

	City of Sioux Falls Council Meeting Minutes	
	Carnegie Town Hall, 235 West Tenth Street	
	REGULAR MEETING OF Monday, September 21, 2009 at 7:00 p.m.	

ROLL CALL #6

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

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

INVOCATION

A. PASTOR BILL KINNAN, LINWOOD WESLEYAN CHURCH

PLEDGE OF ALLEGIANCE

RECOGNITION/AWARDS

A. CERTIFICATE OF APPRECIATION PRESENTED TO WILLIAM A. HINKS

B. 2009 HISTORIC PRESERVATION AWARDS

CONSENT AGENDA

APPROVAL OF CONSENT AGENDA

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

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

Motion Passed

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, SEPTEMBER 14, 2009, AT 4:00 P.M.

- B. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETING OF MONDAY, SEPTEMBER 14, 2009, AT 5:00 P.M.
- C. CITY COUNCIL MEETING OF MONDAY, SEPTEMBER 14, 2009, AT 7:00 P.M.

#### COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM THE SIOUX EMPIRE ARTS COUNCIL REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AT THE HORSE BARN ARTS CENTER IN FALLS PARK, 309 E. FALLS PARK DRIVE FOR THE FOLLOWING DATES AND EVENTS: FRIDAY, OCTOBER 2, 2009, FROM 5:00 P.M. TO 9:00 P.M. FOR THE OCTOBER FINE ARTS TROLLEY TOUR; AND FRIDAY, NOVEMBER 6, 2009, FROM 5:00 P.M. TO 8:00 P.M. FOR THE ANNUAL JURIED ART EXHIBITION ARTIST RECEPTION.
2. A COMMUNICATION WAS RECEIVED FROM THE SERTOMA BUTTERFLY HOUSE REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AND MALT BEVERAGES AT THE SERTOMA BUTTERFLY HOUSE, 4320 OXBOW AVENUE, ON THURSDAY, OCTOBER 15, 2009, FROM 6:00 P.M. TO 8:30 P.M. AS A FUNDRAISING EVENT FOR THE TEDDY BEAR DEN.
3. A COMMUNICATION WAS RECEIVED FROM THE SOUTH DAKOTA AMERICAN INSTITUTE OF ARCHITECTS REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AND MALT BEVERAGES AT 431 NORTH PHILLIPS (THE FORMER FOOD & FERMENTATION RESTAURANT) ON THURSDAY, OCTOBER 15, 2009, FROM 6:00 P.M. TO 9:00 P.M. FOR A SOCIAL HOUR DURING THEIR ANNUAL FALL CONVENTION.
4. A COMMUNICATION WAS RECEIVED FROM JEFF AND DORI HEIBULT REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AT THE OLD COURT HOUSE MUSEUM, 200 W. SIXTH STREET ON SATURDAY, JANUARY 9, 2010, FROM 11:30 A.M. - 3:30 P.M. FOR THE PURPOSE OF RENEWING THEIR WEDDING VOWS FOR THEIR 10 YEAR ANNIVERSARY.
5. A COMMUNICATION WAS RECEIVED FROM SECOND CHANCE RESCUE, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM OCTOBER 1, 2009, TO OCTOBER 24, 2009, FOR 42" SCREEN TV'S (VALUED AT \$700.00). TICKETS WILL BE \$1.00 - \$5.00. THE PROCEEDS ARE TO BE USED TO ASSIST WITH SECOND CHANCE RESCUE EXPENSES.
6. A COMMUNICATION WAS RECEIVED FROM THE DAKOTA COUNTRY DANCE CLUB, STATING ITS INTENT TO SELL RAFFLE TICKETS FROM OCTOBER 2, 2009, TO OCTOBER 3, 2009, FOR A 50/50 DRAWING. TICKETS WILL BE \$1.00 EACH OR 6 FOR \$5.00. THE PROCEEDS ARE TO BE USED TO SUPPORT ADDITIONAL EVENTS PROMOTING COUNTRY DANCE AND AS PART OF THEIR ANNUAL CHARITABLE CONTRIBUTION.
7. A COMMUNICATION WAS RECEIVED FROM MY FISHING POND, INC., STATING ITS INTENT TO SELL RAFFLE TICKETS FROM OCTOBER 9, 2009, TO SEPTEMBER 24, 2010, FOR PACKAGES - 1 IN SIOUX FALLS, SD, 1 IN MITCHELL, SD, AND A GOLFING PACKAGE (EACH VALUED AT \$900.00) AND A SHOTGUN (VALUED AT \$1,000.00). TICKETS WILL BE \$10.00 EACH. THE PROCEEDS ARE TO BE USED TO ASSIST WITH GENERAL OPERATING EXPENSES FOR THE YEAR.

REGULAR AGENDA

APPROVAL OF REGULAR AGENDA

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

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

Motion Passed

PUBLIC INPUT

There was none.

UNFINISHED BUSINESS

DOC: ALCOHOL MEMO

8. NEW 2009-10 PACKAGE MALT BEVERAGE LICENSE FOR MAKETH GAK, SUDANESE GENERAL STORE, TO BE OPERATED AT 623 WEST 11TH STREET.

A motion was made by Council Member Knudson and seconded by Council Member Jamison to approve Item 8.

Vote to approve: Roll Call: Yeses, Jamison, Knudson, Staggers, Beninga, Costello, 5. Noes Litz, Anderson Jr., Brown, 3.

Motion Passed

9. TRANSFER OF A 2009 RETAIL LIQUOR LICENSE FROM SIOUX FALLS CATERING CO. INC., HOLIDAY INN CITY CENTER, 100 WEST 8TH STREET, TO SFLL LLC, CITY CENTRE LOUNGE, TO BE OPERATED AT 100 WEST 8TH STREET, INCLUDING SUNDAY SALES AND VIDEO LOTTERY TERMINALS (FULL SERVICE RESTAURANT; CUP NOT REQUIRED).

10. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR SMG, TO BE OPERATED AT THE SIOUX FALLS ARENA, 1201 NORTH WEST AVENUE, ON OCTOBER 23, 2009, FOR THE TIMBERWOLVES PRESEASON GAME, MARCH 30, 2010, FOR THE CENTRAL PLAINS DAIRY EXPO; ALL 2009-2010 HOME SEASON GAMES FOR THE STAMPEDE, ALL 2009-10 HOME SEASON GAMES FOR THE SKYFORCE; INCLUDING STAMPEDE AND SKYFORCE POSSIBLE PLAYOFF GAMES BETWEEN APRIL 3 AND MAY 15, 2010.

11. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR WASHINGTON PAVILION MANAGEMENT INC., WASHINGTON PAVILION OF ARTS & SCIENCE, 301 SOUTH MAIN AVENUE, FOR SEPTEMBER 26, OCTOBER 3, AND OCTOBER 25, 2009, AND JANUARY 2, JULY 10, AND JULY 16, 2010, FOR WEDDING RECEPTIONS.

12. SPECIAL ONE-DAY LIQUOR LICENSE REQUEST FOR GREAT BEAR RECREATION PARK INC., GREAT BEAR RECREATION PARK, TO BE OPERATED AT 5901 EAST RICE STREET, ON OCTOBER 8, 2009, FOR THE CHILDREN'S HOME SOCIETY EVENT.
13. SPECIAL ONE-DAY OFF-SALE PACKAGE LIQUOR LICENSE FOR THE ALZHEIMER'S ASSOCIATION TO BE OPERATED AT THE SIOUX FALLS CONVENTION CENTER, 1211 NORTH WEST AVENUE, ON OCTOBER 16-17, 2009, FOR THE EXPO FOR HER.'
14. SPECIAL ONE-DAY MALT BEVERAGE, SPECIAL ONE-DAY WINE, AND SPECIAL ONE-DAY OFF-SALE PACKAGE WINE LICENSES FOR DOWNTOWN SIOUX FALLS TO BE OPERATED ON 2ND AVENUE BETWEEN 10TH AND 11TH STREETS, INCLUDING THE PUBLIC RIGHT-OF-WAY, EXCEPT THE PEDESTRIAN WALKWAYS, ON SEPTEMBER 26, 2009, FOR THE HARVEST FEST.

A motion was made by Council Member Knudson and seconded by Council Member Litz to approve Items 9 through 14 with one vote .

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

Motion Passed

15. SPECIAL ONE-DAY WINE LICENSE FOR XI ALPHA LLAMBDA TO BE OPERATED AT THE CENTER FOR ACTIVE GENERATIONS, 2300 WEST 46TH STREET, ON APRIL 10, 2010, FOR A SORORITY EVENT.

A motion was made by Council Member Brown and seconded by Council Member Jamison to approve Item 15 .

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

Motion Passed

16. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR SIOUX FALLS MEN'S SLOWPITCH TO BE OPERATED AT THE 13TH STREET LOT, 113 EAST 13TH STREET, AND AT THE 1ST AVENUE LOT, 400 SOUTH FIRST AVENUE, ON SEPTEMBER 27, 2009, FOR THE DOWNTOWN JAM, PENDING SUBMITTAL AND APPROVAL OF SITE PLANS PER SIOUX FALLS FIRE RESCUE.

A motion was made by Council Member Jamison and seconded by Council Member Knudson to approve Item 16 .

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

Motion Passed

#### INTRODUCTION AND ADOPTION OF ORDINANCES

17. DEFERRED ACTION (FROM SEPTEMBER 8, 2009 MEETING): 2ND READING: AN

ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING APPROPRIATIONS AND THE MEANS OF FINANCING FOR THE FISCAL YEAR ENDING DECEMBER 31, 2010.

Ord. 1099 and Exhibit A

Proposed Amendment A

Proposed Amendment B

A motion was made by Council Member Knudson and seconded by Council Member Litz to adopt said Ordinance 86-09.

A motion was made by Council Member Staggers and seconded by to amend by deleting the last paragraph and replacing with the following verbiage: "In accordance with SDCL 9-21-19 and SDCL 10-13-35, the Finance Director is directed to certify the maximum property tax allowed by law, which will not include the property tax increase of 3.0 percent CPI amount of \$1,221,036. The estimated amount is \$41,711,730 of tax levies in this ordinance to the Minnehaha and Lincoln County Auditors".

A motion was made by Council Member Staggers and seconded by to amend by changing the title to read: "An Ordinance of the City of Sioux Falls, SD, providing appropriations and the means of Financing to include a 3% property tax increase for the fiscal year ending December 31, 2010".

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

18. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE RELEASE OF A PORTION OF THE PERMANENT UTILITY EASEMENT IN LOT 3, BLOCK 2, WESTWOOD VALLEY ADDITION, MINNEHAHA COUNTY.

Ord. 0018

Exhibit

Release and Exhibit A.

A motion was made by Council Member Costello and seconded by Council Member Litz to adopt said Ordinance 84-09.

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

19. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, DECLARING CERTAIN REAL PROPERTY OF THE CITY SURPLUS AND AUTHORIZING THE DISPOSITION THEREOF.

Ord. 1101

Exhibits

Plat of Lot A

Appraisal

A motion was made by Council Member Anderson Jr. and seconded by Council Member Beninga to adopt said Ordinance 85-09 .

Vote to adopt: 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, October 5, 2009, at 7:00 p.m. for Items 20 through 23:

20. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2009-08-06 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT SE CORNER OF I-29 AND I-90, ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA REGULATIONS AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 1102

PC Staff Report

PC Exhibits

PC Minutes - Item 13

21. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. BENSON RD. AND S. WESTPORT AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2009-08-07, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 1103

PC Staff Report

PC Exhibits

PC Minutes - Item 4

22. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. BENSON RD. AND S. WESTPORT AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE SANFORD SPORTS COMPLEX PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2009-08-08, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 1104

PC Staff Report

PC Exhibits

PC Minutes - Item 5

23. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT SE CORNER OF S. CLIFF AVE. AND E. 69TH ST. FROM THE AG, AGRICULTURAL DISTRICT TO THE SHADOW CREEK PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2009-08-13, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. THE PLANNING COMMISSION RECOMMENDS APPROVAL.

Ord. 1105

PC Staff Report

PC Exhibits

PC Minutes - Item 7

A motion was made by Council Member Beninga and seconded by Council Member Costello to set a hearing date and second reading for Monday, October 5, 2009, at 7:00 p.m. for Items 20 through 23.

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

24. A RESOLUTION VACATING S. CAMBRIDGE AVE. FROM W. 41ST ST. TO W. 43RD ST.

Res. 0012

Exhibits

Petition

A motion was made by Council Member Knudson and seconded by Council Member Costello to adopt said Resolution 89-09.

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

RESOLUTION NO. 89-09

A RESOLUTION VACATING S. CAMBRIDGE AVE. FROM W. 41ST ST. TO W. 43RD ST.  
WHEREAS, a petition of the owners of Lot 1 Block 5 Western Heights Addition; Lot s 6, 7, and 8 Block 4 Western Heights Addition 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 September 21, 2009, 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 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 S. Cambridge Ave. from W. 41st St. to W. 43rd St. 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: 09/21/09 .

Dave

Munson



Mayor  
ATTEST:  
Debra A. Owen  
City Clerk

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

Resp. 002

Assessments - Tree Trimming & Removal / Minnehaha County

Assessments - Snow Removal / Minnehaha County

Assessments - Snow Removal / Lincoln County

Assessments - Litter Removal / Minnehaha County

Assessments - Litter Removal / Lincoln County

Amendment for Litter Removal

A motion was made by Council Member Brown and seconded by Council Member Knudson to adopt said Resolution 88-09.

The following action was taken regarding litter removal in Minnehaha County:

No. 3, Clarence Brandner, property at 845 S. Day Avenue, for the amount of \$811.00 was withdrawn.

A motion was made by Council Member Knudson and seconded by Council Member Jamison to amend the special assessment roll for litter removal in Minnehaha County by reducing the following dollar amounts: No. 7, (Dawn R. Deboer and Shane Olson, property at 801 S. Annway Drive) from \$811.00 to \$641.00; No. 9, (Dean J. Devine, property at 1810 S. Duluth Avenue), from \$801.00 to \$721.00; No. 10, (Patricia Dimond, property at 509 S. Glendale Avenue), from \$697.00 to \$607.00; No. 11, (Yaneth Enriquez, property at 1510 S. Cliff Avenue), from \$821.00 to \$691.00; No. 13, (Richard D. Koller, property at 923 N. Blauvelt Avenue), from \$1,041.00 to \$761.00; and No. 21, (Caleb Stulken, property at 600 E. 14th Street), from \$821.00 to \$691.00 .

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 Knudson and seconded by Council Member

Jamison to defer the following special assessment rolls for litter removal items (in Minnehaha County) to the City Council Meeting on Monday, October 5, 2009, at 7:00 p.m. No. 5 and No. 6, (Jennifer Classen, property at 806 W. 6th Street in the amounts of \$248.42 and \$637.21 respectively); No. 14 through 17, (for Phyllis Leichtnam, property at 909 N. Walts Avenue, in the amounts of \$781.00, \$781.00, \$1,570.00 and \$791.00 respectively) .

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

Motion Passed

A motion was made by Council Member Staggers and seconded by to defer approval on the updated special assessment rolls for litter removal in Minnehaha County received this evening to the City Council Meeting on Monday, October 5, 2009, at 7:00 p.m .

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

The following action was taken regarding tree trimming/removal in Minnehaha County:

A motion was made by Council Member Brown and seconded by Council Member Beninga to approve approve the special assessment rolls for tree trimming/removal for Minnehaha County.

A motion was made by Council Member Costello and seconded by Council Member Staggers to amend the special assessment roll for No. 2, (Diana K and Larry E. Anderson, property at 2724 S. Maywood Drive), by reducing the dollar amount from \$150.00 to 0 .

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, Knudson, Litz, Anderson Jr., Beninga, Brown, Costello, Jamison, 7. Noes, Staggers, 1. Motion Passed.

The following action was taken regarding snow removal in Minnehaha County:

A motion was made by Council Member Knudson and seconded by Council Member Brown to approve the special assessment rolls for snow removal in Minnehaha County.

A motion was made by Council Member Beninga and seconded by Council Member Anderson Jr. to amend the special assessment roll for No. 34, (Michael and Cheryl McGreevy, property at 2312 S. Holt Avenue), by reducing the dollar amount from \$349.80 to \$50.00 .

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 Beninga and seconded by Council Member Knudson to amend the special assessment roll for No. 48, (Ernest R. Veigh and Linda Conklin, property at 5001 E. 15th Street), by reducing the dollar amount from \$349.80 to \$160.00 .

A substitute motion was made by Council Member Stagers to amend the special assessment roll for No. 48, (Ernest R. Veigh and Linda Conklin, property at 5001 E. 15th Street), by reducing the dollar amount from \$349.80 to \$50.00. Since there is no second, the motion is not before the meeting.

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 Knudson and seconded by Council Member Staggers to amend the special assessment roll for No. 9, (Melissa R. Conrad, property at 2609 N. Aidan Avenue), by reducing the dollar amount from \$519.40 to 0 .

A substitute motion was made by Council Member Litz and seconded by Council Member Anderson Jr. to amend the the special assessment roll for No. 9, (Melissa R. Conrad, property at 2609 N. Aidan Avenue), by reducing the dollar amount from \$519.40 to \$100.00

A motion was made by Council Member Staggers and seconded by Council Member Knudson to amend the special assessment roll for No. 25, (Douglas T. Holden, for property at 2101 S. Grange Avenue), by reducing the dollar amount from \$424.00 to \$100.00 .

Vote to amend: Roll Call: Yeses, Anderson Jr., Knudson, Staggers, Beninga, Costello, 5. Noes Jamison, Litz, Brown, 3.  
Motion Passed

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

The following action was taken on snow removal for Lincoln County:

A motion was made by Council Member Brown and seconded by Council Member Anderson Jr. to approve the special assessment rolls for snow removal for Lincoln County.

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

Motion Passed

RESOLUTION NO. 88-09

A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR NUISANCE 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 nuisance removal in various areas as 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 Accounting 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: 09/21/09 .

Dave

Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

At this time, Council Member Knudson left the meeting.

26. 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

Assessments - Weed Mowing / Minnehaha County

Assessments - Weed Mowing / Lincoln County

A motion was made by Council Member Jamison and seconded by Council Member Litz to approve the special assessment roll for weed mowing in Minnehaha County .

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

Motion Passed

A motion was made by Council Member Beninga and seconded by Council Member Litz to approve the special assessment roll for weed mowing in Lincoln County .

Vote to approve: Roll Call: Yeses, Jamison, Litz, Anderson Jr., Brown,

Staggers, Beninga, Costello, 7. Noes, 0.  
Motion Passed

RESOLUTION NO. 91-09

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.

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

SECTION 1. That the special assessment roll for mowing weeds and grasses 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 Accounting 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: 09/21/09 .

Dave

Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

#### NOTICE TO PROPERTY OWNERS

Notice is hereby given that assessments levied under the above resolution will become due and payable at the office of the County Treasurer in one installment, together with interest not to exceed 6.25 percent per annum

in accordance with SDCL 9-43. The first installment, with interest, will become due with general taxes and will be payable at the County Treasurer's Office on January 1, 2010.

Notice is further given that the special assessment roll approved in the above resolution was filed with the City Accounting Office on the 21st day of September, 2009, and that the entire assessment may be paid without interest to the City Accounting Office on or before October 21, 2009.

Debra A. Owen

City Clerk

At this time, Council Member Knudson returned to the meeting.

27. 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.

A motion was made by Council Member Jamison and seconded by Council Member Brown to adopt said Resolution 90-09.

A motion was made by Council Member Staggers and seconded by Council Member Costello to amend the special assessment roll for ID No. 029648, (Gregory and Dawn Haas, property at 314 1/2 North Franklin Avenue), by reducing the dollar amount from \$94.90 to 0 .

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

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

RESOLUTION NO. 90-09

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 Accounting Office.

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

Date adopted: 09/21/09 .

Dave

Munson

Mayor

ATTEST:

Debra A. Owen  
City Clerk

#### NOTICE TO PROPERTY OWNERS

Notice is hereby given that assessments levied under the above resolution will become due and payable at the office of the County Treasurer in five installments, together with interest not to exceed 6.25 percent per annum in accordance with SDCL 9-43. The first installment, with interest, will become due with general taxes and will be payable at the County Treasurer's Office on January 1, 2010. Notice is further given that the special assessment roll approved in the above resolution was filed with the

City Accounting Office on the 21st day of September, 2009, and that the entire assessment may be paid without interest to the City Accounting Office on or before October 21, 2009.

Debra A. Owen

City Clerk

Resp. 013

Assessments - Demolition / Minnehaha County

Set a date of hearing for Tuesday, October 13, 2009, at 7:00 p.m. for Items 28 and 29:

28. A PROPOSED RESOLUTION VACATING A PORTION OF THE INTERSECTION OF S. WESTWIND AVE. AND E. WOODSEGE ST. AS SHOWN ON EXHIBIT A.

Noh. 0114

Res. 0114

Exhibits

Exhibit A

Petition

29. A PROPOSED RESOLUTION VACATING W. 8TH ST. FROM N. HOLLY AVE. EAST TO THE WEST PROPERTY LINES OF LOT 1B BLOCK 5 AND LOT 1B BLOCK 6 ENGLEWOOD LAKE ADDITION.

Noh. 0115

Res. 0115

Exhibits

Petition

ADJOURNMENT

A motion was made by Council Member Brown and seconded by Council Member Anderson Jr. to adjourn the meeting at 9:50 p.m.

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

Motion Passed

Tamara Jorgensen, CMC  
Assistant City Clerk