

	City of Sioux Falls Council Meeting Minutes
	Carnegie Town Hall, 235 West Tenth Street
	MEETING OF Tuesday, October 14, 2008 at 7:00 p.m.

ROLL CALL #4

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Members Present:	Members Absent:
Council Member Costello	None.
Council Member Jamison	
Council Member Knudson	
Council Member Litz	
Council Member Staggers	
Council Member Anderson Jr.	
Council Member Beninga	
Council Member Brown	
Mayor Dave Munson	

INVOCATION

A. BISHOP DAVID ZELLMER, SD SYNOD, ELCA

PLEDGE OF ALLEGIANCE

APPROVAL OF CONSENT AGENDA

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

A motion was made by Council Member Litz and seconded by Council Member Beninga to amend the main motion, by correcting the City Council Meeting Minutes of October 6, 2008, to set the hearing date and 2nd Reading for "An Ordinance of the City of Sioux Falls, SD, amending the revised ordinances of the City by amending the fee schedule set forth in Chapter 23, Licenses," to Tuesday, October 14, 2008, at 7:00 p.m.

Vote to amend: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.  
Motion Passed

Vote to approve as amended: Roll Call: Yeses, Costello, Jamison, Knudson, Litz, Staggers, Anderson Jr., Beninga, Brown, 8. Noes, 0. Motion Passed.

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, OCTOBER 6, 2008, AT 4:00 P.M.

B. REGULAR COUNCIL MEETING OF MONDAY, OCTOBER 6, 2008, AT 7:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM THE AMERICAN COUNCIL OF ENGINEERING COMPANIES OF SOUTH DAKOTA STATING ITS INTENT TO SELL RAFFLE TICKETS ON OCTOBER 11, 2008, FOR ONE BASKET FILLED WITH CHOCOLATE AND OTHER FOOD STUFF, VALUED AT \$200.00. TICKETS WILL COST \$50.00 PER CHANCE. THE PROCEEDS WILL BE USED FOR THE AMERICAN COUNCIL OF ENGINEERING COMPANIES NATIONAL POLITICAL ACTION COMMITTEE.
2. A COMMUNICATION WAS RECEIVED FROM THE WASHINGTON PAVILION OF ARTS AND SCIENCE STATING ITS INTENT TO SELL RAFFLE TICKETS FROM OCTOBER 15, 2008, THROUGH NOVEMBER 8, 2008, FOR FIVE TRAVEL/SPORT PACKAGES (LAS VEGAS, SOUTH DAKOTA HUNTING, BLACK HILLS, SIOUX FALLS, AND A SPORTS PACKAGE) EACH PACKAGE HAS AN APPROXIMATE VALUE OF \$1,000.00. TICKETS WILL COST \$10.00 PER CHANCE. PROCEEDS FROM THE PAVILION HOLIDAY RAFFLE ARE USED IN PART TO KEEP THE VISUAL ARTS CENTER FREE AND OPEN TO THE PUBLIC AND TO ENSURE QUALITY EDUCATIONAL ACTIVITIES AND OUTREACH PROGRAMS.
3. A COMMUNICATION WAS RECEIVED FROM THE SIOUX EMPIRE BASEBALL ASSOCIATION, STATING ITS INTENT TO SELL RAFFLE TICKETS, FROM JANUARY 12, 2009 TO MAY 18, 2009, FOR A GRAND PRIZE OF \$1,000.00 AND 20 PRIZES OF \$50.00. TICKETS WILL COST \$5.00 PER CHANCE. THE PROCEEDS ARE TO BE USED TO BENEFIT THE SIOUX EMPIRE BASEBALL ASSOCIATION IN PROVIDING A QUALITY YOUTH BASEBALL PROGRAM.

APPROVAL OF REGULAR AGENDA

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

A motion was made by Council Member Brown and seconded by Council Member Beninga to amend the main motion, by moving Item 15 after Item 5.

Vote to amend: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

A motion was made by Council Member Costello and seconded by Council Member Litz to amend the main motion, to reconsider an Ordinance of the City of Sioux Falls, SD, providing appropriations and the means of financing them for the Fiscal Year ending December 31, 2009, and to set a date of hearing for Monday, October 20, 2008, at 7:00 p.m. at the City Council Meeting .

Vote to amend: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

Vote to approve as amended: Roll Call: Yeses, Costello, Jamison, Knudson, Litz, Staggers, Anderson Jr., Beninga, Brown, 8. Noes, 0. Motion Passed.

#### PUBLIC INPUT

There was none.

#### APPLICATIONS

4. DEFERRED ACTION: USA ARMY RESERVES, 4400 N. NORTHVIEW AVE., FOR 2007 DRAINAGE FEES LEVIED IN THE AMOUNT OF \$562.50. THE USA ARMY RESERVES IN A TAX EXEMPT ENTITY AND DOES NOT PAY TAXES AND THEY ARE NOW REQUESTING AN ABATEMENT.

#### PDF

A motion was made by Council Member Brown and seconded by Council Member Litz to approve Item 4.

A motion was made by Council Member Knudson and seconded by Council Member Beninga to amend the main motion, by changing the verbiage 2007 drainage fees to 2007 street maintenance fees in the minutes.

Vote to amend: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.  
Motion Passed

Vote to approve as amended: Roll Call: Yeses, Costello, Jamison, Knudson, Litz, Staggers, Anderson Jr., Beninga, Brown, 8. Noes, 0. Motion Passed.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

5. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE RELEASE OF PERMANENT SANITARY SEWER EASEMENT.

Ord. 1058

#### Exhibit & Agreement

A motion was made by Council Member Beninga and seconded by Council Member Knudson to adopt said Ordinance 123-08.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.  
Motion Passed

Item 15 was heard at this time. See item for action taken.

Set a hearing date and 2nd Reading for Monday, October 20, 2008, at 7:00 p.m., for Items 6 and 7:

6. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING CHAPTER 14, OF THE CAMPAIGN FINANCE ORDINANCE FOR MUNICIPAL ELECTIONS.

Ord. 0017

7. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY OF SIOUX FALLS, SD, BY REVISING BOUNDARIES FOR VOTING PRECINCTS.

Ord. 1060

A motion was made by Council Member Knudson and seconded by Council Member Jamison to set a hearing date and 2nd Reading for Monday, October 20, 2008, at 7:00 p.m., for Items 6 and 7.

Vote to set a hearing date: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.  
Motion Passed

Set a hearing date and 2nd Reading for Monday, November 10, 2008, at 7:00 p.m., for Item 8:

8. 1ST 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.

Ord. 0003

Exhibit & Agreement

A motion was made by Council Member Litz and seconded by Council Member Anderson Jr. to set a hearing date and 2nd Reading for Monday, November 10, 2008, at 7:00 p.m., for Item 8.

Vote to set a hearing date: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.  
Motion Passed

HEARINGS AND RESOLUTIONS

9. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, CORRECTING SEVERAL LEGAL DESCRIPTIONS ON RESOLUTION NO. 18-05-A RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT THE EAST SIDE SANITARY SEWER SYSTEM, AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

Res. 0226

Res. 18-05

Exhibit

A motion was made by Council Member Beninga and seconded by Council Member Knudson to adopt said Resolution 163-08.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.  
Motion Passed

RESOLUTION NO. 163-08

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, CORRECTING SEVERAL LEGAL DESCRIPTIONS ON RESOLUTION NO. 18-05 A RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT THE EAST SIDE SANITARY SEWER SYSTEM, AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

WHEREAS, on March 14, 2005, the City Council of the City of Sioux Falls adopted Resolution No. 18-05 declaring the necessity to CONSTRUCT THE EAST SIDE SANITARY SEWER SYSTEM. Resolution No. 18-05 was recorded at the Register of Deeds Office, Minnehaha County, South Dakota, on April 13, 2005, at 12:00 o'clock in Book 1505 of Mortgages on page 219.

WHEREAS, several legal descriptions as set forth in Resolution 18-05 were not accurate.

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

That the legal descriptions as set forth in Resolution 18-05 are hereby amended to read as shown in the attached Table 1 and that the City Clerk shall cause to be filed with the Register of Deeds, Minnehaha County, South Dakota, a duly certified transcript of this resolution.

Date adopted: 10/14/08.

Dave Munson

Mayor

ATTEST:

Debra A. Owen  
City Clerk

Parcel ID ID Number	Map ID	Owner Corrected Legal Description	Parcel
312	23-07	Dykstra, Johnny W200' E999.39' S300' of Inberg s Tract 1 in	

the East Half of the Southeast Quarter (E1/2 SE1/4) of Section 7-101-48, Minnehaha County, SD 012307476003000

313 23-07 Dykstra, Johnny Inberg s Tract 1 (ex E799.39') and the S106.3' of Inberg s Tract 2 (ex E799.39') of Section 7-101-48, Minnehaha County, SD 012307476002000

315 23-07 Peterson, Verlyn L. and Connie T. Lot 2 of Inberg s Subdivision of Riggs Tract 1 in the West Half of the Southeast Quarter (W1/2 SE1/4) of Section 7-101-48, Minnehaha County, SD 012307451003000

316 23-07 Williamson, George A. and Karen Lot 3 of Inberg s Subdivision of Riggs Tract 1 in the West Half of the Southeast Quarter (W1/2 SE1/4) of Section 7-101-48, Minnehaha County, SD 012307451002000

322 23-07 Yusella, Carneil R. and Debra Jo Lot 1 of Inberg s Subdivision of Riggs Tract 1 in the West Half of the Southeast Quarter (W1/2 SE1/4) of Section 7-101-48, Minnehaha County, SD 012307451006000

323 23-07 Hartenhoff, Richard and Joanie Lot 4 of Inberg s Subdivision of Riggs Tract 1 in the West Half of the Southeast Quarter (W1/2 SE1/4) of Section 7-101-48, Minnehaha County, SD 012307451005000

337 23-17 Oyos, Mary Lobb Riggs Tract 1 in the Northwest Quarter (NW1/4) of Section 17-101-48, Minnehaha County, SD 012317100013000

387 23-17 Taggart, Charles L. N660' W968.1' (ex Lot 1A in Block 1 Taggart Addition and ex Lot H-2) in the SW1/4 of Section 17-101-48 and Tract 7 (ex E1646.9') and All Tract 3 in Riggs Tracts in the NW1/4 of Section 17-101-48, Minnehaha County, SD 012317100026000

517 23-17 Taggart, David J. and Sara M. Lot 1A in Block 1 of Taggart Addition in the N1/2 of the NW1/4 of the SW1/4 of Section 17-101-48, Minnehaha County, SD 012317300027000

584 23-19 Harr, John H., Gerald A., and Charles W. Mohler The North Half of the Northwest Quarter (N1/2 NW1/4) Lying South of Highway R-O-W (ex Tracts 2, 3, and 4 in the NW1/4 Lying South of Highway R-O-W and ex Tracts 5, 6, and 8 in the NW1/4 and ex Shafer Rolling Hills Addition in the NW1/4 and ex Lots 1 and 3 in Tract 6 in the NW1/4 and ex Lots 1A, 2A, and 3 of Mallette Subdivision of Tract 7 in the NW1/4 of Section 19-101-48, Minnehaha County, SD 012319100100000

606 23-19 Sather, Duane and Diane Living Trust Lot 1A of Stoakes Subd of Tract 2 of Pleasant View Acres in the North Half of the Southeast Quarter (N1/2 SE1/4) and the South Half of the Northeast Quarter (S1/2 NE1/4) of Section 19-101-48, Minnehaha County, SD 012319252015000

639 23-19 Travis, Jerry and Tony Lot 3 of Stoakes Subd of Tract 2 of Pleasant View Acres in the North Half of the Southeast Quarter (N1/2 SE1/4) and the South Half of the Northeast Quarter (S1/2 NE1/4) of Section 19-101-48, Minnehaha County, SD 012319252003000

662 23-19 Travis Drywall, Inc. Lot 1 of Kinner s Subd of Tract C of Harr s Subd of Tract 1 of Pleasant View Acres in the North Half of the Southeast Quarter (N1/2 SE1/4) and the South Half of the Northeast Quarter (S1/2 NE1/4) of Section 19-101-48, Minnehaha County, SD 012319251005000

666 23-19 East Side Developers Lot 4 of Stoakes Subd of Tract 2 of Pleasant View Acres in the North Half of the Southeast Quarter (N1/2 SE1/4) and the South Half of the Northeast Quarter (S1/2 NE1/4) of Section 19-101-48, Minnehaha County, SD 012319252004000

669 23-19 Peters, Monte and Tanya Lot 9 Block 1 Split Rock Heights Second Addition, Minnehaha County, SD 012319151001000

678 23-19 Harr, Gerald A. Living Trust Lot 6 of Harr s Subd of Tract 1 of Pleasant View Acres, Section 19-101-48, Minnehaha County, SD 012319401003000

713 23-19 Lambert, Jeffery B. and Judeka Lot 3A Block 3 and South Half (S1/2) vacated Wildflower Road lying adjacent Split Rock Heights Second Addition, Minnehaha County, SD 012319301019000

748 23-19 Haigh, Mark W. and Patricia A. That Portion of Tract 7 of Pleasant View Acres in the North Half of the Southeast Quarter (N1/2 SE1/4) and South Half of the Northeast Quarter (S1/2 NE1/4) of Section 19-101-48,

Minnehaha County, SD, According to the Recorded Plat Thereof which Lies East of the Quarter-Quarter (1/4 1/4) Line Running North and South through said Tract 7, Minnehaha County, SD 012319400009000

898 23-30 Savanna Development LLC Iverson s Tract 13 in the North Half of the Northeast Quarter (N1/2 NE1/4) of Section 30-101-48, Minnehaha County, SD 012330200006000

899 23-30 Henle-Lanbertz, Marti and Thomas Lambertz Tract 12 of the Plat of Iverson s Tract 7 in the North Half of the Northwest Quarter (N1/2 NW1/4) and Tracts 8 through 13 in the North Half of the Northeast Quarter (N1/2 NE1/4) All in Section 30-101-48, Minnehaha County, SD 012330200005000

900 23-30 Ahnberg, Michael and Cheryll D. Tract No. 11 of Iverson s Tracts 8 13 in the North Half of the Northeast Quarter (N1/2 NE1/4) of Section 30-101-48, Minnehaha County, SD 012330200004000

901 23-30 Gacke, Leroy W. Iverson s Tract 10 in the North Half of the Northeast Quarter (N1/2 NE1/4) of Section 30-101-48, Minnehaha County, SD 012330200003000

902 23-30 Sneve, Dayton and Karis Iverson s Tract 9 in the North Half of the Northeast Quarter (N1/2 NE1/4) of Section 30-101-48, Minnehaha County, SD 012330200002000

903 23-30 Van Laar, Gerrit M. Iverson s Tract No. 8 in the North 1/2 of the Northeast Quarter (N1/2 NE1/4) Section 30-101-48, Minnehaha County, SD 012330200001000

905 23-30 Stenzel, Thomas and Kay Iverson s Tract No. 7 in the Northwest Quarter (NW1/4) of Section 30-101-48, Minnehaha County, SD 012330100007000

906 23-30 Graff, Margaret A. Iverson s Tract No. 6 (ex W567.2') in the Northwest Quarter (NW1/4) of Section 30-101-48, Minnehaha County, SD 012330100006000

907 23-30 Hallstrom, Larry M. and Judy W 567.2' of Iverson s Tract No. 6 in the Northwest Quarter (NW1/4) of Section 30-101-48, Minnehaha County, SD 012330100005000

908 23-30 Johnson, Jerri L. Iverson s Tract No. 3 in the Northwest Quarter (NW1/4) of Section 30-101-48, Minnehaha County, SD 012330100004000

910 23-30 MVB Properties Inc. Iverson s Tract No. 1 Ex. Lot H-3 contained therein and (Ex. Copper Creek Addn.) in the Northwest Quarter (NW1/4) of Section 30-101-48, Minnehaha County, SD 012330100008000

912 23-30 MVB Properties Inc. Iverson s Tract 4A in the Northwest Quarter of the Northwest Quarter (NW1/4 NW1/4) of Section 30-101-48, Minnehaha County, SD 012330100012000

918 23-30 Savanna Development LLC Lot 1 of Iverson s Tract 6A in the Northwest Quarter (NW1/4) of Section 30-101-48, Minnehaha County, SD 012330100032000

918 23-30 Hallstrom, Larry M. and Judy K. Iverson s Tract 6A (ex Lots 1 and 2) in the Northwest Quarter (NW1/4) of Section 30-101-48, Minnehaha County, SD 012330100031000

949 23-29 Caine, Philip E. Lots 7 to 9 in Block 10 of O Hanlon Addition to East Sioux Falls and the East Half (E1/2) of Vacated Jefferson Ave. and the North Half (N1/2) of Vacated 4th St. and Tract 1 of Caine s Subdivision of Part of Block 10 of O Hanlon Addition to East Sioux Falls, Minnehaha County, SD 012329276008000

950 23-29 Hoff, Douglas J. and Lois J. W30' of the S9' of Lot 4 and W30' of Lots 5 and 6 in O Hanlon Addition to East Sioux Falls and the North Half (N1/2) of Vacated 4th Street Lying Adjacent Thereto and Tract 4 of Caine s Subdivision of Part of Block 10 of O Hanlon Addition to East Sioux Falls, Minnehaha County, SD 012329276011000

1072 23-28 Munce, Jeffrey and Tracy Lot A of Tract 2 of Josten s Addition in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 28-101-48, Minnehaha County, SD 012328300022000

1072 23-28 Hight, Joe and Angela Lot B of Tract 2 of Josten s Addition in the Southwest Quarter of the Southwest Quarter (SW1/4 SW1/4) of Section 28-101-48, Minnehaha County, SD 012328300023000

1159 23-31 Rae, Robert Farms Limited Tract 4 of Harris Tracts (Ex. Tracts 1, 1A, and 2 Friends Addn.) in the Southwest Quarter (SW1/4) of Section 31-101-48, Minnehaha County, SD012331300012000

10. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, ADDING SEVERAL LEGAL DESCRIPTIONS ON RESOLUTION NO. 18-05-A RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT THE EAST SIDE SANITARY SEWER SYSTEM, AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

Res. 0227

Res. 18-05

Exhibit

A motion was made by Council Member Litz and seconded by Council Member Anderson Jr. to adopt said Resolution 164-08.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.  
Motion Passed

RESOLUTION NO. Res. 164-08

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, ADDING SEVERAL LEGAL DESCRIPTIONS ON RESOLUTION NO. 18-05 A RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT THE EAST SIDE SANITARY SEWER SYSTEM, AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

WHEREAS, on March 14, 2005, the City Council of the City of Sioux Falls adopted Resolution No. 18-05 declaring the necessity to CONSTRUCT THE EAST SIDE SANITARY SEWER SYSTEM. Resolution No. 18-05 was recorded at the Register of Deeds Office, Lincoln County, South Dakota, on April 8, 2005, at 10:13 a.m. in Book 15 of Miscellaneous on page 385.

WHEREAS, several additional legal descriptions as set forth in Resolution 18-05 are needed.

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

That the legal descriptions as set forth in Resolution 18-05 are hereby amended to read as shown in the attached Table 1 and that the City Clerk shall cause to be filed with the Register of Deeds, Lincoln County, South Dakota, a duly certified transcript of this resolution.

Date adopted: 10/14/08.

Dave Munson

Mayor

ATTEST:

Debra A. Owen  
City Clerk

Parcel ID ID Number	Map ID	Owner Added Legal Description	Parcel
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1           29-18       Southeastern-Southeast Inc.   Gov t. Lot 2 (ex N100')  
 Section 18-100-49, Lincoln County, SD 022918100002000  
 2           29-18       Southeastern-Southeast Inc.   N100' Gov t. Lot 2 Section 18-  
 100-49, Lincoln County, SD 022918100001000  
 3           28-13       Donahoe, R. R. and J. W. Trust       N660' N1/2 NE1/  
 4 Section 13-100-50, Lincoln County, SD 022813225001000  
 4           29-18       Triad Development Services   Gov t. Lot 1 NW1/4 Section 18-  
 100-49, Lincoln County, SD 100.49.18.2010  
 5           29-17       Engverson, Burdelle and Alice       W1/2 NE1/4 and E1/  
 2 NW1/4 Lying N of Center of Ry Section 17-100-49, Lincoln County, SD  
 100.49.17.1020  
 6           29-18       Leubecher Family LLC               NE1/4 NE1/4 Section 18-100-  
 49, Lincoln County, SD 100.49.18.1010  
 7           29-18       Leubecher Family LLC               W1/2 NE1/4 Section 18-100-49,  
 Lincoln County, SD 100.49.18.1020  
 8           29-18       Hayes, Everett T. FLP               SE1/4 NE1/4 and NE1/4 SE1/  
 4 Section 18-100-49, Lincoln County, SD 100.49.18.1040  
 9           28-13       Donahoe, R. R. and J. W. Trust       N1/2 NE1/4 \*ex 3.10 Ac  
 Ry\* Section 13-100-50, Lincoln County, SD 100.49.53.1010  
 10          29-18       Southeastern-Southeast Inc.   Gov t. Lot 2 NW1/4 Section 18-  
 100-49, Lincoln County, SD 100.49.18.2030  
 11          29-17       Christensen, Melva A.               N 16 Rds of SW1/4 NW1/4 8 Ac  
 Section 17-100-49, Lincoln County, SD 100.49.17.2030  
 12          29-17       L & L Farms Ltd. Partnership       NW1/4 and W1/2 NE1/  
 4 Lying S of Ry (ex N 16 Rds of SW1/4NW1/4) Section 17-100-49, Lincoln County,  
 SD 100.49.17.2000

11. A RESOLUTION CANCELLING DELAYED ASSESSMENT NO. 170-87.

Res. 1634

Exhibit

A motion was made by Council Member Litz and seconded by Council Member Jamison to adopt said Resolution 165-08.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

RESOLUTION NO. 165-08

A RESOLUTION CANCELLING DELAYED ASSESSMENT NO. 170-87.

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

That the delayed assessment for asphalt surfacing on 18th St. adjacent to the following described

real property be cancelled:

SE1/4 of NW1/4 (except platted area) in Section 24-101-49, Minnehaha County, SD.

BE IT FURTHER RESOLVED:

That the Finance Director is hereby authorized to show said action on the respective record and to

notify the Minnehaha County Register of Deeds of said action.

Date adopted: 10/14/08.

Dave Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

12. A RESOLUTION ESTABLISHING THE PRIORITY ORDER OF PROJECTS TO BE CONSTRUCTED IN 2009 UTILIZING THE CAPITAL IMPROVEMENT PROGRAM'S DEVELOPMENT-DRIVEN STREET PROJECTS.

Res. 0010

Exhibit

A motion was made by Council Member Knudson and seconded by Council Member Litz to adopt said Resolution 166-08.

Vote to adopt: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.

Motion Passed

RESOLUTION NO. 166-08

A RESOLUTION ESTABLISHING THE PRIORITY ORDER OF PROJECTS TO BE CONSTRUCTED IN 2009 UTILIZING THE CAPITAL IMPROVEMENT PROGRAM'S DEVELOPMENT-DRIVEN STREET PROJECTS.

If there aren't any "WHEREAS" phrases, skip "NOW, THEREFORE" and begin with just "BE IT

RESOLVED..."

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

That the priority order of projects to be constructed in 2009, utilizing the Capital Improvement

Program's Development-Driven Street Projects, shall be as follows:

1. Sertoma Ave.-12th St. to 26th St.
2. Maple St.-Marion Rd. to Career Ave.
3. Benson Rd.-Interstate 29 to Career Ave.
4. 85th St.-Beal Ave. to the East
5. Southeastern Ave.-Whisper Trail to South of 69th St.
6. 69th St.-Charger Ave. to East of Southeastern Ave.

Date adopted: 10/14/08.

Dave Munson

Mayor

ATTEST:

Debra A. Owen  
City Clerk

Set a hearing date for Monday, November 10, 2008, at 7:00 p.m., for Items 13 and 14:

13. A PROPOSED 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.

Res. 0004

Exhibit

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

Res. 0005

Exhibit

A motion was made by Council Member Litz and seconded by Council Member Beninga to set a hearing date for Monday, November 10, 2008, at 7:00 p.m., for Items 13 and 14.

Vote to set a hearing date: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.  
Motion Passed

NEW BUSINESS/ ITEMS ADDED AFTER AGENDA DEADLINE

15. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY AMENDING THE FEE SCHEDULE SET FORTH IN CHAPTER 23, LICENSES.

Ord. 0002

Health Dept. Letters

Exhibit

A motion was made by Council Member Brown and seconded by Council Member

Costello to adopt said Ordinance 124-08.

A motion was made by Council Member Knudson and seconded by Council Member Beninga to amend the main motion, by amending subsection (2) (a) by deleting the Annual fee...\$105 and by adding Annual fee for area greater than 250 square feet...\$105 and Annual fee for area equal to or less than 250 square fee...\$53.

Vote to amend: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.  
Motion Passed

Vote to approve as amended: Roll Call: Yeses, Costello, Jamison, Knudson, Litz, Anderson Jr., Beninga, Brown, 7. Noes, Staggers, 1. Motion Passed.

#### ADJOURNMENT

A motion was made by Council Member Litz and seconded by Council Member Beninga to adjourn at 7:42 p.m.

Vote to adjourn: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown, Knudson, Staggers, Beninga, Costello, 8. Noes, 0.  
Motion Passed

Denise D. Tucker  
Assistant City Clerk