

|| City of Sioux Falls Council Meeting Minutes
|| Carnegie Town Hall, 235 West Tenth Street
|| MEETING OF Monday, December 15, 2008 at 7:00 p.m. |

ROLL CALL #3

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Members Present:	Members Absent:
Council Member Brown	Council Member Knudson
Council Member Costello	
Council Member Jamison	
Council Member Litz	
Council Member Staggers	
Council Member Anderson Jr.	
Council Member Beninga	
Mayor Dave Munson	

INVOCATION

A. DR. RON TOTTINGHAM, EMPIRE BAPTIST TEMPLE

PLEDGE OF ALLEGIANCE

CONSENT AGENDA

APPROVAL OF CONSENT AGENDA

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

A motion was made by Council Member Litz and seconded by Council Member Brown to amend the Consent Agenda by moving Item 6 after Item 17 .

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

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

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, DECEMBER 8, 2008, AT 4:00 P.M.

B. REGULAR COUNCIL MEETING OF MONDAY, DECEMBER 8, 2008, AT 7:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM ST. LAMBERT SCHOOL, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM JANUARY 24, 2009, TO FEBRUARY 1, 2009, FOR SEVERAL THEMED GIFT BASKETS (8 BASKETS EACH VALUED AT \$125.00). TICKETS WILL BE \$1.00 EACH. THE PROCEEDS ARE TO BE USED TO PURCHASE EQUIPMENT FOR THE SCHOOL.

APPLICATIONS

2. EILEEN WULLSTEIN, 1313 E. 4TH ST., FOR 2007 PROPERTY TAXES IN THE AMOUNT OF \$304.34. MONIES REQUESTED ARE THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON-ELDERLY FREEZE.
3. IRENE OLSTAD, 506 S. EUCLID AVENUE, FOR 2007 PROPERTY TAXES IN THE AMOUNT OF \$817.07. MONIES REQUESTED ARE THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON-ELDERLY FREEZE.
4. LUCILLE WIRT, 1104 W. 57TH #102, FOR 2007 PROPERTY TAXES IN THE AMOUNT OF \$345.01. MONIES REQUESTED ARE THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON-ELDERLY FREEZE.
5. TODD OLSON, FOR 2007 PROPERTY TAXES AS INDICATED. THE TAXPAYER NOTIFIED THE DEPARTMENT OF EQUALIZATION THAT THESE STRUCTURES WERE RAZED BY SOUKUP CONSTRUCTION, INC. IN 2007 - REQUESTING AN ABATEMENT FOR THE AMOUNT OF TIME THE STRUCTURES WERE GONE IN 2007. ADDRESSES: 600 S. MINNESOTA AVENUE FOR \$561.89 (84 DAYS); E80' LOTS 1&2, BLK 28 (PARCEL NOW VOIDED) FOR \$28.53 (84 DAYS); 608 S. MINNESOTA AVENUE FOR \$753.50 (259 DAYS); 616 S. MINNESOTA AVENUE FOR \$864.57 (259 DAYS); AND 620 S. MINNESOTA AVENUE FOR \$1,147.29 (259 DAYS).
6. RANDALL J. WESTMAN, WESTMAN INVESTMENTS OF SOUTH DAKOTA, LLC, FOR PROPERTY TAXES AT 3900 N. NATIONAL AVENUE FROM 2000 TO 2007 AS LISTED. THE TOTAL AMOUNT OF \$58,620.93 IS THE TOTAL AS OF NOVEMBER 1, 2008. AMOUNTS BY YEAR: 2000 - \$7,854.49; 2001 - \$13,965.46; 2002 - \$11,768.14; 2003 - \$9,069.22; 2004 - \$6,902.35; 2005 - \$5,034.39; 2006 - \$3,225.35; 2007 - \$801.53.

A motion was made by Council Member Beninga and seconded by Council Member Litz to approve the abatement request in the amount of \$15,209.46 which represents the interest and penalty amounts.

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

Motion Passed

REGULAR AGENDA

APPROVAL OF REGULAR AGENDA

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

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

Motion Passed

PUBLIC INPUT

Bob Sivertson spoke regarding riding bike on roads that do not have any sidewalks.

Janoct Adja spoke regarding his concerns about the Police Department.

UNFINISHED BUSINESS

DOC: MEMO

7. NEW 2008 RETAIL WINE LICENSE FOR HY-VEE FOOD STORES INC., HY-VEE FOOD STORE #1, TO BE OPERATED AT 1601 SOUTH SYCAMORE AVENUE, WITH THE CONDITIONAL USE PERMIT (2008-09-07) BEING APPROVED ON 10-01-08.
8. NEW 2008 RETAIL WINE LICENSE FOR HY-VEE FOOD STORES INC., HY-VEE FOOD STORE #4, TO BE OPERATED AT 1900 SOUTH MARION ROAD, WITH THE CONDITIONAL USE PERMIT (2008-09-08) BEING APPROVED ON 10-01-08.
9. NEW 2009 RETAIL WINE LICENSE FOR SUBURBAN LANES INC., SUBURBAN LANES PLAYERS PUB, TO BE OPERATED AT 2621 SOUTH SPRING AVENUE, EFFECTIVE 1-1-09 (CUP NOT REQUIRED; THIS IS AN ADDITION TO AN EXISTING LICENSE WHICH PREDATES THE ORDINANCE).
10. TRANSFER OF A 2008 RETAIL WINE LICENSE FROM KAREN MCPARLAND, A TASTE OF THE BIG APPLE, 600 NORTH MAIN AVENUE SUITE 110, TO A TASTE OF THE BIG APPLE LLC, A TASTE OF THE BIG APPLE, TO BE OPERATED AT 600 NORTH MAIN AVENUE SUITE 110, WITH THE CONDITIONAL USE PERMIT (2008-04-14) BEING APPROVED ON 05-07-08.
11. TRANSFER OF A 2008-09 RETAIL MALT BEVERAGE LICENSE FROM KAREN MCPARLAND, A TASTE OF THE BIG APPLE, 600 NORTH MAIN AVENUE SUITE 110, TO A TASTE OF THE BIG APPLE LLC, A TASTE OF THE BIG APPLE, TO BE OPERATED AT 600 NORTH MAIN AVENUE SUITE 110, WITH THE CONDITIONAL USE PERMIT (2008-04-14) BEING APPROVED ON 05-07-08.
12. TRANSFER OF A 2009 PACKAGE LIQUOR LICENSE FROM WANG ENTERPRISES INC.,

KING'S MART, 5512 WEST 41ST STREET, TO HKV GILBERTSON LIQUOR INC., HKV GILBERTSON LIQUOR, TO BE OPERATED AT 5512 WEST 41ST STREET, EFFECTIVE 1-1-09.

13. NEW 2008-09 PACKAGE MALT BEVERAGE LICENSE FOR HKV GILBERTSON LIQUOR INC., HKV GILBERTSON LIQUOR, TO BE OPERATED AT 5512 WEST 41ST STREET, EFFECTIVE 1-1-09.
14. TRANSFER OF A 2008-09 PACKAGE MALT BEVERAGE LICENSE FROM ELITANIA VALENCIA, MEXICAN STORE LA MICHOACANA, 2319 WEST 12TH STREET, TO MARIA LUZ LIMA, LA MICHOACANA, TO BE OPERATED AT 2319 WEST 12TH STREET.
15. 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 2009: JANUARY 13 FOR A CORPORATE MEETING; JUNE 13, JULY 3, JULY 25, AND AUGUST 29 FOR WEDDING RECEPTIONS.

A motion was made by Council Member Beninga and seconded by Council Member Anderson Jr. to approve Items 7 through 15 with one vote.

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

16. VARIOUS RETAIL LIQUOR, PACKAGE LIQUOR, AND RETAIL WINE LICENSE RENEWALS FOR 2009 TO BE OPERATED AT VARIOUS LOCATIONS IN THE CITY OF SIOUX FALLS, IDENTIFIED AS EXHIBIT C.

A motion was made by Council Member Beninga and seconded by Council Member Litz to approve Item 16.

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

Exhibit C

INTRODUCTION AND ADOPTION OF ORDINANCES

17. DEFERRED ACTION: 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2008-10-01 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT W. 16TH ST. AND 17TH ST. FROM GRANGE AVE. TO WEST AVE. ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA REGULATIONS, AND REZONING PROPERTY AT W. 16TH ST. AND 17TH ST. FROM GRANGE AVE. TO WEST AVE. FROM THE O, GENERAL OFFICE, RD AND RS-2, RESIDENTIAL DISTRICTS TO THE SANFORD USD MEDICAL CENTER PLANNED DEVELOPMENT DISTRICT AS AMENDED, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0022

PC Report

PC Exhibits

PC Minutes - Item 22

A motion was made by Council Member Jamison and seconded by Council Member Costello to adopt Ordinance 150-08.

A motion was made by Council Member Costello and seconded by Council Member Brown to amend this item by removing the following names and addresses: Diane Huwe at 812 S. West Ave. (Legal: Lot 12, Block 2, Prospect Hill Addition); Amy Tawzer at 816 S. West Ave. (Legal: Lot 11, Block 2, Prospect Hill Addition); and Elizabeth Hubner at 1412 W. 17th St. (Legal: W 1/2 of Lots 7 & 8, Block 2, Prospect Hill Addition).

Vote to amend: Roll Call: Yeses, Jamison, Anderson Jr., Brown, Staggers, Beninga, Costello, 6. Noes, 0.
Motion Passed

A motion was made by Council Member Staggers and seconded by Council Member Anderson Jr. to amend this ordinance to exclude the 27 other properties that are not owned by Sanford Hospital.

Vote to amend: Roll Call: Yeses, Anderson Jr., Brown, Staggers, 3. Noes Jamison, Beninga, Costello, 3.
Motion Failed

Vote to adopt, as amended: Roll Call: Yeses, Brown, Costello, Jamison, Anderson Jr., Beninga, 5. Noes, Staggers, 1. Council Member Litz was excused from the meeting and the vote on this item. Motion Passed.

Item 6 was heard at this time. See item for action taken.

18. DEFERRED ACTION: 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCE OF THE CITY BY REVISING THE ORDER OF BUSINESS FOR COUNCIL MEETINGS.

First Version and Amended Version

Agenda Order of Business 1 (2)

A motion was made by Council Member Beninga and seconded by Council Member

Brown to defer this ordinance to the City Council Meeting of Monday, January 5, 2009, at 7:00 p.m.

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

Motion Passed

19. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY ESTABLISHING THE PROCEDURE FOR THE ISSUANCE AND REGULATION OF ON-SALE LICENSES FOR FULL-SERVICE RESTAURANTS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA, AS SET FORTH IN CHAPTER 5, ALCOHOLIC BEVERAGES.

Ord. 1050b

A motion was made by Council Member Brown and seconded by Council Member Beninga to adopt Ordinance 153-08.

A motion was made by Council Member Brown and seconded by Council Member Litz to amend the ordinance with language updates from the City Attorney s Office to include the following sections: Section 5-1. Definitions; Section 5-2.4 License renewals; Section 5-2.6. Sale or consumption of alcoholic beverages on sidewalk abutting licensed premises; Section 5-2.9. Price of full-service restaurant on-sale license-current fair market value; Section 5-2.10. Registry of full-service restaurant on-sale licenses .

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

20. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE EXCHANGE OF REAL PROPERTY. (TRACT A OF SWARTZ'S ADDITION IN THE NE ... OF SECTION 28-T103N-R49W OF THE 5TH P.M. FOR TRACT 1D IN THE NE ... OF SECTION 28-T103N-R49W OF THE 5TH P.M.)

Ord. 1070

Exhibits

Agreement

Appraisal

A motion was made by Council Member Anderson Jr. and seconded by Council Member Litz to adopt Ordinance 151-08.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Staggers,

Beninga, Costello, 7. Noes, 0.
Motion Passed

21. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE EXCHANGE OF REAL PROPERTY. (300 S. MARION ROAD FOR LOTS H1 AND H4 LOCATED NEAR THE INTERSECTION OF NORTH MARION ROAD AND W. 60TH ST. N.).

Ord. 1073

Agreement

Exhibits

SD DOT Appraisal pt. 1

SD DOT Appraisal pt. 2

Wayne Township Appraisal pt. 1

Wayne Township Appraisal pt. 2

Set a hearing date and 2nd Reading for Monday, January 5, 2009, at 7:00 p.m. for Items 22 through 30:

A motion was made by Council Member Beninga and seconded by Council Member Jamison to set a hearing date and 2nd Reading for Monday, January 5, 2009, at 7:00 p.m. for Items 22 through 30, excluding Item 25 which was withdrawn .

Vote to set a hearing date: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Stagers, Beninga, Costello, 7. Noes, 0.
Motion Passed

22. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT SW CORNER OF E. MADISON ST. AND POWDER HOUSE RD. FROM THE RS-2, RESIDENTIAL DISTRICT; RD, RESIDENTIAL DISTRICT; RA-1, RESIDENTIAL DISTRICT; C-4, PLANNED COMMERCIAL DISTRICT; AND O, GENERAL OFFICE DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT; RD, RESIDENTIAL DISTRICT; RA-1, RESIDENTIAL DISTRICT; C-4, PLANNED COMMERCIAL DISTRICT; AND O, GENERAL OFFICE DISTRICT, PETITION NO. 2008-11-03, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0041

PC Report

PC Exhibits

PC Minutes - Item 4

23. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. FIFTH ST. AND N. CORNFLOWER AVE. FROM THE RS-2, RESIDENTIAL DISTRICT TO THE RD, RESIDENTIAL DISTRICT, PETITION NO. 2008-11-04, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0042

PC Report

PC Exhibits

PC Minutes - Item 5

24. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT NE CORNER OF E. MADISON ST. AND POWDER HOUSE RD. FROM THE AG, AGRICULTURAL DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT AND THE CANTERBURY HEIGHTS EAST PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2008-11-05, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0043

PC Report

PC Exhibits

PC Minutes - Item 6

25. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 5109 S. CLIFF AVE. FROM THE O, OFFICE DISTRICT TO THE QUAIL CREST PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2008-09-09, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS DENIAL. ITEM WITHDRAWN AT THE REQUEST OF THE PETITIONER.

Ord. 0039

PC Report

PC Exhibits

PC Minutes - Item 13

26. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. 57TH ST. AND S. DUBUQUE AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT, PETITION NO. 2008-10-18, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 0040

PC Report

PC Exhibits

PC Minutes - Item 14

27. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. 57TH ST. BETWEEN HIGHWAY 11 AND SIX MILE RD. FROM THE AG, AGRICULTURAL DISTRICT TO THE FALCON HEIGHTS PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2008-11-09, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord 0045

PC Report

PC Exhibits

PC Minutes - Item 16

28. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT SE CORNER OF E. 69TH ST. AND S. SOUTHEASTERN AVE. FROM THE RA-1, RESIDENTIAL DISTRICT; O, OFFICE DISTRICT; AND C-4, PLANNED COMMERCIAL DISTRICT TO THE RA-1, RESIDENTIAL DISTRICT, AND THE EMERALD VALLEY II PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2008-11-07, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord 0044

PC Report

PC Exhibits

PC Minutes - Item 15

29. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2008-11-11 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT BROOKS CROSSING PLANNED DEVELOPMENT DISTRICT SUBAREAS A AND B TO REVISE SUBAREA BOUNDARIES AND ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA REGULATIONS, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord 0038

PC Report

PC Exhibits

PC Minutes - Item 7

30. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD (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 IMPROVEMENTS TO THE EXISTING DIVERSION DAM, CONSTRUCTION OF A NEW DAM AT THE CONFLUENCE OF SKUNK CREEK AND THE BIG SIOUX RIVER, REBUILDING THE 41ST STREET BRIDGE AND RAISING THE LEVEES TO PROVIDE ADEQUATE FLOOD RISK REDUCTION ALONG THE BIG SIOUX RIVER, SKUNK CREEK, AND THE DIVERSION CHANNEL IN THE CITY, 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.

Ord. 0046

HEARINGS AND RESOLUTIONS

31. A RESOLUTION TO APPROVE ONE HISTORICAL MARKER ON CITY PROPERTY. (PHILANDER PRESCOTT - FALLS PARK).

Res. 0034

Memo with additional information

A motion was made by Council Member Brown and seconded by Council Member Beninga to adopt Resolution 192-08.

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

RESOLUTION NO. 192-08

A RESOLUTION TO APPROVE ONE HISTORICAL MARKER ON CITY PROPERTY.

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

That it approves the placement of the following historic marker on City property
by the Minnehaha County

Historical Society:

Historical Marker
Philander Prescott

Location
Falls Park

Date adopted: 12/15/08 .

Dave

Munson

Mayor

ATTEST:

Debra A. Owen
City Clerk

32. A RESOLUTION CREATING SIOUX FALLS TAX INCREMENT DISTRICT #9.

Res. 0033

PC Report

PC Exhibit

PC Minutes - Item 3

A motion was made by Council Member Beninga and seconded by Council Member
Brown to adopt Resolution 196-08 .

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

RESOLUTION NO. 196-08

A RESOLUTION CREATING SIOUX FALLS TAX INCREMENT DISTRICT #9.

WHEREAS, the property within this district meets the qualifications and criteria
set forth in SDCL 11-9; and

WHEREAS, the City Council of the City of Sioux Falls finds that the aggregate assessed value of the taxable property in this district, plus all other existing districts, does not exceed five percent (5%) of the total assessed value of the taxable property in the City of Sioux Falls;

WHEREAS, the City Council of the City of Sioux Falls finds that:

- 1) Not less than twenty-five percent (25%), by area, of the real property within the district is a blighted area, as defined in SDCL 11-9-9, 11-9-10;
- 2) The project must comply with the City's adopted 2015 Growth Management Plan [Comprehensive Plan] and all other appropriate plans and regulations;
- 3) The improvements of the area are likely to enhance significantly the value of substantially all of the other real property within the district.

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

That all lands within the boundaries shown on the attached Exhibit A-Tax Increment District #9, shall be and are hereby designated as the Sioux Falls Tax Increment District #9, City of Sioux Falls.

Date adopted: 12/15/08 .

Dave

Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

33. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONDITIONAL GIFTING AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND SIOUX EMPIRE BASEBALL ASSOCIATION FOR A GRANDSTAND WITH OTHER IMPROVEMENTS TO BE LOCATED AT HARMODON PARK.

Res. 0036

A motion was made by Council Member Anderson Jr. and seconded by Council Member Litz to adopt Resolution 193-08.

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

Motion Passed

RESOLUTION NO. 193-08

A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONDITIONAL GIFTING AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND SIOUX EMPIRE BASEBALL ASSOCIATION FOR A GRANDSTAND WITH OTHER IMPROVEMENTS TO BE LOCATED AT HARMODON PARK.

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

That the document attached to and part of this resolution entitled, A Conditional Gifting Agreement for a Grandstand with Other Improvements to be Located at Harmodon Park is hereby approved.

That the Mayor is authorized to sign such agreement after it is ratified and executed by Sioux Empire Baseball Association.

Date adopted: 12/15/08 .

Dave

Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

34. A RESOLUTION APPROVING THE 2009 AUDIT PROGRAM.

Audit Resolution and Program

A motion was made by Council Member Costello and seconded by Council Member Litz to adopt Resolution 194-08.

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

Motion Passed

RESOLUTION NO. 194-08

A RESOLUTION APPROVING THE 2009 AUDIT PROGRAM.

WHEREAS, the Audit Committee shall develop and submit to the City Council for approval an audit program

pursuant to Ordinance No. 120-05; and

WHEREAS, the Audit Committee has developed and approved such a program for 2009;

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

That the document attached to and made part of this resolution entitled 2009 Audit Program, City of Sioux

Falls, is hereby approved; and

That the Lead Internal Auditor is authorized to carry out the audits and other projects as described in the 2009 Audit Program.

Date adopted: 12/15/08 .

Dave

Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

35. A RESOLUTION APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND LOCAL 814 OF THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS.

Res. 0228

Agreement. Updated 12/15/08

A motion was made by Council Member Brown and seconded by Council Member Anderson Jr. to adopt Resolution 195-08.

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

Motion Passed

RESOLUTION NO. 195-08

A RESOLUTION APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND LOCAL 814 OF THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS.

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

1. That the collective bargaining agreement between the City of Sioux Falls and Local 814 of the International Association of Firefighters providing for terms and conditions of employment for nonmanagement employees for the period from January 1, 2009, through December 31, 2011, is hereby approved by the City Council.

2. That the terms and conditions of the collective bargaining agreement shall be come effective January 1, 2009.

Date adopted: 12/15/08 .

Dave

Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

ADJOURNMENT

A motion was made by Council Member Beninga and seconded by Council Member Jamison to adjourn the City Council Meeting at 10:28 p.m.

Vote to adjourn: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Stagers, Beninga, Costello, 7. Noes, 0.

Motion Passed

Tamara Jorgensen
Assistant City Clerk