10: An Ordinance of the City of Sioux Falls, SD, rezoning property at E. 26th St. and SD Hwy. 11, from the AG, Agricultural District to the RD, and RA-1, Residential District, to allow multi-family housing, and amending the official zoning map of the City of Sioux Falls. Planning Commission recommends approval.

57.2nd Reading Rezone 2007-01-02: An Ordinance of the City of Sioux Falls, SD, rezoning property at E. 57th St. and S. Southeastern Dr., from the O, General Office District to the RD, Residential District, to allow two four-plex and one duplex residential condominiums, and amending the official zoning map of the City of Sioux Falls. Planning Commission recommends approval.

58.2nd Reading Rezone 2007-01-03: An Ordinance of the City of Sioux Falls, SD, rezoning property at 2113 and 2117 S. Norton Ave., from the RS-2, Residential District to the S, Institutional District, to allow expansion of institutional land uses, and amending the official zoning map of the City of Sioux Falls. Planning Commission recommends approval.

59.2nd 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.

60.2nd Reading Rezone 2007-01-12: An Ordinance of the City of Sioux Falls, rezoning property at W. 60th St. N. and N. Career Ave., from the AG, Agricultural and C-2, General Commercial Districts to the University Center Planned Development District, to develop an institutional campus of higher learning with accessory uses, and amending the official zoning map of the City of Sioux Falls. Planning Commission recommends approval.

Set a hearing date and 2nd Reading for Monday, March 19, 2007, at 7:00 p.m. for Item 61:

61.1st 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.

HEARINGS AND RESOLUTIONS

62.A Resolution establishing Sioux Falls City Council Goals and Objectives.

63.A Resolution amending the Future Land Use map as a part of the Sioux Falls 2015 Growth Management Plan Petition No. 2007-01-17 at E. 73rd St. near Cliff Ave. from an allocation of future single-family land use to an allocation of multi-family future land use.

64.A Resolution amending the Future Land use map as a part of the Sioux Falls 2015 Growth Management Plan Petition No. 2007-01-09 at SE corner of E. 26th St. and SD Hwy. 11 from an allocation of multi-family and single-family residential future land use to an allocation of multi-family and commercial future land use.

65.Preliminary Subdivision Plan (2006-09-16): Grasslands Addition to the City of Sioux Falls, Minnehaha County, SD. W. 34th St. and N. Career Ave. The Planning Commission recommends approval. Applicants and Owner(s): Monty Miller, Sayre Associates; Rick Haakinson and Richard Muth, Grasslands, LLC.

66.A Resolution including certain contiguous territory within the corporate limits of the City of Sioux Falls, South Dakota. Annexation 2007-01-06 - Jansmick 54th St. N. and I-29.

67.A Resolution re-appointing an Audit Committee member to the Audit Committee.

68.A Resolution authorizing the City of Sioux Falls to gift to the Sioux Falls School District various portable radios.

69.A Resolution authorizing the City of Sioux Falls to gift to the S.D. Game, Fish, and Parks Department portable and mobile radios.

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

ADJOURNMENT

MOTION TO GO INTO EXECUTIVE SESSION