

MINUTES
INFRASTRUCTURE REVIEW ADVISORY BOARD
Oak View Library
June 15, 2011 8:30 a.m.

Members and Alternates Present

Chad Huwe, Jeff Schmitt, Preston Mettler, Scott Hofer, Steve Brockmueller, Myron Adam, Tim Galbraith, Mark Vellinga and Pat Beckman, Steve VanBuskirk (8:35am)

Members and Alternates Absent

Mark Cotter, Mike Cooper, Matt Carlson and Bill Kemmis

Others Present

Andy Berg, Kurt Peppel, Kerry Ellis, Chad Hanisch, Kim Buell, Paul Fick, Cynthia Monnin, Chuck Point, Kris Ronning, Albert Schmidt, Al Murra, Jon Brown, Ben Ronning, Tanya Miller, Jeff Boldt, Jarrod Smart, Todd Anawski

Approval of Minutes of Last Meeting

A motion was made by Jeff Schmitt to approve the April 6, 2011 meeting minutes; the motion was seconded by Steve Brockmueller. Roll call: Yeses- Schmitt, Hofer, Brockmueller, Galbraith, Vellinga, Huwe, Adam-7. Noes, none.

Business

Chad Huwe introduced Amanda Mullinix from Engineering. Amanda will be clerking the IRAB meetings.

a. 2011 Drainage System Cost Recovery Reimbursement (DSCR) Rates

Andy Berg, City of Sioux Falls, discussed the proposed reimbursement rates for 2011. There was a handout given to show the rates. The 2011 rates were determined by these factors:

- Engineering News Record construction cost index from April 2010 thru April 2011
- 3 year average of City and DOT weighted bid prices
- Hanson Pipe costs provided to the City

The recommended rates are:

- Pipe furnish cost includes 10% to account for 6% sales tax and an additional 4% for handling costs.
- The install price is based on last year's install cost plus a 4% increase based on the Construction Cost Index.

Andy stated that the City's website will have an interactive PDF to calculate costs.

Hearing no additional comments or questions, Mark Vellinga made a motion to approve the 2011 DSCR Reimbursement Rates; the motion was seconded by Jeff Schmitt. Roll call: Yeses- Huwe, Schmitt, VanBuskirk, Hofer, Brockmueller, Galbraith, Vellinga-7. Noes, none.

b. Sump Pump Ordinance Changes

Andy Berg, City of Sioux Falls, addressed the sump pump ordinance revision. We are currently having issues thru our attorney's interpretation of the current ordinance on being able to enforce a connection for nuisance pumpers. Currently, the City is not able to mandate a connection to a storm sewer or collection system if the nuisance pumper's house was built before 2005. The revision would eliminate the sentence stating "Except for residences constructed before 2005". The recommended language will allow the Engineering Division to better control nuisance pumping throughout the City. This will be taken to City Council for their approval.

Hearing no additional comments or questions, Steve VanBuskirk made a motion to approve the sump pump ordinance revision; the motion was seconded by Chad Huwe. Roll call: Yeses- Huwe, Schmitt, VanBuskirk, Hofer, Brockmueller, Galbraith, Vellinga-7. Noes, none.

c. Zoning Designation on Plats

Jeff Schmitt, City of Sioux Falls, addressed the zoning designation on plats. Back in September 2008, the City passed the arterial street and water distribution system platting fee ordinance. Within these ordinances, it is stated that any plat or re-plat shall contain a note identifying the zoning classification in affect at that time. The issue arises when the land wanting to be platted is in a planned development (PD) district zoning classification. The platting ordinance does not designate a fee for the PD zoning. The City is proposing that the applicant list on the plat the conventional zoning district within the PD. This would show what zoning they are being charged for. For example, instead of listing "Dawley Farm Village PD", the City is requesting that it be listed as "Dawley Farm Village C4", so that we actually have a note on the plat of what they are being charged for. This will help when filing so that everyone knows that they were charged the correct rates. Concerns with this are:

- May not know what the zoning is at that time.
- Platting ahead of actual designated use so may not know what the planned use is.
- May plan for one zoning classification, and then change it.

If the plat lists the zoning classification as "C4/O", you would be charged the higher trip generating zoning classification rate, C4 in this case, unless a minimal amendment was done on the final development plan. Then planning would change your zoning classification to "O" so that the City knows that they are doing "O" on that property. To rezone property is a legal process by state law. The City is not going to do that same thing to change the zoning on a plat. The City will just address the issue administratively without going thru the legal process. The City made a concession to that process and is now being asked again to make another concession to change it back. Jeff Schmitt does not know if we can legally do this. Jeff looked for means to go down and does not know if he can find the same means to go back up. Jeff will take this issue back to planning for further discussion. The topic will be brought back at a future meeting.

These items were brought up that are new or existing issues to be resolved:

- Fire prevention being more aggressive on temporary access.
- Regional waste water study.
- Introducing language into state law that would allow for the regional ponds.
- HBA requested a meeting for road funding.
- Working on the 2012-2016 Capitol Program.
- Out-of Compliance Subdivisions.
 - May 16 - The City sent letters to the developers of subdivisions that are out of compliance requesting a plan of action to complete the work.
 - May 31 - The City sent follow-up letters again requesting the plan of action.
 - June 6 - The City sent a second follow-up letter to the developers who did not respond.
 - Objective is to find a solution to deal with the current subdivisions currently out of compliance and what we do moving forward.

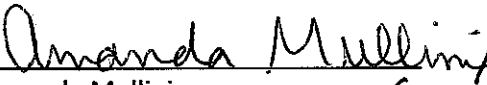
- The City is currently working with the City Attorney's office to determine how to proceed with the subdivisions that are out of compliance with their assurance agreements.
- The City has received many complaints regarding streets that do not have the final lift of asphalt.
- Exemptions for the installation of sump pump collection systems.
 - Exemptions currently exist for the installation of sump pump collection systems and include the following:
 - Discharge will not create a nuisance
 - Slab on grade construction
 - Lots abut a drainage way
 - The escrow of funds
 - Could another exemption be based on lot sizes?
 - These have briefly been discussed without resolution. Further discussion to come.
- Discussions regarding the 2012-2016 capital program and the arterial street improvement program.

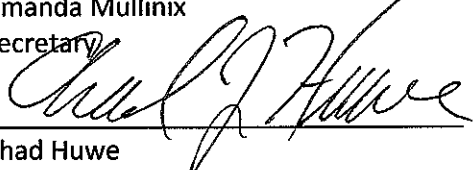
Board Action

Action Items

Adjournment

The next IRAB meeting is set for July 6, at 8:30 a.m., at the Oak View Library. A motion was made by Chad Huwe for adjournment at 9:35 a.m.; the motion was seconded by Jeff Schmitt. Roll call: Yeses-Cotter, Schmitt, VanBuskirk, Hofer, Brockmueller, Galbraith, Velinga - 7. Noes, none.


Amanda Mullinix
Secretary


Chad Huwe
City Engineer