

	City of Sioux Falls Council Meeting Agenda
	Carnegie Town Hall, 235 West Tenth Street
	MEETING OF Monday, July 16, 2007 at 7:00 p.m.

ROLL CALL #8

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Council Member Litz
Council Member Beninga
Council Member Brown
Council Member Costello
Council Member Jamison
Council Member Kavanaugh
Council Member Knudson
Mayor Munson

INVOCATION

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

APPROVAL OF CONSENT AGENDA

MINUTES

INFORMATIONAL MEETING OF MONDAY, JULY 9, 2007, AT 4:00 P.M.

CLOSED EXECUTIVE SESSION OF MONDAY, JULY 9, 2007, AT 4:10 P.M. (CONFIDENTIAL)

REGULAR COUNCIL MEETING OF MONDAY, JULY 9, 2007, AT 7:00 P.M.

| CONSENT AGENDA ITEMS |

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

PETITIONS

1. DEFERRED ACTION: CONDITIONAL USE PERMIT APPEAL (2007-04-11): CORNER OF 22ND & SERTOMA. THE CONDITIONAL USE PERMIT WAS TO CHANGE EXISTING HOME TO A DAY CARE CENTER. THE PLANNING COMMISSION DENIED THE CONDITIONAL USE PERMIT.

UNFINISHED BUSINESS

2. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR WASHINGTON PAVILION MANAGEMENT INC., WASHINGTON PAVILION OF ARTS & SCIENCE, TO BE OPERATED AT 301 SOUTH MAIN AVENUE, AS FOLLOWS IN 2007: AUGUST 31 FOR A CLASS REUNION; AUGUST 10, 11, 17, 18, SEPTEMBER 8, 14, 15 FOR WEDDING RECEPTIONS.
3. SPECIAL ONE-DAY MALT BEVERAGE LICENSE FOR THE EL RIAD SHRINE, 510 SOUTH PHILLIPS AVENUE, TO BE OPERATED IN THE CITY PARKING LOT DIRECTLY BEHIND THEIR BUILDING AT 501 SOUTH FIRST AVENUE, COMMONLY KNOWN AS THE 13TH STREET LOT, ON AUGUST 4, 2007, FOR THE ROCK ?N RIDE.
4. SPECIAL ONE-DAY MALT BEVERAGE LICENSE REQUESTS FOR THE SISTER CITIES ASSOCIATION, TO BE HELD ON JULY 25, 2007, AT THE MULTI-CULTURAL CENTER, 515 NORTH MAIN AVENUE, TO HOST A GERMAN BAND, AND ON SEPTEMBER 15, 2007, FOR THE GERMAN FEST OF SIOUX FALLS, ON PHILLIPS AVENUE FROM 10TH TO 12TH STREETS.
5. SPECIAL ONE-DAY MALT BEVERAGE LICENSE FOR PHILANTHROPY PROMOTIONS INC., TO BE OPERATED AT J&L HARLEY-DAVIDSON, 2601 WEST 60TH STREET NORTH, ON JULY 25, 2007, FOR BIKE NIGHT. WITHDRAWN BY THE APPLICANT.

INTRODUCTION AND ADOPTION OF ORDINANCES

6. DEFERRED ACTION - 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE SALE OF REAL ESTATE BELONGING TO THE CITY OF SIOUX FALLS, AND DIRECTING DEED OF CONVEYANCE BE DELIVERED TO THE PURCHASER THEREOF. (UPTOWN PHASE ONE).
7. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, TEMPORARILY ESTABLISHING A PORTION OF THIRD ST. AS A ONE-WAY STREET.

Set a hearing date and 2nd Reading for Monday, August 6, 2007, at 7:00 p.m. for Items 8 through 17:

8. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING APPENDIX B, ZONING ORDINANCE. (OUTDOOR LIGHTING)
9. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING CHAPTER 15.03, DEFINITIONS, AND CHAPTER 15.55, PARKING, LOADING AND STACKING REGULATIONS.
10. 1ST READING - MAJOR AMENDMENT - 2007-06-16A: 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 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. SEUBERT AVE.

11. 1ST READING - MAJOR AMENDMENT - 2007-06-11: 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 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. AT 320' EAST OF N. SHAWNEE AVE. & SOUTH SIDE OF E. 3RD ST.
12. 1ST READING - MAJOR AMENDMENT - 2007-06-13: 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 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. N. CAREER AVE. & W. CAYMAN ST.
13. 1ST READING - REZONE - 2007-06-18: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 85TH ST. AND WESTERN AVE., FROM THE AG, AGRICULTURAL DISTRICT, TO THE HEATHER RIDGE II PLANNED DEVELOPMENT DISTRICT, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.
14. 1ST READING - REZONE - 2007-06-23: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 5109 S. CLIFF AVE., FROM THE O, GENERAL OFFICE DISTRICT, TO THE QUAIL CREST PLANNED DEVELOPMENT DISTRICT, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.
15. 1ST READING - REZONE - 2007-06-21: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 301 S. LAKE AVE., FROM THE RA-1, RESIDENTIAL DISTRICT, TO THE C-2, GENERAL COMMERCIAL DISTRICT, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.
16. 1ST READING - REZONE - 2007-06-03: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1410 W. 17TH ST., 831 S. LAKE AVE., AND 829 S. LAKE AVE., FROM THE RS-2, RESIDENTIAL DISTRICT, TO THE SANFORD USD MEDICAL CENTER PLANNED DEVELOPMENT DISTRICT, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.
17. 1ST READING - REZONE - 2007-06-20: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. EBENEZER AVE. & W. GRACELAND CT., FROM THE RS-2, RESIDENTIAL DISTRICT, TO THE RA-1, RESIDENTIAL DISTRICT, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

HEARINGS AND RESOLUTIONS

18. PUBLIC HEARING FOR PUBLIC INPUT REGARDING ADOPTION OF THE 2008-2012 CAPITAL PROGRAM.
19. A RESOLUTION APPROVING DIAGONAL PARKING ON 3RD ST. FROM MINNESOTA AVE. TO MAIN AVE.
20. A RESOLUTION APPROVING DIAGONAL PARKING ON FOURTH STREET.

21. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. 60TH STREET N. AND WESTPORT AVE.

22. A RESOLUTION ACCEPTING AND APPROVING THE DOWNTOWN PARKING NEEDS AND FINANCIAL ASSESSMENT STUDY.

23. PRELIMINARY SUBDIVISION PLAN (2007-06-19): GRAND ARBOR ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SD. NORTH OF NE CORNER OF 85TH ST. AND WESTERN AVE. FOR THE CONSTRUCTION OF 64 TOWN HOMES IN 14 BUILDINGS ON 14 LOTS.

ADJOURNMENT

MOTION TO GO INTO EXECUTIVE SESSION

Date: 2007-07-16
SIRE Meeting ID: 1165
Meeting Type: City Council

YouTube:<https://youtu.be/lV2ziZm4qwo>
Agenda Item: Not Assigned
Item ID: 52492

The following document(s) are public records obtained from the
City of Sioux Falls.

MINUTES

Monday, July 9, 2007

Informational Meeting
Sioux Falls City Council

4:00 p.m. at Carnegie
Town Hall
235 West Tenth Street



1. Call To Order

Members Present: Council Members: Gerald Beninga, Vernon Brown, J. Pat Costello, Bob Jamison, De Knudson, Bob Litz, and Kermit Staggers.

Members Absent: Kevin Kavanaugh.

Staff Present: Chief of Staff/City Clerk Debra A. Owen, and Assistant City Clerk, Tamara M. Jorgensen.

2. City Council Staff Report

City Council Chief of Staff Debra Owen gave the Council updates for tonight's City Council Meeting. The City Council pictures are now hanging in the Chambers by the side door. The Granicus program is moving forward and has been well received so far; information was communicated regarding the Elected Officials workshop on Friday, July 13th in Pierre, SD.

3. **Mayor Munson**

No Report.

4. Audit Committee

Lead Internal Auditor, Rich Oksol stated that after the Audit Committee reviews the six month status report, it will be released to the City Council.

5. **Fiscal Committee**

No Report.

6. Land Use Committee

No Report.

7. Public Services Committee

Committee Chair Stagers reported that the committee is moving towards an ordinance revision regarding Campaign Finance reform. The ordinance will be written and presented to the City Council for review.

8. City Council Open Discussion

Council Member Brown received correspondence regarding the bike trails and alternative routes. Sam Trebilcock, Transportation Planner, addressed the Council on bike trail updates. Discussion was held regarding the length of time for the trail closures.

Council Member Jamison addressed the public pool policy of charging people who are wearing street clothes to enter pool areas to watch their children. Can there be a provision made to adjust fees for people who are just using pool areas to watch over their young children while they are swimming?

Reminder from Council Chair Knudson of the timeline for the CIP Hearings that are to be held this week.

Council Chair Knudson expressed her gratitude for being voted in as the new City Council Chair for 2007-2008.

9. Staff Report

No Report.

10. Executive Session

A. Contract Negotiation

A motion was made and seconded at 4:10 p.m. to go into Executive Session for the purpose of discussing contract negotiations.

A motion was made and seconded at 4:44 p.m. to go out of Executive Session.

11. Adjournment

The meeting was adjourned at 4:44 p.m.

Tamara M. Jorgensen

Assistant City Clerk

City Council Chair: De Knudson

City Council Vice Chair: Bob Litz

AUDIT COMMITTEE Pat Costello Kevin Kavanaugh	FISCAL COMMITTEE Chair - Pat Costello Vernon Brown Gerald Beninga Kevin Kavanaugh	LAND USE COMMITTEE Chair - Bob Jamison Bob Litz Kermit Staggers	METRO MGMT. COUNCIL Gerald Beninga Pat Costello	PUBLIC SERVICES COMMITTEE Chair - Vernon Brown Kermit Staggers De Knudson Bob Jamison
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Date: 2007-07-16
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City of Sioux Falls Council
Meeting Minutes
Carnegie Town Hall, 235 West Tenth Street
MEETING OF Monday, July 9, 2007, at 7:00 P.M.

ROLL CALL #7

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Members Present:

Council Member Litz
Council Member Staggers
Council Member Beninga
Council Member Costello
Council Member Jamison
Council Member Knudson
Mayor Munson

Members Absent:

Council Member Brown
Council Member Kavanaugh

INVOCATION

Pastor Russ Tarver - Retired United Methodist Minister

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

CONSENT AGENDA

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Beninga and seconded by Council Member Litz to approve the Consent Agenda . Vote to approve: Roll Call: Yeses, Litz, Staggers, Beninga, Costello, Jamison, Knudson, 6. Noes, 0. **Motion Passed.**

MINUTES

[Informational Meeting of Monday, July 2, 2007, at 4:00 p.m.](#)

[Regular Council Meeting of Monday, July 2, 2007, at 7:00 p.m](#)

COMMUNICATIONS

1. A communication was received from Mr. Rick Christians requesting permission to consume, but not sell, liquor, wine and malt beverages at the Old Courthouse Museum, 200 West Sixth Street, on Saturday, October 13, 2007, from 5:00 pm to 11:00 pm for the purpose of a wedding reception.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

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

A motion was made by Council Member Jamison and seconded by Council Member Knudson to amend the Regular Agenda by moving Item 12 after Public Input and before Item 2. Vote to amend: Roll Call: Yeses, Litz, Staggers, Beninga, Costello, Jamison, Knudson, 6. Noes, 0. **Motion Passed.**

Vote to approve, as amended: Roll Call: Yeses, Litz, Staggers, Beninga, Costello, Jamison, Knudson, 6. Noes, 0. **Motion Passed.**

PUBLIC INPUT

Several citizens spoke to the City Council regarding bike trail closures and detours.

Item 12 was heard at this time. See item for action taken.

INTRODUCTION AND ADOPTION OF ORDINANCES

2. [2nd Reading: An Ordinance of the City of Sioux Falls, SD, amending the code of ordinances of said city by changing a street name. S. Vistas Avenue to S. Vista Park Avenue.](#)

A motion was made by Council Member Litz and seconded by Council Member Jamison to adopt said Ordinance 123-07. Vote to adopt: Roll Call: Yeses, Litz, Staggers, Beninga, Costello, Jamison, Knudson, 6. Noes, 0. **Motion Passed.**

3. [2nd Reading: An Ordinance of the City of Sioux Falls, SD, approving a "Lease Agreement," being a 50-year lease of City land for the purpose of a vehicle driveway and lawn area located adjacent to First Bank & Trust, NA, 2300 West 57th Street, Sioux Falls, SD.](#)

A motion was made by Council Member Beninga and seconded by Council Member Litz to adopt said Ordinance 124-07. Vote to adopt: Roll Call: Yeses, Litz, Staggers, Beninga, Costello, Jamison, Knudson, 6. Noes, 0. **Motion Passed.**

4. [2nd Reading: An Ordinance of the City of Sioux Falls, SD approving the lease of City property to the University of South Dakota.](#)

A motion was made by Council Member Knudson and seconded by Council Member Jamison to adopt said Ordinance 125-07. Vote to adopt: Roll Call: Yeses, Litz, Staggers, Beninga, Costello, Jamison, Knudson, 6. Noes, 0. **Motion Passed.**

Set a hearing date and second reading for Monday, July 16, 2007, at 5:00 p.m. at the Joint City Council/Minnehaha County Meeting for Item 5:

5. [1st Reading: An Ordinance of the City of Sioux Falls, SD, amending the revised ordinances of the city by adding text pertaining to additional use regulations, definitions, and conditional use permits.](#)

A motion was made by Council Member Litz and seconded by Council Member Beninga to set a hearing date and second reading for Monday, July 16, 2007, at 5:00 p.m. at the Joint City Council/Minnehaha County Meeting for Item 5. Vote to set a hearing date: Roll Call: Yeses, Litz, Staggers, Beninga, Costello, Jamison, Knudson, 6. Noes, 0. **Motion Passed.**

Set a hearing date and second reading for Monday, July 16, 2007, at 7:00 p.m. for Item 6:

6. [1st Reading: An Ordinance of the City of Sioux Falls, SD, temporarily establishing a portion of Third St. as a One-Way Street.](#)

A motion was made by Council Member Litz and seconded by Council Member Jamison to set a hearing date and second reading for Monday, July 16, 2007, at 7:00 p.m. for Item 6. Vote to set a hearing date: Roll Call: Yeses, Litz, Staggers, Beninga, Costello, Jamison, Knudson, 6. Noes, 0. **Motion Passed.**

HEARINGS AND RESOLUTIONS

7. [Deferred Action: A Resolution vacating E. Walnut St. from N. Wayland Ave. to N. Blauvelt Ave.](#)

A motion was made by Council Member Costello and seconded by Council Member Litz to **defer** said Resolution to the City Council meeting of Monday, August 6, 2007, at 7:00 p.m. Vote to defer: Roll Call: Yeses, Litz, Staggers, Beninga, Costello, Jamison, Knudson, 6. Noes, 0. **Motion Passed.**

8. [Deferred Action: A Resolution approving the Special Assessment Roll for construction of grading, gravel, curb and gutter, sidewalk, storm sewer, asphalt surfacing, driveway approaches, water main, sanitary sewer main, and streetlights on S. Solberg Ave. from W. 57th St. to 2,700' south.](#)

A motion was made by Council Member Jamison and seconded by Council Member Litz to adopt said Resolution. Vote to adopt: Roll Call: Yeses, Litz, Beninga, Costello, Jamison, Knudson, 5. Noes, 1. **Motion Passed.**

RESOLUTION NO. 108-07

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR CONSTRUCTION OF GRADING, GRAVEL, CURB AND GUTTER, SIDEWALK, STORM SEWER, ASPHALT SURFACING, DRIVEWAY APPROACHES, WATER MAIN, SANITARY SEWER MAIN, AND STREETLIGHTS ON S. SOLBERG AVE. FROM W. 57TH ST. TO 2,700' SOUTH.

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

SECTION 1. That the special assessment roll for the assessment of the property assessable for construction of grading, gravel, curb and gutter, sidewalk, storm sewer, asphalt surfacing, driveway approaches, water main, sanitary sewer main, and streetlights on S. Solberg Ave. from W. 57th St. to 2,700' south pursuant to a contract entered into with Runge Enterprises on the 10th day of May, 2006, be and the same is hereby approved and the assessment as set out in the special assessment roll approved this date is hereby levied against the property described therein and becomes a lien against such property upon filing of the special assessment roll in the City Accounting Office.

SECTION 2. The assessment may be paid in five annual installments and shall be collected under Plan One—Collection by County Treasurer as provided in SDCL 9-43.

Date adopted: 7/9/07.

Dave Munson
Mayor

ATTEST:
Debra A. Owen
City Clerk

NOTICE TO PROPERTY OWNERS

Notice is hereby given that assessments levied under the above resolution will become due and payable at the office of the County Treasurer in five installments, together with interest at 8.25 percent per annum in accordance with SDCL 9-43. The first installment, with interest, will become due with general taxes and will be payable at the County Treasurer's Office on January 1, 2008; the remaining

installments, with interest, will become due and payable annually at the County Treasurer's Office on January 1 of each following year until total assessment, with interest, is paid in full.

Notice is further given that the special assessment roll approved in the above resolution was filed with the City Clerk's Office on the 13th day of June, 2007, and that the whole of said assessment, or any installment thereof, may be paid without interest to the City Accounting Office on or before 30 days after said filing.

Debra A. Owen
City Clerk

9. [A Resolution approving the special assessment roll for construction of grading, gravel, asphalt surfacing, curb and gutter with driveway approaches, sidewalk, sanitary sewer main, and water main on W. 26th St. from S. Ellis Rd. to 600' west.](#)

A motion was made by Council Member Jamison and seconded by Council Member Litz to adopt said Resolution. Vote to adopt: Roll Call: Yeses, Litz, Beninga, Costello, Jamison, Knudson, 5. Noes, 1. **Motion Passed.**

RESOLUTION NO. 109-07

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR construction of grading, gravel, asphalt surfacing, curb and gutter with driveway approaches, sidewalk, sanitary sewer main, and water main on W. 26th St. from S. Ellis Rd. to 600' west.

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

SECTION 1. That the special assessment roll for the assessment of the property assessable for construction of grading, gravel, asphalt surfacing, curb and gutter with driveway approaches, sidewalk, sanitary sewer main, and water main on W. 26th St. from S. Ellis Rd. to 600' west pursuant to a contract entered into with Dakota Contracting on the 26th day of May, 2006, be and the same is hereby approved and the assessment as set out in the special assessment roll approved this date is hereby levied against the property described therein and becomes a lien against such property upon filing of the special assessment roll in the City Accounting Office.

SECTION 2. The assessment may be paid in five annual installments and shall be collected under Plan One—Collection by County Treasurer as provided in SDCL 9-43.

Date adopted: 7/9/07.

Dave Munson
Mayor

ATTEST:
Debra A. Owen
City Clerk

NOTICE TO PROPERTY OWNERS

Notice is hereby given that assessments levied under the above resolution will become due and payable at the office of the County Treasurer in five installments, together with interest at 8 percent per annum in accordance with SDCL 9-43. The first installment, with interest, will become due with general taxes and will be payable at the County Treasurer's Office on January 1, 2008; the remaining installments, with interest, will become due and payable annually at the County Treasurer's Office on January 1 of each following year until total assessment, with interest, is paid in full.

Notice is further given that the special assessment roll approved in the above resolution was filed with the City Clerk's Office on the 11th day of July, 2007, and that the whole of said assessment, or any installment thereof, may be paid without interest to the City Accounting Office on or before 30 days after said filing.

Debra A. Owen
City Clerk

10. [A Resolution approving the special assessment roll for construction of grading, gravel, curb and gutter, sidewalk, storm sewer, asphalt surfacing, water main, and sanitary sewer main on S. Beal Ave. from north property line of Tract 3 Harrisburg School addition to W. 82nd St. and W. 82nd St. from proposed S. Beal Ave. to 300' East.](#)

A motion was made by Council Member Litz and seconded by Council Member Knudson to adopt said Resolution. Vote to adopt: Roll Call: Yeses, Litz, Beninga, Costello, Jamison, Knudson, 5. Noes, 1. **Motion Passed.**

RESOLUTION NO. 110-07

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR CONSTRUCTION OF GRADING, GRAVEL, CURB AND GUTTER, SIDEWALK, STORM SEWER, ASPHALT SURFACING, WATER MAIN, AND SANITARY SEWER MAIN ON S. BEAL AVE. FROM NORTH PROPERTY LINE OF TRACT 3 HARRISBURG SCHOOL ADDITION TO W. 82ND ST. AND W. 82ND ST. FROM PROPOSED S. BEAL AVE. TO 300' EAST.

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

SECTION 1. That the special assessment roll for the assessment of the property assessable for construction of grading, gravel, curb and gutter, sidewalk, storm sewer, asphalt surfacing, water main, and sanitary sewer main on S. Beal Ave.

from north property line of Tract 3 Harrisburg School Addition to W. 82nd St. and W. 82nd St. from proposed S. Beal Ave. to 300' east pursuant to a contract entered into with Winter Brothers on the 8th day of July, 2005, be and the same is hereby approved and the assessment as set out in the special assessment roll approved this date is hereby levied against the property described therein and becomes a lien against such property upon filing of the special assessment roll in the City Accounting Office.

SECTION 2. The assessment may be paid in five annual installments and shall be collected under Plan One—Collection by County Treasurer as provided in SDCL 9-43.

Date adopted: 7/9/07.

Dave Munson
Mayor

ATTEST:
Debra A. Owen
City Clerk

NOTICE TO PROPERTY OWNERS

Notice is hereby given that assessments levied under the above resolution will become due and payable at the office of the County Treasurer in five installments, together with interest at 8 percent per annum in accordance with SDCL 9-43. The first installment, with interest, will become due with general taxes and will be payable at the County Treasurer's Office on January 1, 2008; the remaining installments, with interest, will become due and payable annually at the County Treasurer's Office on January 1 of each following year until total assessment, with interest, is paid in full.

Notice is further given that the special assessment roll approved in the above resolution was filed with the City Clerk's Office on the 11th day of July, 2007, and that the whole of said assessment, or any installment thereof, may be paid without interest to the City Accounting Office on or before 30 days after said filing.

Debra A. Owen
City Clerk

11. [A Resolution approving the cost recovery roll for construction of sanitary sewer and water main along S. Beal Ave. from north property line of Tract 3 Harrisburg School addition to W. 82nd St. and W. 82nd St. from proposed S. Beal Ave. to 300' East.](#)

A motion was made by Council Member Knudson and seconded by Council Member Beninga to adopt said Resolution. Vote to adopt: Roll Call: Yeses, Litz, Beninga, Costello, Jamison, Knudson, 5. Noes, 1. **Motion Passed.**

RESOLUTION NO. 111-07

A RESOLUTION APPROVING THE COST RECOVERY ROLL FOR CONSTRUCTION OF SANITARY SEWER AND WATER MAIN ALONG S. BEAL AVE. FROM NORTH PROPERTY LINE OF TRACT 3 HARRISBURG SCHOOL ADDN. TO W. 82ND ST. AND W. 82ND ST. FROM S. BEAL AVE. TO 300' EAST.

WHEREAS, the City of Sioux Falls has financed and constructed a sanitary sewer and water main extending from the City of Sioux Falls sanitary sewer and water distribution system to primarily serve property along S. Beal Ave. from N. Property Line of Tract 3 Harrisburg School Addn. to W. 82nd St. and W. 82nd St. from S. Beal Ave. to 300' east;

WHEREAS, the City determines that it is appropriate that such benefited property pay its proportionate share of the cost of such construction, without interest, according to the benefits that may accrue to such property before such property may be served by such facility;

WHEREAS, the governing body has made an investigation and found and determined the amount to be paid and the apportionment thereof among the benefited properties; and

WHEREAS, the City Council has determined that the amount to be paid the City for such benefit is as follows:

	Sanitary Sewer	Water
W66' SW1/4 SE1/4 and E275' SE1/4 SW1/4 17-100-50 Lincoln County, SD	\$5,460.14	\$7,750.15
Tract 1 Van Ekeren's Addn. S1/2 SE1/4 17- 100-50 Lincoln County, SD	\$4,778.01	\$6,781.93

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

That the costs allocated to said property shall be delayed without interest until such time as the property requests connection to said utility, at which time all costs previously determined applicable would become payable in full. It is further resolved that a copy of this resolution shall be recorded at the Register of Deeds Office, Lincoln County, SD, as a notice to all potential or actual future landowners that proof of payment is required prior to the time such property shall connect to said utility.

Date adopted: 7/9/07.

Dave Munson
Mayor

ATTEST:

Debra A. Owen
City Clerk

12. [A Resolution thanking all those involved in the Whittier cleanup effort held on May 19, 2007.](#)

A motion was made by Council Member Knudson and seconded by Council Member Beninga to adopt said Resolution. Vote to adopt: Roll Call: Yeses, Litz, Staggers, Beninga, Costello, Jamison, Knudson, 6. Noes, 0. **Motion Passed.**

RESOLUTION NO. 107-07

A RESOLUTION THANKING ALL THOSE INVOLVED IN THE WHITTIER CLEANUP EFFORT HELD ON MAY 19, 2007.

WHEREAS, City Council members Kevin Kavanaugh and De Knudson, as honoray co-chairs, organized a volunteer cleanup effort of the Whittier neighborhood on May 19, 2007;

WHEREAS, the Whittier neighborhood encompasses an 89-block area which was divided into nine zones with three drop-off sites;

WHEREAS, it was a collaborative effort between the City of Sioux Falls, dozens of volunteers, including Gigi Rieder and April Schave, and several area businesses and business leaders;

WHEREAS, Bob and Cathy Novak, owners of Novak Sanitation Services, donated their time and equipment which included four roll offs (garbage, lawn waste, appliances, and tires) at each of the three different drop-off sites;

WHEREAS, Jake Anderson from Millennium Recycling provided a trailer for electronic recycling;

WHEREAS, the Banquet provided a free barbecue to all those who participated;

WHEREAS, Gigi Rieder and April Schave worked tirelessly to inform the neighborhood of the event by coordinating hand delivery of postcards of the date of the event and found point people for each zone, along with assigning zone leaders to pick up loads for those people who were unable to make it to the drop-off sites;

WHEREAS, the City of Sioux Falls provided Winona Park as a third site for drop-off, waived all dumping fees which amounted to \$3,060.46, provided Landfill passes free of charge to those citizens who drove to the Landfill themselves, and several City of Sioux Falls employees who donated their time to partake in the cleanup effort;

WHEREAS, other citizens and business leaders in the community participated in the event which included but not limited to finding dozens of volunteers;

WHEREAS, as much as 116 tons were hauled away from the Whittier neighborhood.

NOW, THEREFORE, BE IT RESOLVED:

Thank you to Novak Sanitation Services, Millennium Recycling, The Banquet, Gigi Reider, April Schave, and all the volunteers and the many businesses and business leaders for the Whittier cleanup effort held on May 19, 2007.

Date adopted: 7/9/07.

Dave Munson
Mayor

ATTEST:

Debra A. Owen
City Clerk

13. [A proposed Resolution vacating W. 7th St. from N. Dakota Avenue to North Main Avenue and alley from North property line of West 7th Street to 133' North.](#)

A motion was made by Council Member Litz and seconded by Council Member Beninga to set a hearing date for Monday August, 13, 2007, at 7:00 p.m. on Item 13. Vote to set a hearing date: Roll Call: Yeses, Litz, Staggers, Beninga, Costello, Jamison, Knudson, 6. Noes, 0. **Motion Passed.**

ADJOURNMENT

A motion was made by Council Member Jamison and seconded by Council Member Knudson to adjourn at 8:02 p.m. Vote to adjourn: Roll Call: Yeses, Litz, Staggers, Beninga, Costello, Jamison, Knudson, 6. Noes, 0. **Motion Passed.**

Tamara M. Jorgensen
Assistant City Clerk