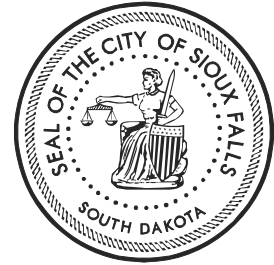


Minutes

Thursday, June 28, 2007



Land Use Committee

1:34 p.m.
Carnegie Town Hall
235 W. 10th Street

Members Present: Bob Litz, Bob Jamison and Kermit Staggers

Staff Present: Debra A. Owen, City Clerk; Denise D. Tucker, Assistant City Clerk

Guests: J. Pat Costello, Council Member; Mark Cotter, Director of Public Works; Jeff Schmitt, Assistant Director of Planning and Building Services

1. Call to Order

A. Committee Chair Bob Litz called the meeting to order.

2. Approval of Minutes

A. Committee Chair Bob Litz made a motion to approve the June 11, 2007, minutes. A voice vote was taken and all committee members said yes.

3. Presentation

A. TV Group letter

Mark Cotter, Director of Public Works

Jeff Schmitt, Assistant Director of Planning and Building Services

(see last 2 pages)

- Mark Cotter distributed copies of a letter, addressed to TV Real Estate, coming from Public Works and Planning and Building Services. The letter is being sent to TV to clarify Public Works and the Planning Department's position on the parcels for which TV is seeking annexation. Cotter gave the committee a moment to read the letter.
 - Litz asked Cotter for an explanation regarding procuring sanitary sewer easements. Discussion followed.
 - Cotter said the agreement has been withdrawn by the applicant. He said they continue to get calls on different pieces of this development. One of the key things being the sewer ability of the land. Cotter said until this (temporary lift station) policy is developed (a kickoff meeting was held Monday and they have a baseline to use with the Lincoln, Neb., policy – which took them two years to develop) we wanted to put closure to this. Cotter said his staff has several projects that they are working on.
 - Cotter said he told TV not to incur any additional expenses until the lift station is cleared up. They came and picked up their check (which was to fund the dynamic
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AGENDA - Land Use Committee

June 28, 2007 at 1:34 p.m.

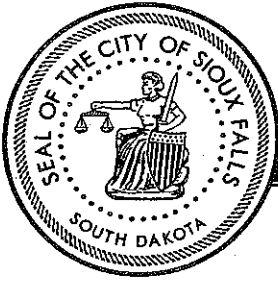
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modeling of Basin 26). Cotter said he and Mike Cooper, Director of Planning and Building Services, are prepared to sign the letter today.

- Discussion followed.
- In regards to the statement, "Members of the City Council have requested a temporary lift station policy be developed before further consideration is taken on the portion of this development not currently served by the Basin 26 gravity sewer;" the committee members voted unanimously to have City Council removed.

4. Adjournment at 2:05 p.m.

Denise D. Tucker
Assistant City Clerk



CITY OF SIOUX FALLS PUBLIC WORKS

DRAFT

Administration/GIS

224 West Ninth Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8600 F: 367-4605

June 28, 2007

Engineering/ Real Estate

224 West Ninth Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8601 F: 367-4310

TV Real Estate, LLC
Attention: Ted Thoms
612 Tan Tara Circle, Ste. 300
Sioux Falls, SD 57108-6429

Environmental

1203 North Western Avenue
Sioux Falls, SD 57104-1201
T: 605-367-8276 F: 367-4886

Facilities Management

224 West Ninth Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-8757 F: 367-8097

Re: TV Real Estate, LLC, Development of Parcels 1, 2, and 3 located near
69th Street and Southeastern Avenue

Fleet Management

1000 East Chambers Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-7170 F: 367-7421

Dear Ted Thoms,

This letter is to clarify the Public Works and Planning Department's position on the
Parcels for which you are seeking annexation.

Household Hazardous Waste Facility

1015 East Chambers Street
Sioux Falls, SD 57104-7200
T: 605-367-4946 F: 367-4993

Landfill

224 West Ninth Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-526-6636 F: 526-3371

Light

2000 North Minnesota Avenue
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-7006 F: 367-8306

Street

1000 East Chambers Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-7051 F: 367-7010

Utility Billing

1201 North Western Avenue
P.O. Box 7401
Sioux Falls, SD 57117-7401
T: 605-367-8131 F: 367-7341

Utility Maintenance

668 West Algonquin Street
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-7020 F: 367-7883

Water Purification

2100 North Minnesota Avenue
P.O. Box 7402
Sioux Falls, SD 57117-7402
T: 605-367-7025 F: 367-8475

Water Reclamation

4500 North Sycamore Avenue
Sioux Falls, SD 57104-9612
T: 605-367-8188 F: 367-8484

Members of the City Council have requested a temporary lift station policy be developed before further consideration is taken on the portion of this development not currently served by the Basin 26 gravity sewer. A subcommittee of IRAB has been formed to develop this policy and recently conducted its kick off meeting on Monday June 25, 2007. The committee plans to meet frequently and have the framework of the policy for review by the IRAB board as early as August of 2007. Therefore, in the interim, you have the option to seek annexation of the portion of this development currently served by the Basin 26 gravity sewer.

We have received your check to fund the dynamic modeling of Basin 26 to evaluate the additional waste stream this development will pump into the Basin 26 trunk sewer. We do not recommend you incur this expense until a policy on temporary lift stations is developed. Your consultant did pick up the check the afternoon of June 27, 2007.

Your attorney, Carey Miller, has requested the standard City forms our real estate team uses to procure sanitary sewer easements. Former City staff occasionally allowed a developer or its consultants to use the forms in the past, however, our standard procedure is to have the developer or consultant send the City the terms of the easements with associated exhibit(s) and the City will prepare and mail or return to the consultant, the easements for signature of the property owners.

J:\Alt Financing of Infrastructure\Ted Thoms\Ltr - City Position 6-28-07.doc

DRAFT

The development of this lift station policy will be another tool we plan to use to guide the City's growth and orderly development.

Sincerely,

City of Sioux Falls

City of Sioux Falls

Mark Cotter, PE
Director of Public Works

Mike Cooper
Director of Planning and Building Services

c Mayor Dave Munson, City of Sioux Falls
City Council, City of Sioux Falls
Gary Colwill, City Attorney
Dick Gregerson, Woods, Fuller, Shultz & Smith P.C.
Carey Miller, Woods, Fuller, Shultz & Smith P.C.
Doug Berkland, Sayre and Associates