

	City of Sioux Falls Council Meeting Minutes
	Carnegie Town Hall, 235 West 10th Street
	MEETING OF Monday, July 12, 2010 at 7:00 p.m.

ROLL CALL #6

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

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

INVOCATION

A. MR. DALLAS DOBBINS, CELEBRATE COMMUNITY CHURCH

PLEDGE OF ALLEGIANCE

APPROVAL OF CONSENT AGENDA

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

MINUTES

A. INFORMATIONAL MEETING OF TUESDAY, JULY 6, 2010, AT 4:00 P.M.

B. REGULAR CITY COUNCIL MEETING OF TUESDAY, JULY 6, 2010, AT 7:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM THE SIOUX FALLS ROLLER DOLLZ STATING THEIR INTENT TO SELL RAFFLE TICKETS FROM AUGUST 1, 2010 TO SEPTEMBER 1, 2010, FOR A PAINTING OF THE SIOUX FALLS ROLLER DOLLZ, WITH THE SIGNATURES OF ALL THE

MEMBERS (APPROXIMATE VALUE IS \$300.00). TICKETS WILL BE \$5.00 EACH. THE PROCEEDS ARE TO BE USED TO PURCHASE UNIFORMS FOR THEIR CHEERLEADERS.

NOTICE OF HEARINGS

Set a hearing date for Monday, August 9, 2010, at 7:00 p.m. on Items 2 through 8:

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

Resp 002

Assessment info.

3. A PROPOSED 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 info.

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

Resp 004

Assessment info.

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

Resp 005

Assessment info.

6. A PROPOSED 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 info.

7. A PROPOSED 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 info.

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

Resp 006

BID Boundary

Assessment info.

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Litz 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

Mark Cotter, Director of Public Works, regarding ownership of several scrapers at the landfill.

UNFINISHED BUSINESS

9. POSTPONED DEFINITELY (FROM JUNE 21, 2010 MEETING): CONSIDERATION TO RENEW, SUSPEND, OR RESCIND THE 2010-11 PACKAGE MALT BEVERAGE/FARM WINERY LICENSE FOR CFJ PROPERTIES, FLYING J (CONVENIENCE STORE), TO BE OPERATED AT 5201

NORTH GRANITE LANE.

A motion was made by Council Member Brown and seconded by Council Member Erpenbach to not renew the 2010-11 Package Malt Beverage/Farm Winery License for CFJ Properties, Flying J, to be operated at 5201 North Granite Lane.

Council Member Brown withdrew his motion. Council Member Erpenbach withdrew her second.

A motion was made by Council Member Brown and seconded by Council Member Erpenbach to renew the 2010-11 Package Malt Beverage/Farm Winery License for CFJ Properties, Flying J, to be operated at 5201 North Granite Lane.

Vote to renew: Roll Call: Yeses, Anderson Jr., Entenman, 2. Noes, Jamison, Litz, Roling, Aguilar, Brown, Erpenbach, 6. Motion Failed.

INTRODUCTION AND ADOPTION OF ORDINANCES

10. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE RELEASE OF A PERMANENT DRAINAGE EASEMENT IN TRACT 6B, PARK SOUTH, AN ADDITION TO THE CITY OF SIOUX FALLS, IN SECTION 32-T101N-R49W OF THE 5TH P.M., MINNEHAHA COUNTY, SOUTH DAKOTA.

Ord. 1184

Exhibit

A motion was made by Council Member Anderson Jr. and seconded by Council Member Litz to adopt said Ordinance 59-10.

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

Set a hearing date and 2nd Reading for Monday, July 19, 2010, at 7:00 p.m. on Item 11:

11. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. (FACILITIES MANAGEMENT, \$880,300.00; ENGINEERING, \$265,000.00)

Ord. 1201

Memo

Grant Memo

A motion was made by Council Member Anderson Jr. and seconded by Council Member Entenman to set a hearing date and 2nd Reading for Monday, July 19, 2010, at 7:00 p.m.

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

12. A RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON W. 23RD ST. FROM S. MINNESOTA AVE. TO S. SPRING AVE.

Res. 1716

Petition

Exhibit

A motion was made by Council Member Jamison and seconded by Council Member Anderson Jr. to adopt said Resolution 55-10.

Vote to adopt: 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

RESOLUTION NO. 55-10

A RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON W. 23RD ST. FROM S. MINNESOTA AVE. TO S. SPRING AVE.

WHEREAS, a petition of the owners of:

Trs. A & B Cenrad Addn.

N 44' NW1/4 Blk. 48 Park Addn.

W. 42' N2/3 NE1/4 Blk. 48 Park Addn.

E 90' N1/3 NE1/4 Blk. 48 Park Addn.

to the City of Sioux Falls, County, South Dakota 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 July 12, 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 property, as shown up on the plats attached to and made a part of said petition, has been used as a street or alley 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 W. 23rd St. from S. Minnesota Ave. to S. Spring Ave. to the City of Sioux Falls, County, South Dakota, be and the same hereby is declared vacated, subject to an easement reserved by the City of Sioux Falls in, over, and upon such vacated property 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, South Dakota, a duly certified transcript of this resolution.

Date adopted: 7/12/10 .

Mike T. Huether

Mayor

ATTEST:

Debra A. Owen
City Clerk

13. A RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON THE NORTH-SOUTH ALLEY IN BLK 7 BENNETT'S 1ST ADDN BETWEEN THE SOUTH PROPERTY LINE OF LOT 8 BLK 7 BENNETT'S 1ST ADDN AND THE SOUTH RIGHT-OF-WAY LINE OF W. 11TH ST.

Res. 1726

Petition

Exhibit

A motion was made by Council Member Litz and seconded by Council Member Anderson Jr. to adopt said Resolution 56-10.

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. 56-10

A RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON THE NORTH-SOUTH ALLEY IN BLK 7 BENNETT S 1ST ADDN BETWEEN THE SOUTH PROPERTY LINE OF LOT 8 BLK 7 BENNETT S 1ST ADDN AND THE SOUTH RIGHT-OF-WAY LINE OF W. 11TH ST.

WHEREAS, a petition of the owners of:

E 38' Lots 9 & 10 Blk 7 Bennett s 1st Addn.

Lot 8 Blk 7 Bennett s 1st Addn.

W 44' Lots 1 & 2 Blk 7 Bennett s 1st Addn.

Lot 3 & N1/2 Lot 4 Blk 7 Bennett s 1st Addn.

to the City of Sioux Falls, County, South Dakota, 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 July 12, 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 property, as shown up on the plats

attached to and made a part of said petition, has been used as a street or alley 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 the north-south alley in Blk 7 Bennett s 1st Addn between the south

property line of Lot 8 Blk 7 Bennett s 1st Addn and the south right-of-way line of

W. 11th St. to the City of Sioux Falls, County, South Dakota, be and the same hereby is declared

vacated, and that the City Clerk shall cause to be filed with the Register of Deeds, County, South

Dakota, a duly certified transcript of this resolution.

Date adopted: 7/12/10 .

Mike T. Huether

Mayor

ATTEST:

Debra A. Owen

City Clerk

14. A RESOLUTION DECLARING THE NECESSITY TO REPAIR/REBUILD PORTLAND CEMENT CONCRETE SIDEWALK IN FRONT OF AND ABUTTING VARIOUS STREETS AND AVENUES IN THE DOWNTOWN AREA OF THE CITY OF SIOUX FALLS, AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITTING THEREBY.

Exhibit

A motion was made by Council Member Litz and seconded by Council Member Jamison to adopt said Resolution 57-10.

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. 57-10

A RESOLUTION DECLARING THE NECESSITY TO REPAIR/REBUILD PORTLAND CEMENT CONCRETE SIDEWALK IN FRONT OF AND ABUTTING VARIOUS STREETS AND AVENUES IN THE DOWNTOWN AREA OF THE CITY OF SIOUX FALLS, AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITTING THEREBY.

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

Section 1. It is necessary to repair/rebuild sidewalk in accordance with specifications therefore

prepared by the City Engineer on the following streets and avenues in the city of Sioux Falls, SD,

in front of and abutting upon the following described properties to be assessed therefore:

West 100' Lots 1 thru 3 & all Lots 4 & 5, Blk. 1 Phillips, J. L. Addn.

E1/3 Lots 1 thru 3, Blk. 1 Phillips, J. L. Addn.

Lot 1, Blk. 13 Phillips, J. L. Addn.

Lot 15 (Ex. W50.25' S29') & Lots 16 to 18, Blk. 13 Phillips, J. L. Addn.

Lots 1 thru 6, Blk. 24 Phillips, J. L. Addn.

S1/2 Lot 8 & all Lot 9, Blk. 24 Phillips, J. L. Addn.

Lot 4, Blk. 2 Phillips, J. L. Addn.

Lot 5, Blk. 2 Phillips, J. L. Addn.

Lot 6 Blk. 2 Phillips, J. L. Addn.

Lots 7 & 8 & North 29' Lot 9, Blk. 2 Phillips, J. L. Addn.

S1/2 Vacated West 7th St. Lying Adj. & W1/3 Lots 1 to 3, Blk. 2 Phillips, J. L. Addn.

Lot 5R3, Blk. 1 Downtown Center Urban Renewal Subd.

East 73.3' Lots 1 & 2 & East 73.3' N1/2 Lot 3 & all S1/2 Lot 3 & Van Eps Subd. Part. N1/2 Lot 4 (Ex.

East 50' Van Eps Subd.) Blk. 23 Phillips, J. L. Addn.

Lot 9R, Blk. 1 Downtown Center Urban Renewal Subd.

North 16' Lot 17 & all Lot 18, Blk. 3 Phillips, J. L. Addn.

Lots 1 thru 7 Union Trust Subd. Lots 10 thru 12, Blk. 3 Phillips, J. L. Addn.

Lots 14 thru 18, Blk. 10 Phillips, J. L. Addn.

Lot 6R, Blk. 4 Downtown Center Urban Renewal Subd.

Lot 2R3, Blk. 4 Downtown Center Urban Renewal Subd.

Lot 3R3, Blk. 4 Downtown Center Urban Renewal Subd.

Lot 1A Subd. Lot 1 Blk. 15, Lot 2, Blk. 15 Phillips, J. L. Addn.

Lot 2, Blk. 5 Downtown Center Urban Renewal Subd.

West 115' & Air Space Over East 35' Lot 3, Blk. 5 Downtown Center Urban Renewal Subd.

Lot 9, Blk. 22 Phillips, J. L. Addn.

Lot 7R4, Blk. 1 Downtown Center Urban Renewal Subd.

Lot 4R, Blk. 1 Downtown Center Urban Renewal Subd.
E1/2 Lots 6 thru 9, Blk. 4 Phillips, J. L. Addn.
Lots 10 thru 18, Blk. 4 Phillips, J. L. Addn.
East 22' West 66' Lots 1 & 2, Blk. 9 Phillips, J. L. Addn.
East 42' Lots 1 & 2, Blk. 9 Phillips, J. L. Addn.
S1/2 Vacated Alley & Lots 6 & 7 Fannie L. Grigsby Subd. Lots 6 thru 9 Blk. 9 Phillips, J. L. Addn.
West 50' Lot 16 & West 42' Lots 17 & 18, Blk. 9 Phillips, J. L. Addn.
F. L. Grigsby Subd. Lots 6 to 9 Lot 8 & Lots 4 & 5, Phillips, J. L. Addn.
Fannie L. Grigsby Subd. Lots 6 to 9, Lots 1 to 5 Blk. 9 & Vacated Alley Lying Adj., Phillips, J. L. Addn.
Lot 3 (Ex. West 188') Blk. 11A Downtown Center Urban Renewal Subd.
(Ex. East 6' South 85') Lot 1, Blk. 11A Downtown Center Urban Renewal Subd.
Lots 1 & 2 & N30' Lot 3, Blk. 21 Phillips, J. L. Addn.
N1/2 Lot 6, Blk. 21 Phillips, J. L. Addn.
S1/2 Lot 9, Blk. 21 Phillips, J. L. Addn.
North 136' Vacated Alley Adj. & Lots 1 thru 4, Blk. 5 Phillips, J. L. Addn.
Lots 5 thru 9, Blk. 5 Phillips, J. L. Addn.
Lots 10 thru 14, Blk. 5 Phillips, J. L. Addn.
West 60.24' Lot 1 & West 60.24' North 1', Lot 2, Blk. 17 Phillips, J. L. Addn.
East 44' Lots 1 & 2, Blk. 17 Phillips, J. L. Addn.
Lot 9, Blk. 17 Phillips, J. L. Addn.
Lot 10, Blk. 17 Phillips, J. L. Addn.
N1/2 Lot 4, Blk. 20 Phillips, J. L. Addn.
S1/2 Lot 4, Blk. 20 Phillips, J. L. Addn.
N1/2 Lot 5, Blk. 20 Phillips, J. L. Addn.
Lots 8 & 9, Blk. 20 Phillips, J. L. Addn.
Tr 1A Faris Subd. Part Lots 1 & 2, Blk. 20 Phillips, J. L. Addn.
S1/2 Lot 6 & N1/2 Lot 7, Blk. 20 Phillips, J. L. Addn.
Lots 1 thru 3, Blk. 18 Phillips, J. L. Addn.
Lot 18A, Blk. 18 Phillips, J. L. Addn.
Unit B Phillips Centre Condos Lots 1 to 3, Blk. 19 Phillips, J. L. Addn.
Lot 5R3A, Blk. 6 Downtown Center Urban Renewal Subd.
Units B, C, D, E, & F River Centre Condominiums Lot 2, Blk. 1A Brown Drug Addn.
W1/3 Lots 16 thru 18 Blk 19, Blk. 19 Phillips, J. L. Addn.
W1/2 E2/3 Lots 16 thru 18, Blk. 19 Phillips, J. L. Addn.
Lots 1 & 2, Blk. 28 Phillips, J. L. Addn.
E1/2 Vacated Alley Adj. to Lot 16 & all Lots 16 thru 18, Blk. 28 Phillips, J. L. Addn.
W 1/2 Vacated Alley Lying Adj. & Lots 3 & 4 & N1/2 Lot 5, Blk. 28 Phillips, J. L. Addn.
E1/2 Vacated Alley Lying Adj. & Lot 6 Blk. 5 Gale s & Lot 14 & 15, Blk. 28 Sioux Falls Addn.,
Phillips, J. L. Addn.
Lots 1 thru 3 (Ex. West 75' Lot 2) Blk. 3 Gale s Sioux Falls Addn.
West 75' Lot 2, Blk. 3 Gale s Sioux Falls Addn.
Lot 4 & South 26' Lot 5, Blk. 3 Gale s Sioux Falls Addn.
Lots 5 & 6, Blk. 14 Gale s Sioux Falls Addn.
W1/2 Vacated Alley Lying Adj. & South 44' Lot 5 Blk. 5 J. L. Phillips Addn. & Vacated West 12th St.
Lying Adj. & Blk. 1 & Lots 1 to 4 & 7 to 12 Blk. 14 Gale s Sioux Falls Addn.
East 58' Lots 4 thru 6 (Ex. East 8') Blk. 13 Gale s Sioux Falls Addn.
Lot 9 (Ex. West 8') Blk. 13 Gale s Sioux Falls Addn.
Lots 7 & 8 (Ex. West 8' & East 125') Blk. 13 Gale s Sioux Falls Addn.
East 125' Lots 7 & 8, Blk. 13 Gale s Sioux Falls Addn.
S1/2 Vacated 12th St Adj. Lot 1 & Lots 1 & 2 (Ex. East 8') & Lots 10 & 11 (Ex. West 8') & South 22'
Lot 12 (Ex. West 8') Blk. 13 Gale s Sioux Falls Addn.
East 80' Lots 11 & 12, Blk. 12 Gale s Sioux Falls Addn.

Lots 4 thru 6 & County Auditor Tract 2 of Lot 9, Blk. 11 Gale s Sioux Falls Addn .
West 100' Lot 2 & West 100' North 8' Lot 3, Blk. 15 Gale s Sioux Falls Addn.
Lot 7 (Ex. West 48 1/2') Blk. 15 Gale s Sioux Falls Addn.
Lots 5 & 6 Blk. 15 (Ex. H-1) (Ex. East 49') Gale s Sioux Falls Addn.
Lots 3 & 4, Blk. 16 Gale s Sioux Falls Addn.
Lot 5 & East 40' Lot 6 & all Lots 7 thru 9, Blk. 16 Gale s Sioux Falls Addn.
Lots 10 thru 12, Blk. 16 Gale s Sioux Falls Addn.
Lots 10 thru 12, Blk. 17 Gale s Sioux Falls Addn.
West 65' Lots 5 & 6 (Ex. H-1) Blk. 8 Gale s Sioux Falls Addn.
West 68' Lots 4 & 5, Blk. 5 Gale s Sioux Falls Addn.
East 90' West 52' Lots 4 & 5, Blk. 5 Gale s Sioux Falls Addn.
N1/2 Vacated 12th St & Lot 2R, Blk. 12 Downtown Center Urban Renewal Subd.
Tract 1 County Auditor Subd. Lot 9, Blk. 11 Gale s Sioux Falls Addn.
Lots 1 to 3 & Lots 10 to 12 Blk. 3 & S1/2 Vacated South Phillips Ave. Lying Adj.
, Gale s Sioux
Falls Addn.
E1/2 W2/3 & East 10' W1/3 Lots 11 & 12, Blk. 10 Gale s Sioux Falls Addn.
Lot 7, Blk. 10 Gale s Sioux Falls Addn.
Lots 9 & 10 & E1/3 Lots 11 & 12, Blk. 10 Gale s Sioux Falls Addn.
Lots 3 to 6 Blk. 10 Gale s Sioux Falls Addn.
Lot 1 & N1/2 Lot 2, Blk. 19 Gale s Sioux Falls Addn.
South 6' Lot 2 & all Lot 3, Blk. 19 Gale s Sioux Falls Addn.
East 114' Lot 12, Blk. 19 Gale s Sioux Falls Addn.
East 114' Lot 10, Blk. 19 Gale s Sioux Falls Addn.
North 34' Lot 8 & South 16' Lot 9, Blk. 19 Gale s Sioux Falls Addn.
East 108' Lot 7 & East 108' South 16' Lot 8, Blk. 19 Gale s Sioux Falls Addn.
Tract A, Blk. 20 Gale s Sioux Falls Addn.
East 100' Lot 12, Blk. 20 Gale s Sioux Falls Addn.
Lot 2 Tract B, Blk. 20 Gale s Sioux Falls Addn.
South 37.5' Lot 4, Blk. 21 Gale s Sioux Falls Addn.
West 75' Lot 12, Blk. 21 Gale s Sioux Falls Addn.
East 75' Lot 12, Blk. 21 Gale s Sioux Falls Addn.
Lot 10, Blk. 21 Gale s Sioux Falls Addn.
W1/3 Lot 7. Blk. 27 Gale s Addn.

Section 2. The owners of the above-described lots and parcels of land have been notified to repair sidewalk at their own cost in front of and abutting upon said lots and parcels of land in accordance with the provisions of the ordinances of the City of Sioux Falls, and specifications therefore as filed in the office of the City Engineer. Because the sidewalks were not repaired by the owners or occupants of said lots or parcels of land within the time specified, the City of Sioux Falls will cause the same to be repaired and the cost thereof assessed upon the abutting lots or parcels of land. The cost and expense of the above-listed improvements shall be levied by special assessment upon the above-described property in accordance with SDCL Chapter 9-43.

Section 3. Notice. If you are an owner-occupant of a single-family dwelling to be specially assessed and whose total household income is \$10,000 annually, or less, you may be eligible for the waiving or reduction of the special assessment described herein. In order to qualify and be eligible for the waiving or reduction of such special assessments, you must make application on forms provided at the City of Sioux Falls Community Development, Carnegie Town Hall, 235 W. 10th

St., or call 367-7125, prior to the date of the Final Levy of the Assessment Roll before the Sioux Falls City Council. Failure to make proper written application prior to this date will disqualify you from being eligible for waiving or reduction of the special assessment.

Section 4. The assessment may be paid in five equal annual installments. If not paid within 30 days after the assessment roll has been filed in the City Accounting Office, the assessment or any installment shall be collected with interest in accordance with the procedure provided by SDCL

9‑43-31 through 9-43-41.

Interest on such assessment or installment will be charged and collected in accordance with the law. The rate to be charged will be set by the City Council in the year of assessment.

Section 5. The estimated cost of said sidewalk is as follows:

Remove/Replace 4" Sidewalk	Per Sq. Ft.
\$5.50	
Remove/Replace 6" Sidewalk	Per Sq. Ft.
\$6.50	
Tree Root Removal	Per Each Location
\$100.00	
Engineering Fee	14%

Section 6. A copy of the resolution will be recorded at the Register of Deeds Office, Minnehaha County, SD, as a notice to all potential or actual future landowners, of present or future assessment payments on said property.

Date adopted: 7/12/10 .

Mike T. Huether

Mayor

ATTEST:

Debra A. Owen
City Clerk

15. A RESOLUTION DECLARING THE NECESSITY TO REPAIR/REBUILD PORTLAND CEMENT CONCRETE SIDEWALK IN FRONT OF AND ABUTTING VARIOUS STREETS AND AVENUES IN THE CITY OF SIOUX FALLS, AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITTING THEREBY.

Res. 1733

Exhibit

A motion was made by Council Member Anderson Jr. and seconded by Council Member Litz to adopt said Resolution 58-10.

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. 58-10

A RESOLUTION DECLARING THE NECESSITY TO REPAIR/REBUILD PORTLAND CEMENT CONCRETE SIDEWALK IN FRONT OF AND ABUTTING VARIOUS STREETS AND AVENUES IN THE CITY OF SIOUX FALLS, AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITTING THEREBY.

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

Section 1. It is necessary to repair/rebuild sidewalk in accordance with specifications therefore prepared by the City Engineer on the following streets and avenues in the city of Sioux Falls, SD, in front of and abutting upon the following described properties to be assessed therefore:

Lot 5 Block 4 Aspen Hills Addn.

Lot 6 Block 4 Aspen Hills Addn.

Lot 21 Block 5 Baker s W. L. Addn.

North 44' South 88' Lot 1 Block 10 Braley s First Addn.

West 72' Lots 1 thru 3 Block 34 Brookings & Edmunds Addn.

North 120.34' East 210.67' and North 60' West 115' East 325.67' Block 2 Brown Addn.

Lots A-1 and A-2 Tract 3 Cherry Creek Addn.

Lot 1C Block 10 Cottonwood Heights Addn.

West 100' Lots 17 and 18 Block 8 Covell s 1st Addn.

East 50' Lots 17 and 18 Block 8 Covell s 1st Addn.

Lot 2A Replat Lots 1 and 2 and Part of Lot 3 Block 2 Ericksen-Austin Addn.

Lots 20A and 21 Block 2 Ericksen-Austin Addn.

Block 1 (ex. Lots 1 thru 5) Ericksen-Austin Addn.

Lot 4 Subd. of Block 1 Ericksen-Austin Addn.

Lot 6 Block 3 Ericksen-Austin Addn.

Lot 7 Block 3 Ericksen-Austin Addn.

Lot 11 Block 3 Ericksen-Austin Addn.

Lots 20B and 22 Block 2 Ericksen-Austin Addn.

Lot 23 Block 2 Ericksen-Austin Addn.

West 44' East 88.5' Lots 6 thru 8 Block 23 Folsom s 2nd Addn.

South 6' W2/3 Lot 5 and W2/3 Lot 6 Block 8 Grigsby s Addn.
Lots 10 thru 12 (ex. H-1) Block 20 Harrison s Addn.
South 52' of the SE1/4 Block 4 Hayes Addn.
Lot 1 Block 20 Highland Addn.
South 57' Tract K and All Tracts L and M Kelley s Tracts
Lot 4 Replat of Block 3 Klondike Addn.
Lot 5 Block 4 Morningside First Addn.
E1/2 W1/2 NE1/4 Block 15 Park Addn.
West 33' NE1/4 Block 15 Park Addn.
North 82' W1/2 NW1/4 Block 15 Park Addn.
South 27 1/2' Lot 1 and N1/2 Lot 2 Block 15 Pettigrew & Tates 4th Addn.
West 74' Lot 12 and West 74' Lot 11 (ex. South 6') Block 10 Pettigrew & Tates 4th Addn.
South 3' Tract 3 and All Tract 14 and North 19' Lot 13 and All Lot 14 Block 10 Prospect Hill Addn.
Lot 11 Block 9 Prospect Park Addn.
Lot 1 Block 2 Prospect Park Addn.
Lot 1A Block 10 Raegan Addn.
Lot 7 Block 12 Raegan Addn.
Lot 2 Block 1 River Oaks Addn.
Lot 1 (ex. Railroad) Block 15 Rowland s Addn.
Lot 3A Young & Kennedy Subd. Blocks 8 thru 10 and Blocks 16 and 17 Block 2 Scott s First Addn.
Lot 1 Tract 7 Sioux Empire Addn.
Lot 2 Tract 7 Sioux Empire Addn.
Lot 2 Markey s Subd. Part Block 3 Sioux Heights Addn.
Lot 10B Block 1 Solar Gardens Addn.
Lot 3 Block 6 Spicer s 2nd Addn.
South 36' Lot 9 and North 12' Lot 10 Block 6 Spicer s 2nd Addn.
Lot 2A Block 3 Stone s Addn.
Vacated Russell Street and Vacated Bennett Street Lying Adj. and Lot 1 Block 12 and Lots 1 19 Block 9 Syndicate Addn.
Lot 20 Block 10 Terrace Lawn Addn.
Lot 19 Block 5 Terrace Lawn Addn.
Lot 5 Block 14 University Addn.
SE1/4 SW1/4 (ex. H-1, H-2, H-3, H-4, H-5, H-6, H-7 and Lots E1 and E2) Unplatted Lands 30-101-49
E1/2 Vacated Alley and Lot 1 Block 9 W. L. Baker s Addn.
Lot 11 Replat Block 7 West Mesa Highlands
Lot 6 Block 2 West Mesa Highlands Second Addn.
Lot 6 Block 3 West Mesa Highlands Second Addn.
Lot 5 Block 1 West Park Estates Addn.
Lot 9 Block 1 West Park Estates Addn.
Lot 1 Block 1 West Park Estates Addn.
Lot 3 Block 1 West Park Estates Addn.
Lot 4 County Auditor Subd. Block 3 Weston s 1st Addn.
Lot 11 Block 10 Lincoln Highlands Addn., Lincoln County, SD
Lot 11 Block 1 Misty Glen Addn., Lincoln County, SD
Lot 3 Speier s Addn., Lincoln County, SD

Section 2. The owners of the above-described lots and parcels of land have been notified to repair sidewalk at their own cost in front of and abutting upon said lots and parcels of land in accordance with the provisions of the Ordinances of the City of Sioux Falls, and specifications therefore as filed in the office of the City Engineer. Because the sidewalks were not repaired by the owners or occupants of said lots or parcels of land within the time specified, the City of Sioux Falls will cause the same to be rep

aired and the cost thereof assessed upon the abutting lots or parcels of land. The cost and expense of the above-listed improvements shall be levied by special assessment upon the above-described property in accordance with SDCL Chapter 9-43.

Section 3. Notice. If you are an owner-occupant of a single-family dwelling to be specially assessed and whose total household income is \$10,000 annually, or less, you may be eligible for the waiving or reduction of the special assessment described herein. In order to qualify and be eligible for the waiving or reduction of such special assessments, you must make application on forms provided at the City of Sioux Falls Community Development, Carnegie Town Hall, 235 W. 10th St., or call 367-7125, prior to the date of the Final Levy of the Assessment Roll before the Sioux Falls City Council. Failure to make proper written application prior to this date will disqualify you from being eligible for waiving or reduction of the special assessment.

Section 4. The assessment may be paid in five equal annual installments. If not paid within 30 days after the assessment roll has been filed in the City Accounting Office, the assessment or any installment shall be collected with interest in accordance with the procedure provided by SDCL 9-43-31 through 9-43-41. Interest on such assessment or installment will be charged and collected in accordance with the law. The rate to be charged will be set by the City Council in the year of assessment.

Section 5. The estimated cost of said sidewalk is as follows:

Rem/Rpl 4" Sidewalk		Per Square Foot
\$5.50		
Rem/Rpl 6" Sidewalk		Per Square Foot
\$6.50		
Rem/Rpl 6" Driveway Approach		
Pavement		Per Square
Yard	\$63.00	
Asphalt Patch for Approach Pavement		Per Square Foot
\$7.00		

Tree Root Removal
\$100.00

Per Each Location

Engineering
Fee
14%

Section 6. A copy of the resolution will be recorded at the Register of Deeds Of fice, Minnehaha County, SD, and Lincoln County, SD as a notice to all potential or actual future landowners, of present or future assessment payments on said property.

Date adopted: 7/12/10 .

Mike T. Huether

Mayor
ATTEST:
Debra A. Owen
City Clerk

16. A RESOLUTION AUTHORIZING THE CITY OF SIOUX FALLS TO GIFT TO THE S.D. DEPARTMENT OF CORRECTIONS EIGHTY 2" DIAMETER WILLOW TREES.

Res. 1745

Exhibit

A motion was made by Council Member Anderson Jr. and seconded by Council Member Litz to adopt said Resolution 59-10.

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. 59-10

A RESOLUTION AUTHORIZING THE CITY OF SIOUX FALLS TO GIFT TO THE S.D. DEPARTMENT OF CORRECTIONS EIGHTY 2" DIAMETER WILLOW TREES.
WHEREAS, the City of Sioux Falls has declared as surplus property eighty 2" diameter willow trees which are located in the southeast corner of 41st St. and Bahnson Ave. as furthe

r depicted in
Exhibit A, which is attached hereto and made a part of this resolution; and
WHEREAS, the S.D. Department of Corrections finds it desirable to acquire eighty
2" diameter willow
trees to construct a sweat lodge to be located at the S.D. State Penitentiary;
NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:
That the gifting by the City of Sioux Falls of eighty 2" diameter willow trees t
o the S.D.
Department of Corrections is hereby approved.
This resolution shall become effective upon its passage and publication.

Date adopted: 7/12/10 .

Mike T. Huether

Mayor

ATTEST:

Debra A. Owen

City Clerk

Set a hearing date for Monday, August 9, 2010, at 7:00 p.m. on Item 17:

17. A PROPOSED 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

Exhibit

A motion was made by Council Member Erpenbach and seconded by Council Member
Aguilar to set a hearing date for Monday, August 9, 2010, at 7:00 p.m.

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

ADJOURNMENT

A motion was made by Council Member Litz and seconded by Council Member
Anderson Jr. to adjourn at 7:53 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

Denise D. Tucker, CMC
Assistant City Clerk