

	City of Sioux Falls Council Meeting Minutes
	Carnegie Town Hall, 235 West 10th Street
	MEETING OF Monday, August 9, 2010 at 7:00 p.m.

ROLL CALL #1

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Members Present:	Members Absent:
Council Member Aguilar	None.
Council Member Anderson Jr.	
Council Member Brown	
Council Member Entenman	
Council Member Erpenbach	
Council Member Jamison	
Council Member Litz	
Council Member Rolwing	
Mayor Mike T. Huether	

INVOCATION

A. PASTOR VAL PUTNAM, WESTMINSTER PRESBYTERIAN CHURCH

PLEDGE OF ALLEGIANCE

PROCLAMATION

A. NATIONAL HEALTH CENTER WEEK, AUGUST 8-14, 2010

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Aguilar and seconded by Council Member Erpenbach to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Rolwing, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8. Noes, 0.
Motion Passed

MINUTES

A. A. INFORMATIONAL MEETING OF MONDAY, AUGUST 2, 2010, AT 4:00 P.M.

B. B. REGULAR CITY COUNCIL MEETING OF MONDAY, AUGUST 2, 2010, AT 7:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM THE WASHINGTON HIGH SCHOOL 2011 SENIOR CLASS PARTY STATING THEIR INTENT TO SELL 50/50 RAFFLE TICKETS FROM AUGUST 28, 2010 TO MARCH 31, 2011, DURING FOOTBALL GAMES, BASKETBALL GAMES, VOLLEYBALL GAMES, AND A VARIETY OF OTHER WHS ACTIVITIES OR FUNCTIONS. TICKETS WILL BE \$1.00 EACH. THE PROCEEDS ARE TO BE USED FOR THE 2011 SENIOR CLASS PARTY IN MAY.
2. A COMMUNICATION WAS RECEIVED FROM THE PRESIDENT'S BOWL COMMITTEE STATING ITS INTENT TO SELL RAFFLE TICKETS ON SEPTEMBER 11, 2010, FOR TWO LAP TOP COMPUTERS (APPROXIMATE VALUE \$800.00 APIECE; TWO 25-INCH TVS (APPROXIMATE VALUE \$400.00 APIECE; AND TWO IPODS (APPROXIMATE VALUE IS \$100.00 APIECE). TICKETS WILL BE \$0.50 EACH. THE PROCEEDS WILL BE DISPERSED BETWEEN ALL THREE PUBLIC HIGH SCHOOL BOOSTER CLUBS, TO GO TOWARDS THE 50 DIFFERENT HIGH SCHOOL ACTIVITIES THAT EACH SCHOOL SUPPORTS DURING THE 2010-2011 SCHOOL YEAR.
3. A COMMUNICATION WAS RECEIVED FROM MOUNT MARTY COLLEGE REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AND MALT BEVERAGES AT MOUNT MARTY COLLEGE, 5001 W. 41ST ST., ON WEDNESDAY, OCTOBER 13, 2010, FROM 3:00 P.M. TO 10:00 P.M. FOR A RIBBON CUTTING AND OPEN HOUSE RECEPTION CELEBRATING THE COLLEGE'S NEW SIOUX FALLS BUILDING.

NOTICE OF HEARINGS

Set a hearing date for Monday, August 16, 2010, at 7:00 p.m. on Item 4:

4. SPECIAL ONE-DAY LIQUOR LICENSE FOR SMG, TO BE OPERATED AT THE ORPHEUM THEATER, 315 NORTH PHILLIPS AVENUE, FOR A WEDDING RECEPTION ON SEPTEMBER 4, 2010, AND AUTHORIZE PUBLICATION OF NOTICE ON 08-06-10 TO SET THE HEARING DATE.

Memo

APPROVAL OF REGULAR AGENDA

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

Vote to approve: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Roling, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8. Noes, 0.

Motion Passed

PUBLIC INPUT

Roger Elgersma spoke about dumping sewage in the Big Sioux River.

Tim Stanga asked about stings for cigarette sales in the City of Sioux Falls and also about the reduction of police officers.

INTRODUCTION AND ADOPTION OF ORDINANCES

Set a hearing date and 2nd Reading for Monday, August 16, 2010, at 7:00 p.m. on Items 5 and 6:

5. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA (THE "CITY"), AUTHORIZING THE ISSUANCE OF ITS SALES TAX REVENUE BONDS IN ONE OR MORE SERIES, AUTHORIZING THE USE OF THE PROCEEDS THEREOF TO REFUND THE OUTSTANDING SIOUX FALLS SOUTH DAKOTA SALES TAX REVENUE REFUNDING BONDS, SERIES 2001B, PLEDGING 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 (THE "TRUSTEE"), AND AUTHORIZING THE SALE, EXECUTION, AND DELIVERY OF SUCH SALES TAX REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$11,500,000 PLUS COSTS OF ISSUANCE AND DEBT SERVICE RESERVE FUNDS. (SERIES 2001B IS THE ENTERTAINMENT BONDS)

Ord. 1209

A motion was made by Council Member Brown and seconded by Council Member Litz to set a hearing date and 2nd Reading for Monday, August 16, 2010, at 7:00 p.m. for Item 5.

Vote to set a hearing date: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Rolwing, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8. Noes, 0.

Motion Passed

6. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AUTHORIZING THE SOUTH DAKOTA DEPARTMENT OF GAME, FISH AND PARKS TO ISSUE PERMITS TO CITIZENS ALLOWING THEM TO HUNT GAME IN SAID CITY AS FOUND IN SECTIONS 7-14 AND 26-53 OF THE REVISED ORDINANCES OF SIOUX FALLS, SD.

Ord. 1213

A motion was made by Council Member Erpenbach and seconded by Council Member Aguilar to set a hearing date and 2nd Reading for Monday, August 16, 2010, at 7:00 p.m. for Item 6.

Vote to set a hearing date: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Rolwing, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member

Entenman, 8. Noes, 0.
Motion Passed

HEARINGS AND RESOLUTIONS

7. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR TREE TRIMMING IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

Resp. 002

Assessment Roll

Updated Assessment Roll

A motion was made by Council Member Entenman and seconded by Council Member Jamison to adopt said Resolution 62-10.

Vote to adopt: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Roling, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8. Noes, 0.
Motion Passed

RESOLUTION NO. 62-10

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR TREE TRIMMING IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.
BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:
SECTION 1. That the special assessment roll for tree trimming in various areas in Sioux Falls, SD, is hereby approved and the assessments in the assessment roll are levied against the property described in it. The assessments become a lien against the property when the assessment roll is filed in the City Finance Office.
SECTION 2. The assessment may be paid in one annual installment and shall be collected under Plan One--Collection by County Treasurer as provided in SDCL 9-43.
Date adopted: 08/09/10.

Mike T. Huether

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 one installment, together with interest not to exceed 6 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, 2011.

Notice is further given that the special assessment roll approved in the above r esolution was filed with the City Finance

Office on the 9th day of August, 2010, and that the entire assessment may be pai d without interest to the City Finance Office

on or before September 8, 2010.

Debra A. Owen

City Clerk

8. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE MOWING OF WEEDS AND GRASSES IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

Resp. 003

Assessment Roll

Updated Assessment Roll

A motion was made by Council Member Anderson Jr. and seconded by Council Member Entenman to adopt said Resolution 63-10.

Vote to adopt: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Roling, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8. Noes, 0.

Motion Passed

RESOLUTION NO. 63-10

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE MOWING OF WEEDS AND G RASSES IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

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

SECTION 1. That the special assessment roll for mowing weeds and grasses in var ious areas in Sioux

Falls, SD, is hereby approved and the assessments in the assessment roll are lev ied against the

property described in it. The assessments become a lien against the property whe n the assessment

roll is filed in the City Finance Office.

SECTION 2. The assessment may be paid in one annual installment and shall be co llected under Plan

One--Collection by County Treasurer as provided in SDCL 9-43.

Date adopted: 08/09/10.

Mike T. Huether

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 one installment, together with interest not to exceed 6 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, 2011.

Notice is further given that the special assessment roll approved in the above resolution was filed with the City Finance Office on the 9th day of August, 2010, and that the entire assessment may be paid without interest to the City Finance Office on or before September 8, 2010.

Debra A. Owen
City Clerk

9. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR LITTER REMOVAL IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

Resp. 004

Assessment Roll

Updated Assessment Roll

A motion was made by Council Member Anderson Jr. and seconded by Council Member Brown to adopt said Resolution 64-10.

A motion was made by Council Member Erpenbach and seconded by Council Member Aguilar to amend the main motion by removing property 5901 W. 58th Street from the special assessment list.

Vote to amend: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Roling, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8. Noes, 0.

Motion Passed

Vote to adopt the main motion, as amended: Roll Call: Yeses, Aguilar, Anderson Jr., Brown, Entenman, Erpenbach, Jamison, Litz, Roling, 8. Noes, 0. Motion Passed.

RESOLUTION NO. 64-10

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR LITTER REMOVAL IN VARIOUS AREAS IN THE CITY

OF SIOUX FALLS, SOUTH DAKOTA.

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

SECTION 1. That the special assessment roll for litter removal in various areas in Sioux Falls,

SD, is hereby approved and the assessments in the assessment roll are levied against the property

described in it. The assessments become a lien against the property when the assessment roll is

filed in the City Finance Office.

SECTION 2. The assessment may be paid in one annual installment and shall be collected under Plan

One-Collection by County Treasurer as provided in SDCL 9-43.

Date adopted: 08/09/10.

Mike T. Huether

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 one installment, together with interest not to

exceed 6 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,

2011.

Notice is further given that the special assessment roll approved in the above resolution was filed

with the City Finance Office on the 9th day of August, 2010, and that the entire assessment may be

paid without interest to the City Finance Office on or before September 8, 2010.

Debra A. Owen

City Clerk

10. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR SNOW REMOVAL IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

Resp. 005

Assessment Roll

Updated Assessment Roll

A motion was made by Council Member Brown and seconded by Council Member Litz to adopt said Resolution 65-10.

A motion was made by Council Member Jamison and seconded by to amend the main motion by reducing the assessment for Item 7 to \$100.00, Item 3 to \$0, Item 4 to \$400.00, and Item 45 to \$100.00.

A motion was made by Council Member Jamison and seconded by Council Member Anderson Jr. to amend the main motion by reducing assessment on property 6609 West 66th Street to \$100.

Vote to amend: Roll Call: Yeses, Aguilar, Anderson Jr., Jamison, Rolwing, 4. Noes, Brown, Entenman, Erpenbach, Litz, 4. Mayor Huether broke the tie vote by voting NO. Motion Failed.

A motion was made by Council Member Jamison and seconded by Council Member Rolwing to amend the main motion by reducing the assessment for property 912 East 70th Street to \$0.

A motion was made by Council Member Brown and seconded by Council Member Anderson Jr. to substitute the motion to reduce the assessment for property at 912 East 70th by half of the said amount of \$205.85 (approximately \$103.00).

Vote to substitute: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Rolwing, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, 6. Noes Council Member Litz, Council Member Entenman, 2.
Motion Passed

A motion was made by Council Member Jamison and seconded by Council Member Erpenbach to amend the main motion by reducing the assessment on property at 901 East Dove Trail to \$400.00.

Vote to amend: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Rolwing, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 7. Noes Council Member Litz, 1.
Motion Passed

A motion was made by Council Member Jamison and seconded by to amend the main motion by reducing the assessment on property at 4432 West Briggs to \$100.00.

Vote to adopt the main motion, as amended: Roll Call: Yeses, Aguilar, Anderson Jr., Brown, Entenman, Erpenbach, Jamison, Litz, Rolwing, 8. Notes, 0. Motion Passed.

RESOLUTION NO. 65-10

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR SNOW REMOVAL IN VARIOUS AREAS IN THE CITY OF

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

SECTION 1. That the special assessment roll for snow removal in various areas in Sioux Falls, SD,

is hereby approved and the assessments in the assessment roll are levied against the property

described in it. The assessments become a lien against the property when the assessment roll is

filed in the City Finance Office.

SECTION 2. The assessment may be paid in one annual installment and shall be collected under Plan

One Collection by County Treasurer as provided in SDCL 9-43.

Date adopted: 08/09/10.

Mike T. Huether

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 one installment, together with interest not to

exceed 6 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,

2011.

Notice is further given that the special assessment roll approved in the above resolution was filed

with the City Finance Office on the 9th day of August, 2010, and that the entire assessment may be

paid without interest to the City Finance Office on or before September 8, 2010.

Debra A. Owen

City Clerk

11. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR REPAIR OR DEMOLITION OF REAL PROPERTY IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

Resp. 013

Assessment Roll

Updated Assessment Roll

A motion was made by Council Member Jamison and seconded by Council Member Anderson Jr. to adopt said Resolution 66-10.

Vote to adopt: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Roling, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8. Noes, 0.

Motion Passed

RESOLUTION NO. 66-10

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR REPAIR OR DEMOLITION OF REAL PROPERTY IN

VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

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

SECTION 1. That the special assessment roll for repair or demolition of real property in various

areas in Sioux Falls, SD, is hereby approved and the assessments in the assessment roll are levied

against the property described in it. The assessments become a lien against the property when the

assessment roll is filed in the City Finance Office.

SECTION 2. The assessment may be paid in one annual installment and shall be collected under Plan

One-Collection by County Treasurer as provided in SDCL 9-43.

Date adopted: 08/09/10.

Mike T. Huether

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 one installment, together with interest not to

exceed 6 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,

2011.

Notice is further given that the special assessment roll approved in the above resolution was filed

with the City Finance Office on the 9th day of August, 2010, and that the entire assessment may be

paid without interest to the City Finance Office on or before September 8, 2010.

Debra A. Owen

City Clerk

12. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR CONSTRUCTION OF GRADING, GRAVEL, ASPHALT SURFACING, CURB AND GUTTER, STORM SEWER, SIDEWALK, AND STREETLIGHTS ON WEST BENSON ROAD FROM INTERSTATE 29 TO NORTH CAREER AVENUE AND ON NORTH CAREER AVENUE FROM WEST BENSON ROAD TO 350' SOUTH.

Res. 1746

Exhibit

Assessment Roll

A motion was made by Council Member Brown and seconded by Council Member Entenman to adopt said Resolution 67-10.

Vote to adopt: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Roling, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8. Noes, 0.
Motion Passed

RESOLUTION NO. 67-10

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR CONSTRUCTION OF GRADING, GRAVEL, ASPHALT SURFACING, CURB AND GUTTER, STORM SEWER, SIDEWALK, AND STREETLIGHTS ON WEST BENS ON ROAD FROM INTERSTATE 29 TO NORTH CAREER AVENUE AND ON NORTH CAREER AVENUE FROM WEST BENSON ROAD TO 350' SOUTH.

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

SECTION 1. That the special assessment roll for the assessment of the property a sssessable for construction of grading, gravel, asphalt surfacing, curb and gutter, storm sewer , sidewalk, and streetlights on West Benson Road from Interstate 29 to North Career Avenue and o n North Career Avenue from West Benson Road to 350' South pursuant to a contract entered into w ith Runge Enterprises on the 23rd day of April, 2009, be and the same is hereby approved a nd the assessment as set out in the special assessment roll approved this date is hereby levied ag ainst the property described therein and becomes a lien against such property upon filing of the sp ecial assessment roll in the City Accounting Office.

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

Date adopted: 08/09/10 .

Mike T. Huether

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 six

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, 2011; 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 9th day of August, 2010, 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

13. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE MAIN STREET BUSINESS IMPROVEMENT DISTRICT IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

Resp. 006

Assessment Roll

Downtown Boundary Map

BID Property Classification

A motion was made by Council Member Brown and seconded by Council Member Roling to adopt said Resolution 68-10.

A motion was made by Council Member Anderson Jr. and seconded by to postpone definitely this item to Monday, August 23, 2010, at 7:00 p.m.

Vote to postpone definitely: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Roling, Council Member Aguilar, Council Member Brown, Council Member Entenman, 7. Noes Council Member Anderson Jr., 1.

Motion Passed

RESOLUTION NO. 68-10

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE MAIN STREET BUSINESS IMPROVEMENT

DISTRICT IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

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

Section 1. That the special assessment roll for the Main Street Business Improvement District in the City of Sioux Falls, South Dakota, is hereby approved and the assessment as set out in said special assessment roll approved this date is hereby levied against the property described therein

and becomes a lien against such property upon filing of said special assessment roll in the City Finance Office.

Section 2. Industrial property shall be exempt from assessment. Single-family and two-family

dwelling units shall also be exempt. Residential rental property whose sole use is residential and

which contains more than two units, will be assessed one-half the set amount.

Section 3. Said assessment may be paid in one annual installment based on the assessed valuations

of the property adjusted each year and shall be collected under Plan One-Collection by County

Treasurer as provided in SDCL 9-43.

Date adopted: 08/09/10.

Mike T. Huether

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 one installment, together with interest for the

quarterly rate each year 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, 2011.

Notice is further given that the special assessment roll approved in the above resolution was filed

with the City Finance Office on the 9th day of August 2010, and that the whole of said assessment

may be paid without interest to the City Finance Office on or before 30 days after said filing.

Debra A. Owen

City Clerk

14. A RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON A PORTION OF S. GRANGE DR.
FROM S. MINNESOTA AVE. TO S. DULUTH AVE. AS SHOWN ON EXHIBIT A.

Res. 1747

Petition

Exhibits

Revised Exhibits

A motion was made by Council Member Entenman and seconded by Council Member Anderson Jr. to adopt said Resolution 69-10.

Vote to adopt: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Roling, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8. Noes, 0.

Motion Passed

RESOLUTION NO. 69-10

A RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON A PORTION OF S. GRANGE DR. FROM S. MINNESOTA AVE.

TO S. DULUTH AVE. AS SHOWN ON EXHIBIT A.

WHEREAS, a petition of the owners of Tract 6B and Tract 7 of Park South Addn. to the City of Sioux Falls, County, SD has been filed with the City Clerk, asking that the aforesaid be vacated.

Pursuant to SDCL, notice of hearing has duly been given, and said notice was properly published;

and

WHEREAS, the hearing was held on August 9, 2010, and the petition has been duly examined and investigated by the City Council of the City of Sioux Falls. Testimony in support of said petition has been heard, and no opposition thereto was voiced. Said public right-of-way, as shown upon the plats attached to and made a part of said petition, has been used as a street and no longer serves a useful public purpose.

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

That the public right-of-way on a portion of S. Grange Dr. from S. Minnesota Ave. to S. Duluth

Ave., as shown on Exhibit A, to the City of Sioux Falls, County, SD, be and the same hereby is

declared vacated, subject to an easement reserved by the City of Sioux Falls in, over, and upon

that portion of the vacated public right-of-way as shown on Exhibit A for drainage, sewer, water

and gas mains, electric, telephone lines, Cable TV, and all public utility uses

required or
authorized by the City of Sioux Falls, and that the City Clerk shall cause to be
filed with the
Register of Deeds, County, SD, a duly certified transcript of this resolution.

Date adopted: 08/09/10 .

Mike T. Huether

Mayor

ATTEST:

Debra A. Owen
City Clerk

15. A RESOLUTION AUTHORIZING USE OF CONSTRUCTION MANAGER AT RISK FOR GREAT
PLAINS ZOO IMPROVEMENTS.

Res. 1756

A motion was made by Council Member Aguilar and seconded by Council Member
Entenman to adopt said Resolution 70-10.

Vote to adopt: Roll Call: Yeses, Council Member Erpenbach, Council Member
Jamison, Council Member Litz, Council Member Roling, Council Member Aguilar,
Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8.
Noes, 0.
Motion Passed

RESOLUTION NO. 70-10

A RESOLUTION AUTHORIZING USE OF CONSTRUCTION MANAGER AT RISK FOR GREAT PLAINS ZO
O IMPROVEMENTS.

WHEREAS, in an effort to minimize any inconvenience to the public at the Great P
lains Zoo &
Delbridge Museum, the City s Director of Public Works recommends that the Great
Plains Zoo
improvements be accomplished using the Construction Manager at Risk project deli
very method;

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

That it is in the best interest of the public to utilize the Construction Manage
r at Risk project
delivery method for the Great Plains Zoo improvements and that the construction
manager be allowed
to submit bids on portions of the work.

This resolution shall become effective upon passage and publication.

Date adopted: 08/09/10 .

Mike T. Huether

Mayor

ATTEST:

Debra A. Owen
City Clerk

Set a hearing date for Monday, September 20, 2010, at 7:00 p.m. on Items 16 through 18:

16. A PROPOSED RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON TRACT NO. 57 OF COUNTY AUD. SUBD. IN THE NE1/4 OF SECTION 8-T101N-R49W, MINNEHAHA COUNTY, SD (NORTH E AVE. FROM W. BLACKHAWK ST. TO W. ALGONQUIN ST.).

Res. 0016

Petition

Exhibits

Revised Exhibits

17. A PROPOSED RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON S. 9TH AVE. FROM E. 23RD ST. TO E. 24TH ST. AND THE ADJACENT ALLEYS AS SHOWN ON THE EXHIBIT.

Res. 1754

Petition

Exhibits

Revised Exhibits

18. A PROPOSED RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON PORTIONS OF W. 28TH ST. FROM S. SUMMIT AVE. TO S. GRANGE AVE. AND ON THE ALLEY WITHIN BLOCK 23 OF DENNIS SUB-DIVISION OF BLOCKS 9, 10, 23, AND 24 OF UNIVERSITY ADDN. AS SHOWN ON EXHIBIT A.

Res. 1755

Petition

Exhibits

Revised Exhibits

A motion was made by Council Member Litz and seconded by Council Member Anderson Jr. to set a hearing date for Monday, September 20, 2010, at 7:00 p.m. on Items 16 through 18.

Vote to ti set a hearing date: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Rolwing, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8. Noes, 0.
Motion Passed

ADJOURNMENT

A motion was made by Council Member Entenman and seconded by Council Member Anderson Jr. to adjourn at 9:54 p.m.

Vote to adjourn: Roll Call: Yeses, Council Member Erpenbach, Council Member Jamison, Council Member Litz, Council Member Rolwing, Council Member Aguilar, Council Member Anderson Jr., Council Member Brown, Council Member Entenman, 8. Noes, 0.
Motion Passed

Jamie L. Palmer, CMC
Assistant City Clerk