

City of Sioux Falls Council Meeting Agenda

CarnegieTown Hall, 235 West Tenth Street

MEETING OF Tuesday, February 20, 2007, at 7:00 p.m.

ROLL CALL#1

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

Father John Fischer, St. Lambert 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, February 12, 2007, at 4:00 p.m.
- Closed Executive Briefing of Monday, February 12, 2007, at 5:13 p.m.
- Regular Council Meeting of Monday, February 12, 2007, at 7:00 p.m.

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:

- 1.City of Sioux Falls, 200 W. Third St., for 2006 Property Taxes in the amount of \$2,060.15. The property was purchased on October 25, 2006, and the applicant is now requesting an abatement for the time owned.
- 2.City of Sioux Falls, 723 N. Main Ave., for 2006 Property Taxes in the amount of \$119.51. The property was purchased on October 25, 2006, and the applicant is now requesting an abatement for the time owned.
- 3.City of Sioux Falls, 611 N. Main Ave., for 2006 Property Taxes in the amount of \$2,036.92. The property was purchased on February 14, 2006, and the applicant is now requesting an abatement for the time owned.
- 4.City of Sioux Falls, 615 N. Main Ave., for 2006 Property Taxes in the amount of \$586.67. The property was purchased on February 14, 2006, and the applicant is now requesting an abatement for the time owned.

5. City of Sioux Falls, 2900 W. Brookings St., for 2006 Property Taxes in the amount of \$248.21. The property was purchased on May 25, 2006, and the applicant is now requesting an abatement for the time owned.
6. City of Sioux Falls, 1010 N. Helen Ave., for 2006 Property Taxes in the amount of \$183.57. The property was purchased on June 30, 2006, and the applicant is now requesting an abatement for the time owned.
7. City of Sioux Falls, 1401 E. 31st St. N., for 2006 Property Taxes in the amount of \$349.58. The property was purchased on August 28, 2006, and the applicant is now requesting an abatement for the time owned.
8. City of Sioux Falls, Tr A1, Haley Park (legal description), for 2006 Property Taxes in the amount of \$38.07. The property was purchased on July 21, 2006, and the applicant is now requesting an abatement for the time owned.
9. City of Sioux Falls, 207 S. Sycamore Ave., for 2006 Property Taxes in the amount of \$1,002.92. The property was purchased on May 22, 2006, and the applicant is now requesting an abatement for the time owned.
10. City of Sioux Falls, 1909 S. Ellis Rd., for 2006 Property Taxes in the amount of \$71.43. The property was purchased on May 5, 2006, and the applicant is now requesting an abatement for the time owned.
11. City of Sioux Falls, 1808 S. Western Ave., for 2006 Property Taxes in the amount of \$14.12. The property was purchased on May 30, 2006, and the applicant is now requesting an abatement for the time owned.
12. City of Sioux Falls, 2013 W. 26th St., for 2006 Property Taxes in the amount of \$69.20. The property was purchased on May 30, 2006, and the applicant is now requesting an abatement for the time owned.
13. City of Sioux Falls, 100 S. Marion Rd., for 2006 Property Taxes in the amount of \$54.94. The property was purchased on February 22, 2006, and the applicant is now requesting an abatement for the time owned.
14. Key Equity Homes, Inc., unplatted, for 2006 Property Taxes in the amount of \$145.58. This property was being assessed on two separate record numbers. One record had been voided. The property owner is requesting an abatement for this double assessment.
15. David Jones, 3904 S. Lisanne Ave., for 2005 Property Taxes in the amount of \$318.52 and 2006 Property Taxes in the amount of \$324.09. The amount of basement finish was incorrect and the property owner is requesting an abatement for the value difference.
16. Gary VanRegenmorter, 1505 N. Highland Ave., for 2006 Property Taxes in the amount of \$316.71. The house was razed on April 25, 2006, and the property owner is requesting an abatement for the time the structure was gone.
17. Terrance Wheelock, 4604 S. Minnesota Ave., for 2006 Property Taxes in the amount of \$1,354.07. The property owner applied correctly for the owner occupied reduction in 1995. The status was removed in error for 2006. The property owner is requesting an abatement for the difference of owner occupied and non owner occupied.
18. Joy Mehlhaff, 3017 S. Carter Pl., for 2006 Property Taxes in the amount of \$579.91. Amount requested is the difference between the Elderly Freeze and the Non-Elderly Freeze.
19. Dorothy A. Johnson, 1207 N. Elmwood Ave., for 2006 Property Taxes in the amount of \$1,029.18. Amount requested is the difference between the Elderly Freeze and the Non-Elderly Freeze.
20. Mildred Best, 518 N. Sherman Ave., for 2006 Property Taxes in the amount of \$546.17. Amount requested is the difference between the Elderly Freeze and the Non-Elderly Freeze.
21. Marvin Wallenstein, 3704 S. Terry Ave. Apt. 104, for 2006 Property Taxes in the amount of \$111.51. Amount requested is the difference between the Elderly Freeze and the Non-Elderly Freeze.
22. Urma Headrick, 315 W. 29th St., for 2006 Property Taxes in the amount of \$846.51. Amount requested is the difference between the Elderly Freeze and the Non-Elderly Freeze.
23. Charles Styles, 1114 N. Main Ave., for 2006 Property Taxes in the amount of \$236.60. Amount requested is the difference between the Elderly Freeze and the

Non-Elderly Freeze.

24.Charlotte Jensen, 3110 Cypress, for 2006 Property Taxes in the amount of \$12.24. Amount requested is the difference between the Elderly Freeze and the Non-Elderly Freeze.

25.Margret and Wilber Ferrie, 801 Bobwhite, for 2006 Property Taxes in the amount of \$38.22. Amount requested is the difference between the Elderly Freeze and the Non-Elderly Freeze.

NOTICE OF HEARINGS

Set hearing date for Monday, March 5, 2007, at 7:00 p.m. on Items 26 and 27:

26.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.

27.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.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

28.New 2007 Retail Wine License for Royal Financial LLC, Winners Circle Casino, to be operated at the NW corner of Madison & Marion (Bl. B4, Lot 2, Lalley Estates Addn), including video lottery terminals. Pending final inspection per Fire and obtaining certificate of occupancy per Building Services.

29.New 2007 Package Liquor License for Francis P. and Diana R. Miller, D & F Liquors, to be operated at 3511 West 57th Street. Pending final inspection per Fire and obtaining certificate of occupancy per Building Services.

30.New 2007 Package Liquor License for EBJ Inc., Liquor Mart South, to be operated at 5004 South Cliff Avenue.

31.New 2006-07 Package Malt Beverage License for Thanh Mai LLC, Thanh Mai, to be operated at 824 East Rice Street. Withdrawn due to incorrect zoning.

32.Transfer of a 2007 Retail Liquor License from Doug Kooiker, Touchez, 323 South Phillips Avenue, to DCK LLC, Touchez, to be operated at 323 South Phillips Avenue, including Sunday Sales and video lottery terminals.

33.Transfer of a 2007 Package Liquor License from Hy-Vee Food Stores Inc., Regal Liquors, 2022 South Minnesota Avenue, to Hy-Vee Inc., Hy-Vee, to be operated at 3000 South Minnesota Avenue, effective March 20, 2007, or upon completion of the new location. Pending final inspection per Fire.

34.Special One-Day Malt Beverage License requests for Philanthropy Promotions Inc., J&L Harley Davidson, for Hot Harley Nights, as follows:

§ Friday, July 13, 2007, at J&L Harley Davidson, 2601 West 60th Street North
§ Saturday, July 14, 2007, on Falls Park West (borders being Falls Park Dr on the north, 6th St on the south, Phillips Ave on the west, and the gravel road leading to Sioux Steel on the east side of Falls Park West; also requesting to designate the following streets for the event for additional motorcycle parking and event area: Phillips Ave from Falls Park Dr to 8th St; N Dakota Ave that circles from 6th St to 5th St; Main Ave from 3rd St to 8th St; and 6th St from N 1st Ave to Dakota Ave.)

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

INTRODUCTION AND ADOPTION OF ORDINANCES

36.2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending the revised ordinances of the City by adding 15.43.089, Environmental Land Use Control Overlay District.

37.2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending the

revised ordinances of the City by adopting the 2006 International Building Code and amendments thereto.

38.2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending the revised ordinances of the City by adopting the 2006 International Existing Building Code and amendments thereto.

39.2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending the revised ordinances of the City by adopting the 2006 International Residential Code and amendments thereto; to modify certain references to Judicial Review in Chapter 11 Residential Code , Chapter 15 Electricity and Chapter 33

Plumbing ; and to increase certain fees for licensed residential contractors.

40.2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending the revised ordinances of the City by adopting the 2006 International Mechanical Code and the 2006 International Fuel Gas Code; to modify certain references to Judicial Review in Chapter 11 Mechanical ; and to modify certain licensure provisions.

41.2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending the revised ordinances of the City by adopting the 2006 International Property Maintenance Code and amendments thereto.

42.2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending the revised ordinances of the City by adopting the 2006 International Fire Code and amendments thereto.

43.2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending Chapter 23 of the revised ordinances of the City by adjusting the fee schedule.

44.2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending Chapter 38 of the revised ordinances of the City.

Set a date of hearing and 2nd Reading for Monday, March 5, 2007, at 7:00 p.m. for Items 45 through 52:

45.1st 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.

46.1st 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.

47.1st 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.

48.1st 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.

49.1st 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.

50.1st 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.

51.1st 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.

52.1st 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.

HEARINGS AND RESOLUTIONS

53.A Resolution to approve one historical marker on city property. Yankton Crossing Bridge, Yankton Trail Park.

54.A Resolution including certain contiguous territory within the corporate limits of the City of Sioux Falls, South Dakota. Annexation 2007-01-01 and 02 26th St. and SD Highway 11.

55.A Resolution including certain contiguous territory within the corporate limits of the City of Sioux Falls, South Dakota. Annexation 2007-01-04 Ronning 41st St. and Ellis Rd.

56.A Resolution including certain contiguous territory within the corporate limits of the City of Sioux Falls, South Dakota. Annexation 2007-01-05 85th St. and Kiwanis Ave. Water Tower.

57.A Resolution of the City of Sioux Falls, SD, rescinding Resolution No. 04-07 and including certain contiguous territory within the corporate limits of the City of Sioux Falls, South Dakota. Annexation Correction 2006-11-02 41st St. and Faith Ave.

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

ADJOURNMENT

MOTION TO GO INTO EXECUTIVE SESSION