

	City of Sioux Falls Council Meeting Minutes	
	Carnegie Town Hall, 235 West Tenth Street	
	REGULAR MEETING OF Tuesday, September 8, 2009 at 7:00 p.m.	

ROLL CALL #4

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Members Present:	Members Absent:
Council Member Costello	None.
Council Member Jamison	
Council Member Knudson	
Council Member Litz	
Council Member Staggers	
Council Member Anderson Jr.	
Council Member Beninga	
Council Member Brown	
Mayor Dave Munson	

INVOCATION

A. ASSISTANT PASTOR BILL MITCHELL, ABIDING SAVIOR FREE LUTHERAN CHURCH

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

A. SUICIDE PREVENTION WEEK - SEPTEMBER 6-12, 2009

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Knudson and seconded by Council Member Litz to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

MINUTES

A. CORRECTING ITEM 24 FROM THE CITY COUNCIL MEETING OF MONDAY, AUGUST 3, 2009, AT 7:00 P.M.

B. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETING OF MONDAY, AUGUST 17, 2009, AT 5:00 P.M.

C. REGULAR COUNCIL MEETING OF MONDAY, AUGUST 17, 2009, AT 7:00 P.M.

D. INFORMATIONAL MEETING OF MONDAY, AUGUST 31, 2009, AT 4:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM THE GO BENEFIT COMMITTEE STATING THEIR INTENT TO SELL RAFFLE TICKETS ON SEPTEMBER 12, 2009 FOR THE FOLLOWING PRIZE: A PERFORMANCE AND DINNER PACKAGE (APPROXIMATE VALUE \$900.00). TICKETS WILL BE \$5.00 APIECE. THE PROCEEDS WILL BE USED FOR THE NATIONAL BONE MARROW "BE THE MATCH" PROGRAM.
2. A COMMUNICATION WAS RECEIVED FROM THE GREAT PLAINS ZOO AND DELBRIDGE MUSEUM OF NATURAL HISTORY REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AT THE GREAT PLAINS ZOO AND DELBRIDGE MUSEUM OF NATURAL HISTORY, 805 S. KIWANIS AVE., ON SEPTEMBER 16, 2009, FROM 6:00 P.M. TO 9:00 P.M. FOR THE PURPOSE OF DINNER WITH THE GIRAFFES.
3. ADAM MILLER IS REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AND MALT BEVERAGES AT THE OLD COURTHOUSE MUSEUM, 200 WEST SIXTH STREET, ON SATURDAY, SEPTEMBER 26, 2009, FROM 5:00 P.M. TO 11:00 P.M. FOR THE PURPOSE OF A WEDDING RECEPTION.

NOTICE OF HEARINGS

Set a hearing date for Monday, September 14, 2009, at 7:00 p.m. on Item 4:

4. SPECIAL ONE-DAY LIQUOR LICENSE FOR HY-VEE INC., ALL OCCASIONS BY HY-VEE, TO BE OPERATED AT THE DELBRIDGE MUSEUM OF NATURAL HISTORY, 805 SOUTH KIWANIS AVENUE, ON SEPTEMBER 17, 2009, FOR A WINE TASTING/FUNDRAISER, AND AUTHORIZE PUBLICATION OF NOTICE ON 09-04-09 TO SET THE HEARING DATE.

Memo

Set a hearing date for Monday, September 21, 2009, at 7:00 p.m. on Items 5 through 13:

DOC: MEMO

5. NEW 2009-10 PACKAGE MALT BEVERAGE LICENSE FOR MAKETH GAK, SUDANESE GENERAL STORE, TO BE OPERATED AT 623 WEST 11TH STREET.
6. TRANSFER OF A 2009 RETAIL LIQUOR LICENSE FROM SIOUX FALLS CATERING CO. INC., HOLIDAY INN CITY CENTER, 100 WEST 8TH STREET, TO SFLL LLC, CITY CENTRE LOUNGE, TO BE OPERATED AT 100 WEST 8TH STREET, INCLUDING SUNDAY SALES AND VIDEO LOTTERY TERMINALS (FULL SERVICE RESTAURANT; CUP NOT REQUIRED).

7. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR SMG, TO BE OPERATED AT THE SIOUX FALLS ARENA, 1201 NORTH WEST AVENUE, ON OCTOBER 23, 2009, FOR THE TIMBERWOLVES PRESEASON GAME, MARCH 30, 2010, FOR THE CENTRAL PLAINS DAIRY EXPO; ALL 2009-2010 HOME SEASON GAMES FOR THE STAMPEDE, ALL 2009-10 HOME SEASON GAMES FOR THE SKYFORCE; INCLUDING STAMPEDE AND SKYFORCE POSSIBLE PLAYOFF GAMES BETWEEN APRIL 3 AND MAY 15, 2010.
8. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR WASHINGTON PAVILION MANAGEMENT INC., WASHINGTON PAVILION OF ARTS & SCIENCE, 301 SOUTH MAIN AVENUE, FOR SEPTEMBER 26, OCTOBER 3, AND OCTOBER 25, 2009, AND JANUARY 2, JULY 10, AND JULY 16, 2010, FOR WEDDING RECEPTIONS.
9. SPECIAL ONE-DAY LIQUOR LICENSE REQUEST FOR GREAT BEAR RECREATION PARK INC., GREAT BEAR RECREATION PARK, TO BE OPERATED AT 5901 EAST RICE STREET, ON OCTOBER 8, 2009, FOR THE CHILDREN'S HOME SOCIETY EVENT.
10. SPECIAL ONE-DAY OFF-SALE PACKAGE LIQUOR LICENSE FOR THE ALZHEIMER'S ASSOCIATION TO BE OPERATED AT THE SIOUX FALLS CONVENTION CENTER, 1211 NORTH WEST AVENUE, ON OCTOBER 16-17, 2009, FOR THE EXPO FOR HER.'
11. SPECIAL ONE-DAY MALT BEVERAGE, SPECIAL ONE-DAY WINE, AND SPECIAL ONE-DAY OFF-SALE PACKAGE WINE LICENSES FOR DOWNTOWN SIOUX FALLS TO BE OPERATED ON 2ND AVENUE BETWEEN 10TH AND 11TH STREETS, INCLUDING THE PUBLIC RIGHT-OF-WAY, EXCEPT THE PEDESTRIAN WALKWAYS, ON SEPTEMBER 26, 2009, FOR THE HARVEST FEST.
12. SPECIAL ONE-DAY WINE LICENSE FOR XI ALPHA LLAMBDA TO BE OPERATED AT THE CENTER FOR ACTIVE GENERATIONS, 2300 WEST 46TH STREET, ON APRIL 10, 2010, FOR A SORORITY EVENT.
13. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR SIOUX FALLS MEN'S SLOWPITCH TO BE OPERATED AT THE 13TH STREET LOT, 113 EAST 13TH STREET, AND AT THE 1ST AVENUE LOT, 400 SOUTH FIRST AVENUE, ON SEPTEMBER 27, 2009, FOR THE DOWNTOWN JAM.

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Litz and seconded by Council Member Jamison to approve the Regular Agenda.

Vote to approve: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

PUBLIC INPUT

Rich Jensen spoke about problems with Nordic Hall and trying to get the facility s management to take responsibility of problems that occur there after

events; and wanting to see changes with the City's Dance Hall ordinance.

Rod Schmidt spoke about Nordic Hall and how he would like to see revisions with the Dance Hall ordinance.

Lorie Hogstad, Licensing Specialist, spoke about Nordic Hall and efforts that have been made to work with the facility's management to obtain beer and wine licensing.

UNFINISHED BUSINESS

14. DEFERRED ACTION (FROM AUGUST 17, 2009 MEETING): TRANSFER OF A 2009 PACKAGE LIQUOR LICENSE FROM NIKKI'S LAMEXICANA INC., NIKKI'S LAMEXICANA, 1112 EAST TENTH STREET, TO NIKKI'S LAMEXICANA INC., NIKKI'S LAMEXICANA, TO BE OPERATED AT 905 EAST 8TH STREET.

Memo

081709 CM Item 17

A motion was made by Council Member Costello and seconded by Council Member Anderson Jr. to approve Item 14.

Vote to approve: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

15. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR HY-VEE INC., ALL OCCASIONS BY HY-VEE, TO BE OPERATED AT THE OLD COURTHOUSE MUSEUM, 200 WEST SIXTH STREET, ON SEPTEMBER 19, 2009, FOR A WEDDING RECEPTION, CANCELLING THE REQUEST FOR AUGUST 19, 2009, AT THE OLD COURTHOUSE MUSEUM, APPROVED ON 07-20-09, AND A REQUEST TO BE OPERATED AT THE DELBRIDGE MUSEUM OF NATURAL HISTORY, 805 SOUTH KIWANIS AVENUE, ON OCTOBER 17, 2009, FOR A WEDDING RECEPTION.

Memo for Items 15 & 16

A motion was made by Council Member Knudson and seconded by Council Member Brown to approve Item 15.

Vote to approve: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Costello, 7. Noes, 0.

Motion Passed

16. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR THE BIG SIOUX CAT FANCIERS, TO BE OPERATED AT THE BAYMONT INN, 3200 SOUTH MEADOW AVENUE, ON OCTOBER 31, 2009, FOR A BANQUET.

A motion was made by Council Member Brown and seconded by Council Member Anderson Jr. to approve Item 16.

Vote to approve: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Costello, 7. Noes, 0.
Motion Passed

INTRODUCTION AND ADOPTION OF ORDINANCES

17. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY INCREASING CHARGES FOR WAITING TIME BY TAXICABS.

Ord. 1098

A motion was made by Council Member Jamison and seconded by Council Member Brown to adopt said Ordinance 77-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Costello, 6. Noes Staggers, 1.
Motion Passed

18. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. (HEALTH DEPARTMENT - \$629,980.; ENGINEERING DEPARTMENT - \$3,300,000.; TAX INCREMENT FINANCING - \$25,000.).

Ord. 0022

A motion was made by Council Member Knudson and seconded by Council Member Litz to adopt said Ordinance 78-09.

Vote to adopt: Roll Call: Yeses, Costello, Jamison, Knudson, Litz, Staggers, Brown, 6. Noes, 0. Council Member Anderson Jr. and Council Member Beninga were excused from the meeting and the vote on this item. Motion Passed.

19. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3500 W. 59TH ST. FROM THE O, OFFICE DISTRICT TO THE 57TH ST. EAST PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2009-03-26, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0009

PC Exhibits

Granicus Minutes- item 3

PC Report

A motion was made by Council Member Jamison and seconded by Council Member Litz to adopt said Ordinance 79-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Brown, Knudson, Staggers, Beninga, Costello, 7. Noes, 0.
Motion Passed

20. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 6701 W. 12TH ST. FROM THE MH, MANUFACTURED HOME DISTRICT TO THE C-2, GENERAL COMMERCIAL DISTRICT, PETITION NO. 2009-07-03, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0020

PC Report

PC Exhibits

Granicus Minutes- item 7

A motion was made by Council Member Knudson and seconded by Council Member Litz to adopt said Ordinance 80-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.
Motion Passed

21. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 6600 W. 12TH ST., 616 W. 12TH ST., AND 322 S. DULUTH AVE. FROM THE RA-2, RESIDENTIAL DISTRICT AND THE O, OFFICE DISTRICT TO THE PETTIGREW HEIGHTS PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2009-07-07, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0021

Ord. 0021a

PC Report

PC Exhibits

Granicus Minutes- item 8

A motion was made by Council Member Litz and seconded by Council Member Costello to adopt said Ordinance 81-09.

A motion was made by Council Member Costello and seconded by Council Member Brown to amend the street address from 6600 W. 12th St. to 600 W. 12th St.

Vote to amend: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

Vote to adopt as amended: Roll Call: Yeses, Costello, Jamison, Knudson, Litz, Staggers, Anderson Jr., Beninga, Brown, 8. Noes, 0. Motion Passed.

22. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2009-03-14 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT E. 18TH ST. AND SD HWY. 11, AMENDING THE DAWLEY FARM VILLAGE PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0008

PC Report

PC Exhibits

Granicus Minutes- item 9

A motion was made by Council Member Knudson and seconded by Council Member Beninga to adopt said Ordinance 82-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

23. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2009-06-17 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT SE CORNER OF W. 69TH ST. AND S. TALLGRASS AVE. AMENDING THE BENTWOOD PLACE PLANNED DEVELOPMENT DISTRICT SUBAREA REGULATIONS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0003

PC Report

PC Exhibits

Granicus Minutes- item 10

A motion was made by Council Member Beninga and seconded by Council Member Litz to adopt said Ordinance 83-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

Set a hearing date and 2nd Reading for Monday, September 14, 2009, at 7:00 p.m. on Item 24:

24. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING APPROPRIATIONS AND THE MEANS OF FINANCING FOR THE FISCAL YEAR ENDING DECEMBER 31, 2010.

Ord. 1099

A motion was made by Council Member Knudson and seconded by Council Member Costello to set a hearing date and 2nd Reading for Monday, September 14, 2009, at 7:00 p.m. for Item 24.

A substitute motion was made by Council Member Staggers and seconded by Council Member Anderson Jr. to set a hearing date and 2nd Reading for Monday, September 21, 2009, at 7:00 p.m. for Item 24.

Vote to set a hearing date for Monday, September 21, 2009: Roll Call: Yeses, Jamison, Staggers, Anderson Jr., Brown, Litz, 5. Noes, Costello, Knudson, Beninga, 3. Motion Passed.

Set a hearing date and 2nd Reading for Monday, September 21, 2009, at 7:00 p.m. on Item 25:

25. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, DECLARING CERTAIN REAL PROPERTY OF THE CITY SURPLUS AND AUTHORIZING THE DISPOSITION THEREOF.

Ord. 1101

Appraisal

Exhibits

A motion was made by Council Member Anderson Jr. and seconded by Council Member Costello to set a hearing date and 2nd Reading for Monday, September 21, 2009, at 7:00 p.m. for Item 25.

Vote to set a hearing date: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.
Motion Passed

HEARINGS AND RESOLUTIONS

26. PUBLIC HEARING FOR PUBLIC INPUT FOR RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2010, AND THE 2010-2014 CAPITAL PROGRAM.

Res. 0016

There was none.

27. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF BENTWOOD VILLAGE ADDN. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Res. 0013

PC Report

PC Exhibits

Granicus Minutes- item 11

A motion was made by Council Member Costello and seconded by Council Member Beninga to adopt said Resolution 81-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.
Motion Passed

RESOLUTION NO. 81-09

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF BENTWOOD VILLAGE ADDN.

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

That the preliminary plan of Bentwood Village Addn. to the City of Sioux Falls, Lincoln County, SD,

is hereby approved, and the City Clerk of the City of Sioux Falls is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Date adopted: 09/08/09 .

Dave Munson

Mayor

ATTEST:

Debra A. Owen
City Clerk

28. A RESOLUTION AMENDING THE 2009-2013 CAPITAL PROGRAM.

Res. 0022

A motion was made by Council Member Litz and seconded by Council Member Anderson Jr. to adopt said Resolution 82-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.
Motion Passed

RESOLUTION NO. 82-09

A RESOLUTION AMENDING THE 2009-2013 CAPITAL PROGRAM.

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

That the 2009-2013 Capital Program be amended as follows:

Health

Amend the Other Capital Expenditures Program by adding a portable dental x-ray system in 2009. The estimated cost is \$23,000 and will require an increase in appropriations that will be funded by federal stimulus dollars.

Amend the Other Capital Expenditures Program by adding an autoclave in 2009. The estimated cost is \$17,000 and will require an increase in appropriations that will be funded by federal stimulus dollars.

Amend the Other Capital Expenditures Program by adding two portable dental chairs in 2009. The estimated cost is \$15,000 and will require an increase in appropriations that will be funded by federal stimulus dollars.

Amend the Other Capital Expenditures Program by adding a video conferencing system in 2009. The estimated cost is \$22,000 and will require an increase in appropriations that will be funded by federal stimulus dollars.

Amend the Other Capital Expenditures Program by adding a van in 2009. The estimated

ted cost is \$18,000

and will require an increase in appropriations that will be funded by federal stimulus dollars.

Amend Capital Improvement Project No. 004018, City/County Health & Human Services Building, by

increasing the funding for renovation and FF&E to add a patient care room and a medical records/

storage area in 2009. The estimated cost is \$10,500 for engineering and \$59,500 for construction

and FF&E, totaling \$70,000, and will require an increase in appropriations that will be funded by

federal stimulus dollars.

Amend the Capital Improvements Program by adding a new project, Falls Community Health Expansion at

Hawthorne Elementary, in 2009. The estimated cost is \$4,700 for engineering and \$43,300 for

construction & FF&E, totaling \$48,000, and will require an increase in appropriations that will be

funded by federal stimulus dollars.

Amend the Capital Improvements Program by adding a new project, Falls Community Health Dental

Expansion at Terry Redlin Elementary, in 2009. The estimated cost is \$23,000 for engineering and

\$262,700 for construction and FF&E, totaling \$285,700, and will require an increase in

appropriations that will be funded by federal stimulus dollars.

Public Works-Engineering

Amend the Capital Improvements Program by adding a new project in 2009:

West Ave. from Sixth St. to Russell St.

Funding Sources:

* State Transportation Program (STP) funds with limited nonparticipating City costs.

* Nonparticipating City costs estimated at \$30,000 for design to be funded as follows:

CIP No.	Amount	Description
New project	\$30,000	Nonparticipating costs for design
448099	(\$ 5,000)	Solberg Ave. Overpass (Sales Tax Fund)
141077	(\$10,000)	Sanitary Sewer-Other Mains (Water Reclamation)
174075	(\$15,000)	Other Water Mains (Water)
	\$ 0	No additional appropriation needed

eeded

Amend the Capital Improvements Program by adding a new project in 2009:

Russell St. from Westport Ave. to Minnesota Ave.

Funding Sources:

* State Transportation Program (STP) funds with limited nonparticipating City costs.

* Nonparticipating City costs estimated at \$40,000 for design to be funded as follows:

CIP No.	Amount	Description
New project	\$40,000	Nonparticipating costs for design
448099	(\$10,000)	Solberg Ave. Overpass (Sales Tax Fund)
141077	(\$15,000)	Sanitary Sewer-Other Mains (Water Reclamation)
174075	(\$15,000)	Other Water Mains (Water)
	\$ 0	No additional appropriation needed

Amend the Capital Improvements Program by adding a new project in 2009:
Cliff Ave. from Benson Rd. to 60th St. N.

Funding Sources:

* State Transportation Program (STP) funds with limited nonparticipating City costs.

* Nonparticipating City costs estimated at \$160,000 for design to be funded as follows:

CIP No.	Amount	Description
New project	\$160,000	Nonparticipating costs for design
448099	(\$ 50,000)	Solberg Ave. Overpass (Sales Tax Fund)
141077	(\$ 10,000)	Sanitary Sewer-Other Mains (Water Reclamation)
174075	(\$100,000)	Other Water Mains (Water)
		\$ 0 No additional appropriation

needed

Amend Capital Improvements Project No. 452099, Rail Relocation Plan, by adding sales/use tax

funding to the project in the amount of \$375,000 for design in 2009. The additional funding will

not require an increase in appropriations as the funding will be provided by a reduction in another

capital project as follows:

CIP No.	Amount	Description
448099	(\$375,000)	Solberg Ave. Overpass

Amend Capital Improvement Project No. 040088, Development Driven Arterial Street Projects, by

increasing the amount of funding for sales tax and water in 2009. The estimated cost is \$3,445,000

for engineering and construction.

Funding Sources:

* Sales/Use Tax Fund; \$3,300,000 in increased appropriations

\$3,000,000 (.08 percent sales/use tax)

\$300,000 (developer arterial street platting fees)

* Water Fund; \$145,000 (developer water distribution platting fees)-no increase in appropriations

Amend Capital Improvement Project No. 422099, 41st St. Big Sioux River Bridge, by increasing the

funding for design and construction by \$11,538,500 in 2009. The additional funding will not require

an increase in appropriations as it will be funded by flood control bond funds previously

appropriated through bond Ordinance 05-09.

Public Works-Landfill

Amend the Capital Improvements Program by adding a new project, Household Hazardous Waste Facility

Expansion, in 2009. The estimated cost is \$8,000 for engineering and \$40,000 for construction,

totaling \$48,000. The additional funding will not require an increase in appropriations as it will

be funded by landfill user fees.

Date adopted: 09/08/09 .

Dave Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

29. A RESOLUTION CHANGING A REGULARLY SCHEDULED COUNCIL MEETING.

Res. 0006

A motion was made by Council Member Litz and seconded by Council Member Costello to adopt said Resolution 83-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

RESOLUTION NO. 83-09

A RESOLUTION CHANGING A REGULARLY SCHEDULED COUNCIL MEETING.

If there aren't any "WHEREAS" phrases, skip "NOW, THEREFORE" and begin with just

"BE IT

RESOLVED..."

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

1. That the Joint City Council/Minnehaha County Commission Meeting regularly scheduled for Monday, September 21, 2009, at 5 p.m., shall be held on Monday, September 14, 2009, at 5 p.m.

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

Date adopted: 09/08/09 .

Dave Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

30. A RESOLUTION CORRECTING THE HEADING AND THE LEGAL DESCRIPTION ON RESOLUTION 66-09 FOR VACATING A PORTION OF S. OVERLUND PASS.

Res. 1661

Res. 66-09

Exhibits

A motion was made by Council Member Litz and seconded by Council Member Knudson to adopt said Resolution 84-09.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.
Motion Passed

RESOLUTION NO. 84-09

A RESOLUTION CORRECTING THE HEADING AND THE LEGAL DESCRIPTION ON RESOLUTION 66-09 FOR VACATING A

PORTION OF S. OVERLUND PASS.

WHEREAS, on July 20, 2009, the City Council of the City of Sioux Falls adopted Resolution

66-09 approving vacating a portion of S. Overlund Pass, as shown on the attached exhibit.

WHEREAS, the legal description as set forth in Resolution 66-09 was not accurate

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

That the heading and the legal description as set forth in Resolution 66-09 is hereby amended to

read as follows:

Vacation of that portion of S. Overlund Pass beginning 33 feet north of the plat

ted centerline intersection of Dan Ridge and S. Overlund Pass, lying adjacent to Lots 20 & 22A Block 5 Split Rock

Heights 2nd Addition and Lots 15-19 & Lot 21 Block 2 Split Rock Heights 3rd Addition, and ending

100 feet south of the north property line of Lot 21 Block 2 Split Rock Heights 3rd Addition and

extending 66 feet west to a point abutting Lot 22A Block 5 Split Rock Heights 2nd Addition; all in

Section 19-T101N-R48W Minnehaha County.

And that the City Clerk shall cause to be filed with the Register of Deeds, Minnehaha County, SD, a

duly certified transcript of this resolution.

Date adopted: 09/08/09 .

Dave Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

31. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF SIOUX FALLS, SANFORD HEALTH, AND THE SOUTH DAKOTA JUNIOR FOOTBALL ASSOCIATION REGARDING THE CONSTRUCTION OF A SPORTS COMPLEX.

Res. 0007

Res. 0007a

Res. 0007b

A motion was made by Council Member Litz and seconded by Council Member Jamison to adopt said Resolution 85-09.

A motion was made by Council Member Costello and seconded by Council Member Litz to amend the resolution title, and to add after the word complex, the sentence "along with authorizing the Mayor to enter into agreement for the construction of Bobhalla Drive and a portion of Benson Road and associated utility improvements".

Vote to amend: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Beninga, Costello, 7. Noes Staggers, 1.

Motion Passed

Vote to adopt as amended: Roll Call: Yeses, Costello, Jamison, Knudson, Litz, Anderson Jr., Beninga, Brown, 7. Noes, Staggers, 1. Motion Passed.

RESOLUTION NO. 85-09

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF SIOUX FALLS, SANFORD HEALTH, AND THE SOUTH DAKOTA JUNIOR FOOTBALL ASSOCIATION REGARDING THE CONSTRUCTION OF A SPORTS COMPLEX, ALONG WITH AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT FOR THE CONSTRUCTION OF BOBHALLA DRIVE AND A PORTION OF BENSON ROAD AND ASSOCIATED UTILITY IMPROVEMENTS.

WHEREAS, the City and Junior Football desire to construct a sports complex located in northwest Sioux Falls, SD, consisting of twelve (12) grass fields, parking, and related site development;

WHEREAS, Sanford desires to further its mission and to continue development of youth health and fitness via its involvement in a sports complex by donating to the City roughly 60 acres of real property; and

WHEREAS, the City and Sanford find it mutually beneficial to both parties to construct Bobhalla

Drive and a portion of Benson Road to allow public access to this sports complex

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

That the document attached to and part of this resolution entitled A Donation Agreement Between the City of Sioux Falls, SD, Sanford Health, and the South Dakota Junior Football Association Regarding the Construction of a Sports Complex (Exhibit 1) is hereby approved.

That the Mayor is authorized to sign such donation agreement after it is ratified and executed by the South Dakota Junior Football Association and Sanford Health.

That the document attached to and a part of this resolution entitled Agreement Between Sanford Health and the City of Sioux Falls for the Construction of Bobhalla Drive and a Portion of Benson Road and Associated Sanitary Trunk Sewer and Water Main Improvements and Other Associated Utility Improvements Located at Sanford Sports Complex (Exhibit I of Exhibit 1) is hereby approved.

That the Mayor is authorized to sign such street agreement after it is ratified and executed by Sanford Health.

Date adopted: 09/08/09 .

Dave Munson

Mayor

ATTEST:

Debra A. Owen
City Clerk

REPORT OF OFFICERS/BOARDS/COMMITTEES/TRANSFERS OF UNENCUMBERED APPROPRIATION BALANCES AMONG PROGRAMS WITHIN A DEPARTMENT OR ORGANIZATIONAL UNIT AS PROVIDED IN THE SIOUX FALLS CITY CHARTER SECTION 5.07 (d)

32. REPORT OF THE AUGUST 28, 2009, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS. (MEMO 1)

Memo 1

33. REPORT OF THE AUGUST 28, 2009, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS. (MEMO 2)

Memo 2

ADJOURNMENT

A motion was made by Council Member Knudson and seconded by Council Member Beninga to adjourn at 8:13 p.m.

Vote to adjourn: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson,

Staggers, Beninga, Costello, 8. Noes, 0.
Motion Passed

Denise D. Tucker, CMC
Assistant City Clerk