

	City of Sioux Falls Council Meeting Minutes
	Carnegie Town Hall, 235 West Tenth Street
	MEETING OF Monday, November 10, 2008 at 7:00 p.m.

ROLL CALL #7

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Members Present:	Members Absent:
Council Member Litz	Council Member Jamison
Council Member Staggers	
Council Member Anderson Jr.	
Council Member Beninga	
Council Member Brown	
Council Member Costello	
Council Member Knudson	
Mayor Dave Munson	

INVOCATION

A. DR. RON TOTTINGHAM, EMPIRE BAPTIST TEMPLE

PLEDGE OF ALLEGIANCE

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Litz and seconded by Council Member Beninga to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 7. Noes, 0.
Motion Passed

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, NOVEMBER 3, 2008, AT 4:00 P.M.

B. REGULAR COUNCIL MEETING OF MONDAY, NOVEMBER 3, 2008, AT 7:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM FIRST PREMIER BANK/PREMIER BANKCARD REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, LIQUOR, WINE AND/OR MALT BEVERAGES AT THE HORSE BARN ARTS CENTER IN FALLS PARK, 309 E. FALLS PARK DRIVE, ON SATURDAY, DECEMBER 20, 2008, FROM 7:00 P.M. TO 10:00 P.M. FOR A HOLIDAY CELEBRATION.

2. A COMMUNICATION WAS RECEIVED FROM RYAN POSTAS AND STEFFINNIE PHROMMANY REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE, BEER AND LIQUOR AT THE OLD COURTHOUSE MUSEUM AT 200 W. SIXTH STREET, ON SATURDAY, MAY 9, 2009, FROM 5:00 P.M. TO 11:00 P.M. FOR THE PURPOSE OF A WEDDING RECEPTION.

NOTICE OF HEARINGS

Set a date of hearing for Monday, December 8, 2008, at 7:00 p.m. for Items 3 and 4:

3. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR CONSTRUCTION OF SIDEWALK ON N. CLIFF AVE. FROM E. CHAMBERS ST. TO E. BENSON RD.

Document: NOH 0006

Document: RES 0011

Document: Exhibits

Document: Assessments

4. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR CONSTRUCTION OF GRADING, GRAVEL, CURB AND GUTTER, SIDEWALK ASPHALT SURFACING WITH DRIVEWAY APPROACHES, SANITARY SEWER MAIN, SANITARY SEWER SERVICES, AND WATER SERVICES ON W. 69TH ST. FROM S. LOUISE AVE. TO 2,300' EAST.

Document: NOH 0040

Document: RES 0024

Document: Exhibits

Document: Assessments

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Knudson and seconded by Council Member Brown to approve the Regular Agenda.

Vote to approve: Roll Call: Yeses, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 7. Noes, 0.

Motion Passed

PUBLIC INPUT

There was none.

INTRODUCTION AND ADOPTION OF ORDINANCES

5. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE RELEASE OF A PERMANENT UTILITY EASEMENT IN TRACT A OF MILLER'S ADDITION TO THE CITY OF SIOUX FALLS IN THE N1/2 NE1/4 OF SECTION 12, TOWNSHIP 101 NORTH, RANGE 50 WEST OF THE 5TH P.M., MINNEHAHA COUNTY, SOUTH DAKOTA.

Document: ORD 0003

Document: Exhibits

A motion was made by Council Member Litz and seconded by Council Member Costello to adopt Ordinance 136-08.

Vote to adopt: Roll Call: Yeses, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 7. Noes, 0.
Motion Passed

6. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, DECLARING CERTAIN REAL PROPERTY OF THE CITY SURPLUS AND AUTHORIZING THE DISPOSITION THEREOF. (4700 BLOCK OF S. LOUISE AVENUE)

Document: ORD 1068

Document: Exhibits

Document: Land Appraisal Report

A motion was made by Council Member Knudson and seconded by Council Member Litz to adopt Ordinance 137-08.

Vote to adopt: Roll Call: Yeses, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 7. Noes, 0.
Motion Passed

Set a hearing date and 2nd Reading for Monday, November 17, 2008, for Item 7:

7. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. (ADDITIONAL REVENUE AND UNRESERVED FUND BALANCE - TRANSIT FUND. (\$350,000.)

Document: ORD 0019

Document: Memo from the Mayor

A motion was made by Council Member Litz and seconded by Council Member Costello to set a hearing date and 2nd Reading for Monday, November 17, 2008, for Item 7.

Vote to set a hearing date: Roll Call: Yeses, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 7. Noes, 0.
Motion Passed

HEARINGS AND RESOLUTIONS

8. A RESOLUTION VACATING PORTIONS OF E. SHADOW CREEK LN. AND S. PIPING ROCK AVE. IN N1/2 SECTION 14-100-50 AS SHOWN ON EXHIBIT A.

Document: RES 0004

Document: Exhibits/Petition

A motion was made by Council Member Litz and seconded by Council Member Brown to adopt Resolution 177-08.

Vote to adopt: Roll Call: Yeses, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 7. Noes, 0.
Motion Passed

RESOLUTION NO. 177-08

A RESOLUTION VACATING PORTIONS OF E. SHADOW CREEK LN. AND S. PIPING ROCK AVE. IN N1/2 SECTION 14-100-50 AS SHOWN ON EXHIBIT A.

WHEREAS, a petition of the owners of Tract 1 Springdale Addition N1/2 Section 14-100-50 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 November 10, 2008, 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 upon the plats attached to and made a part of said

petition, has not been used for public travel in the last 20 years.

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

That portions of E. Shadow Creek Ln. and S. Piping Rock Ave. in N1/2 Section 14-

100-50 as shown on Exhibit A
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: 11/14/08 .

Dave

Munson

Mayor
ATTEST:
Debra A. Owen
City Clerk

9. A RESOLUTION VACATING S. TOMAR RD. FROM E. 73RD ST. SOUTH APPROXIMATELY 130'
AS SHOWN ON ATTACHED EXHIBIT.

Document: RES 0005

Document: Exhibits/Petition

A motion was made by Council Member Litz and seconded by Council Member Knudson to adopt Resolution 178-08.

Vote to adopt: Roll Call: Yeses, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 7. Noes, 0.
Motion Passed

RESOLUTION NO. 178-08

A RESOLUTION VACATING S. TOMAR RD. FROM E. 73RD ST. SOUTH APPROXIMATELY 130' AS SHOWN ON ATTACHED EXHIBIT.
WHEREAS, a petition of the owners of Lot 1 Block 17 Diamond Valley Addition and a portion of NE1/4 Section 14-100-50 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 November 10, 2008, 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 upon the plats attached to and made a part of said petition, has not been used for public travel in the last 20 years.
NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:
That S. Tomar Rd. from E. 73rd St. south approximately 130' as shown on attached

exhibit to the City of Sioux Falls, County, South Dakota, be and the same hereby is declared vacated, and th at 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: 11/14/08 .

Dave

Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

Set and hearing date for Monday, December 8, 2008, at 7:00 p.m. for Item 10:

10. A PROPOSED RESOLUTION VACATING N. COSSINGTON AVE. FROM N. MARLOWE AVE. TO APPROXIMATELY 507' NORTH OF E. ROSEMARY ST. AS SHOWN ON ATTACHED EXHIBIT.

Document: NOH 0007

Document: RES 0012

Document: Exhibits/Petition

A motion was made by Council Member Knudson and seconded by Council Member Litz to set a hearing date for Monday, December 8, 2008, at 7:00 p.m. for Item 10.

Vote to set a hearing date: Roll Call: Yeses, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 7. Noes, 0.

Motion Passed

ADJOURNMENT

A motion was made by Council Member Brown and seconded by Council Member Beninga to adjourn at 7:10 p.m.

Vote to adjourn: Roll Call: Yeses, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 7. Noes, 0.

Motion Passed

Jamie L. Palmer

Assistant City Clerk