

	City of Sioux Falls Council Meeting Minutes
	Carnegie Town Hall, 235 West 10th Street
	MEETING OF Monday, March 15, 2010 at 7:00 p.m.

ROLL CALL #1

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Members Present: Members Absent:

Council Member Anderson Jr. None.

Council Member Beninga

Council Member Brown

Council Member Costello

Council Member Jamison

Council Member Knudson

Council Member Litz

Council Member Staggers

Mayor Dave Munson

INVOCATION

A. PASTOR STEVE ZIEBARTH, SOUTHERN HILLS UNITED METHODIST CHURCH

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.

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

Motion Passed

MINUTES

A. INFORMATIONAL MEETING OF MONDAY, MARCH 8, 2010, AT 4:00 P.M.

B. CITY COUNCIL MEETING OF MONDAY, MARCH 8, 2010, AT 7:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM THE SOUTH DAKOTA AFRICAN AMERICAN HISTORY MUSEUM STATING ITS INTENT TO SELL RAFFLE TICKETS FROM APRIL 1, 2010 TO JUNE 19, 2010, FOR A WII SPORTS GAME SET AND TV (VALUED AT \$199.00 AND \$250.00). TICKETS WILL BE \$2.00 EACH OR \$5.00 FOR THREE. THE PROCEEDS ARE TO BE USED TO BENEFIT THE SOUTH DAKOTA AFRICAN AMERICAN HISTORY MUSEUM.

2. A COMMUNICATION WAS RECEIVED FROM THE APHA-ASP SDSU CHAPTER STATING ITS INTENT TO SELL RAFFLE TICKETS FROM APRIL 10, 2010 TO APRIL 15, 2010, FOR A BLU RAY PLAYER AND A BEST BUY GIFT CARD (VALUED AT \$150.00 AND \$50.00). TICKETS WILL BE \$5.00 EACH OR \$10.00 FOR THREE. THE PROCEEDS ARE TO BE USED FOR PATIENT CARE PROJECTS AND TRAVEL.

3. A COMMUNICATION WAS RECEIVED FROM SERTOMA BUTTERFLY HOUSE REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AND MALT BEVERAGES AT SERTOMA BUTTERFLY HOUSE, 4320 S. OXBOW AVENUE, ON THURSDAY, APRIL 29, 2010, FROM 6:00 P.M. TO 8:30 P.M. FOR THE PURPOSE OF A GATHERING FOR THE COLLEGE OF SURGEONS.

APPLICATIONS

The following abatements were recommended for approval by the Director of Equalization and the State's Attorney's Office for Minnehaha County; and the City Attorney for Sioux Falls:

4. EVA NELSON, 103 N VAN EPS AVE., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$327.83. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN ELDERLY FREEZE AND NON ELDERLY FREEZE.

5. BARBARA BRISBIN, 4500 W 37TH ST., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$575.80. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN ELDERLY FREEZE AND NON ELDERLY FREEZE.

6. MONA MCDONALD, 7103 W 56TH ST. #7, FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$129.78. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN ELDERLY FREEZE AND NON ELDERLY FREEZE.

7. LOIS LUNDBERG, 1700 S WILLOW AVE., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$550.44. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN ELDERLY FREEZE AND NON ELDERLY FREEZE.

APPROVAL OF REGULAR AGENDA

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

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

Motion Passed

PUBLIC INPUT

There was none.

UNFINISHED BUSINESS

DOC: ITEMS 8-13 MEMO-COUNCIL

8. NEW 2010 PACKAGE LIQUOR LICENSE FOR WK SUPPLIERS INC, WOLFIE'S LIQUOR SPOT, TO BE OPERATED AT 6811 SOUTH LOUISE AVENUE. PENDING FINAL INSPECTION PER FIRE AND BUILDING SERVICES.
9. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR HY-VEE INC., ALL OCCASIONS BY HY-VEE, TO BE OPERATED AT THE DELBRIDGE MUSEUM OF NATURAL HISTORY, 805 SOUTH KIWANIS AVENUE, FOR WEDDING RECEPTIONS ON THE FOLLOWING DATES IN 2010: JUNE 5, 12, 18, 19; JULY 3, 17; AUGUST 28; SEPTEMBER 3, 25; OCTOBER 2, 9; AND NOVEMBER 27.
10. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR WASHINGTON PAVILION MANAGEMENT INC., WASHINGTON PAVILION OF ARTS & SCIENCE, 301 SOUTH MAIN AVENUE, FOR ARTS NIGHT ON MAY 3, 2010, AND FOR WEDDING RECEPTIONS ON JUNE 11 AND 19, 2010.
11. SPECIAL ONE-DAY OFF-SALE PACKAGE WINE DEALER LICENSE FOR THE SOUTH DAKOTA PORK PRODUCERS COUNCIL TO BE OPERATED AT THE SIOUX FALLS CONVENTION CENTER, 1211 NORTH WEST AVENUE, ON MARCH 28, 2010, FOR THE TASTE OF SOUTH DAKOTA.
12. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSE REQUESTS FOR THE SIOUX FALLS AREA CASA PROGRAM TO BE OPERATED AT THE OLD COURTHOUSE MUSEUM, 200 WEST SIXTH STREET, ON MARCH 26, 2010, FOR A FUNDRAISER.
13. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSE REQUESTS FOR DOWNTOWN SIOUX FALLS FOR EVENTS IN 2010 AS FOLLOWS: 1) DOWNTOWN BLOCK PARTY ON THE EAST BANK AT THE 8TH AND RAILROAD PARKING LOT JUNE 4, JULY 2, AND AUGUST 6; 2) AUTOMANIA ON PHILLIPS AND MAIN AVENUES FROM 10TH TO 13TH STREETS ON JUNE 11; AND 3) HOT SUMMER NITES ON PHILLIPS AND MAIN AVENUES FROM 9TH TO 14TH STREETS ON JULY 14.

A motion was made by Council Member Knudson and seconded by Council Member Litz to approve Items 8 through 13 with one vote.

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

INTRODUCTION AND ADOPTION OF ORDINANCES

14. DEFERRED ACTION (FROM 02/16/10 COUNCIL MEETING) 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING CHAPTER 43 VEHICLES FOR HIRE.

Proposed ord1132

Proposed ord1132a

Proposed ord1132b

A motion was made by Council Member Jamison and seconded by Council Member Costello to adopt said ordinance.

A motion was made by Council Member Brown and seconded by Council Member Anderson Jr. to amend by setting the maximum rates of fare for transporting passengers by wheelchair transport shall be \$35.00 for a one-way trip within the city and \$60.00 for a round trip within the city. The maximum rate of fare for a one-way trip within the city by wheelchair transport for transporting passengers being dismissed from a hospital shall be \$50.00. Maximum rates of the fare for transporting passengers by stretcher transport shall be \$75.00 for a one-way trip within the city and \$140.00 for a round trip within the city. A schedule of transport rates shall be posted at all times in each wheelchair or stretcher transport. Beginning in 2011, the fares as set forth in Subsection (1) of this Section, shall be increased or decreased, from the previous year in accordance with the percentage increase with the Consumer Price Index for Transportation Services as set forth by the U.S. Bureau of Labor Statistics. Vote to amend: Roll Call: Yeses, Council Member Litz, Council Member Brown, Council Member Knudson, 3. Noes Council Member Jamison, Council Member Anderson Jr., Council Member Staggers, Council Member Beninga, Council Member Costello, 5.

Motion Failed

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

Motion Failed

15. 2ND READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE SECOND AMENDMENT TO AMENDED AND RESTATED COMMITMENT AGREEMENT BY AND BETWEEN LEWIS & CLARK RURAL WATER SYSTEM, INC. AND THE CITY OF SIOUX FALLS.

Proposed ord1164

Second Amendment to ARCA - FINAL

A motion was made by Council Member Knudson and seconded by Council Member Litz to adopt said Ordinance 27-10.

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

Motion Passed

Set a date of hearing and 2nd Reading for Monday, April 5, 2010 at 7:00 p.m. for Items 16 through 20:

16. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING APPENDIX B OF THE REVISED ORDINANCES OF THE CITY FOR ZONING BOARD OF ADJUSTMENT VOTE. (THE PLANNING COMMISSION RECOMMENDS APPROVAL.)

Proposed ord1149

PC Report

PC Minutes - Item 10

17. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT NE CORNER OF S. MINNESOTA AVE. AND W. THIRD ST. FROM THE C-4, PLANNED COMMERCIAL DISTRICT AND THE RA-2, RESIDENTIAL DISTRICT TO THE SUBAREA A, MINNEHAHA COUNTY COURTHOUSE PLANNED DEVELOPMENT DISTRICT, PETITION NO. 2010-01-06, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (THE PLANNING COMMISSION RECOMMENDS APPROVAL.)

Proposed ord1169

PC Report

PC Exhibits

PC Minutes - Item 8

18. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 6300 S. TALLGRASS AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT, PETITION NO. 2010-02-03, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (THE PLANNING COMMISSION RECOMMENDS APPROVAL.)

Proposed ord1170

PC Report

PC Exhibits

PC Minutes - Item 3

19. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2010-01-02, TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT S. SOUTHEASTERN AVE. AND WHISPER TRL., ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA MAP AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (THE PLANNING COMMISSION RECOMMENDS APPROVAL.)

Proposed ord1167

PC Report

PC Exhibits

PC Minutes - Item 4

20. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2010-02-01, TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT 8000 E. ARROWHEAD PARKWAY, ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA MAP AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (THE PLANNING COMMISSION RECOMMENDS APPROVAL.)

proposed ord1168

PC Report

PC Exhibits

PC Minutes - Item 5

A motion was made by Council Member Knudson and seconded by Council Member Litz to set a hearing date and 2nd Reading for Monday, April 5, 2010 at 7:00 p.m. for Items 16 through 20.

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

Motion Passed

HEARINGS AND RESOLUTIONS

21. A RESOLUTION APPROVING SCULPTURES ON CITY PROPERTY. (JACK'S STORY TIME,

SUMMER DISTRACTIONS II, AND SUMMER DISTRACTIONS)

Proposed res1708

Application Jack's Story Time

Application Summer Distractions I

Application Summer Distractions II

Art Placements

A motion was made by Council Member Knudson and seconded by Council Member Jamison to adopt said Resolution 20-10.

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

Motion Passed

RESOLUTION NO. 20-10

A RESOLUTION APPROVING SCULPTURES ON CITY PROPERTY.

WHEREAS, Siouxland Libraries proposes placement of three bronze sculptures to reflect artistic reading themes

on public property; and

WHEREAS, the proposed outdoor sculptures and placements include:

1. Jack s Story Time, by Georgia artist Gregory Johnson, is a bronze sculpture depicting a young boy reading

a book to fairytale figures, and measuring approximately 38" in height, 36" in round width, and to be placed

within a landscaped area located at the southwest corner of the Main Downtown Library, 200 N. Dakota Ave.;

and

2. Summer Distractions II, by South Dakota artists Lee Leuning and Sherri Treeby, is a bronze sculpture

depicting a young girl reading a book on a scooter, and measuring approximately 44" in height, 20" in width,

and 36" in length and to be placed within a landscaped area located at the southwest corner of the Main

Downtown Library, 200 N. Dakota Ave.; and

3. Summer Distractions, by South Dakota artists Lee Leuning and Sherri Treeby, is a bronze sculpture

depicting a young boy reading a book with his companion dog, and measuring approximately 48" in height, 21" in

width, and 21" in length and to be placed along W. 49th St. just south of the Caille Branch Library, 4100

Carnegie Cir.; and

WHEREAS, two sculptures, Jack s Story Time, a 2007 SculptureWalk People s Choice Award Winner, and Summer

Distractions II, a 2009 SculptureWalk People s Choice Award Winner, are City-owned sculptures, and Summer

Distractions is a sculpture gift donated to the City of Sioux Falls; and WHEREAS, the proposed sculptures have been previously juried and approved through the SculptureWalk process,

and their new placement locations have been recommended for approval by the Siouxland Library Board of

Trustees on February 22, 2010, and the Sioux Falls Visual Arts Commission on February 16, 2010; and

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

That the following three bronze sculptures are approved for placement on City-owned properties:

1. Jack s Story Time to be placed within a landscaped area located at the southwest corner of the Main

Downtown Library, 200 N. Dakota Ave.; and

2. Summer Distractions II to be placed within a landscaped area located at the southwest corner of the Main

Downtown Library, 200 N. Dakota Ave.; and

3. Summer Distraction to be placed along W. 49th St. just south of the Caille Branch Library, 4100 Carnegie

Cir.

Date adopted: 03/15/2010.

Dave

Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

22. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF SCULPTURES ON PUBLIC PROPERTY FOR AN INTERNATIONALLY RECOGNIZED VISUAL ARTS PROGRAM KNOWN AS "SCULPTURE WALK SIOUX FALLS 2010."

Proposed res1706

Placements part 1

Placements part 2

A motion was made by Council Member Beninga and seconded by Council Member Litz to adopt said Resolution 21-10.

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

Motion Passed

RESOLUTION NO. 21-10

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF SCULPTURES ON PUBLIC PROPERTY FOR AN INTERNATIONALLY RECOGNIZED VISUAL ARTS PROGRAM KNOWN AS SCULPTURE WALK SIOUX FALLS 2010.

WHEREAS, the 2010 SculptureWalk program will bring a large number of sculptures to the central business district for outdoor display;

WHEREAS, the SculptureWalk program enhances the beauty and culture of the downtown area for all citizens and visitors to enjoy;

WHEREAS, 51 of the proposed sculptures will be placed on public right-of-way or other publicly owned property;

WHEREAS, the exhibition of public art in the central business district is recommended and encouraged by the

Final Report of the Downtown Art Committee (DART), the City of Sioux Falls 2015 Downtown Plan, and the Sioux

Empire Arts Council's Sioux Empire Cultural Plan;

WHEREAS, the SculptureWalk program represents a broad collaboration of individuals and entities, both public

and private, including Main Street Sioux Falls, the Sioux Empire Arts Council, the Chamber of Commerce, and

the City of Sioux Falls;

WHEREAS, the Sioux Falls Visual Arts Commission and various City department staff have reviewed the proposed

2010 sculptures and their placements, and have recommended the proposed placements be approved by the City

Council; and

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

That it approves the placement in public right-of-way and on public property of 51 sculptures, as described by

the following:

Embrace Serge Mozhnevsky Canada, South plaza at the Pavilion.

Cabin Fever --Gregory Johnson--GA, On northwest corner of 11th Street and Main Avenue.

The Shaman --Pokey Park--AZ, On northwest corner of 11th Street and Phillips Avenue.

Reading Magic --Julie Jones--CO, In front of Book Store, west side of Phillips Avenue between 11th Street and Tenth Street.

Fowl Ball --Lee Badger--Cor-Ten B Steel, Carpenter Condos west side midblock between 11th Street and Tenth Street.

The Mum --Susan Geissler--NY, In front of Mrs. Murphy's Irish Gifts.

American Kestrel --Denis Kleine--Canada, In front of Prairie Star Gallery.

Flower Dancing in the Wind --Jerry McKellar--WA, On southwest corner of Tenth Street and Phillips Avenue.

Resurgence --Chris Powell--CO, On northwest corner of Tenth Street and Phillips Avenue.

Persona --Joe Forrest Sackett--NM, In planter on northwest corner of Tenth Street and Phillips Avenue.

The Silence --Tom Herzog--SC, South of Diner.

Xie Yun (Harmony) --Kun Zhang--China, South of Diner.

Tiger and Cub --Dolores Shelledy--UT, In front of Diner.

Green Pastures --Mary Zimmerman--CO, In front of fountain.

Chief Red Cloud --Doug Bieniek--MN, North of Diner, south of fountain.

Katrina --Osamede Obazee--CA, North of fountain.

Quarks VI --Guy Bellaver--IL, On west side midblock between Tenth Street and Ni

nth Street.

Check-up --Carol Cunningham--CO, On southwest corner of Ninth Street and Phillips Avenue.

Lookin For Lunch --Ernie Stedman--OR, On northwest corner of Ninth Street and Main Avenue--First Dakota National Bank.

Bird in the Hand --Martin Eichinger--OR, In front of Wells Fargo Bank.

Forget-Me-Not --Georgene McGonagle--CO, On southwest corner of Eighth Street and Main Avenue US Bank.

It s a Blast --Chris Kilbane--MN, Cherapa Place entrance.

Flora Grande --Lance Carleton--WA, Crane Building on East Eighth Street.

Aplomb --Luke Achterberg--KY, 8th & Railroad Center on corner.

Canteen Lady --Sondra Jonson--NE, On southeast corner of Ninth Street and Phillips Avenue.

Sculpturewalker --Pat Field--Canada, In front of First National Bank.

Lord Grizzly --Lee Leuning-Sherry Treeby--SD, Midblock between Ninth Street and Tenth Street on east side of Phillips Avenue.

Good Morning --Esther Benedict--TX, In big First Financial planter.

Lazy Days --Kate Denton--London, UK, Midblock east side between Ninth Street and Tenth Street on Phillips Avenue.

Play Time --Ryszard--CO, In front of Holsen Hus.

Foxy Lady --Georgene McGonagle--CO, In front of Holsen Hus.

Friendship Knot #2 --Yupin Pramotepipop--NY, In front of Skelly s.

Survival --Nathan Pierce--MO, In front of Great Outdoor Store on East Tenth Street.

Wings --Felix Velez--CO, On southeast corner of Tenth Street and Phillips Avenue.

Comedy/Tragedy --Dee Clements--CO, In front of Rehfeld s Gallery.

Reflections --D. E. McDermott--VA, In front of Susanne s.

Unleashed Dog --Noelio Gonzalez--FL, In front of Chef Dominique s.

High & Dry --Kyle Fokken--MN, In front of Shriver s on northeast corner of 11th Street and Phillips Avenue.

Abel --Benjamin Victor--SD, On southeast corner of 11th Street and Phillips Avenue.

Zion --Grant Standard--SD, Near Dacotah Bank drive-up on Phillips Avenue.

Seeing in the Dark --Martin Eichinger--OR, In front of Michelle s Coffee Shop.

Birth of the Scythian Ram --Timothy Nimmo--CO, In front of Cafø 334.

Skydiver --Dana Parlier--NY, On southeast corner of 12th Street and Phillips Avenue.

Watch Dog --Louise Peterson--CO, In front of Federal Courthouse.

Tranquil --Shohini Ghosh--CO, In front of Federal Courthouse--south side.

Melt --Robert Bruce--SD, On northeast corner of 13th Street and Phillips Avenue

Tundra --Virginia Sperry--MD, South of Sushi Masa--northwest corner of 13th Street and Phillips Avenue.

Twenty-Seven (China) --Joe Forrest Sackett--NM, On northwest corner of 12th Street and Phillips Avenue in planter.

Expectation --Serge Mozhnevsky--Canada, In front of Bechtold Jewelry.

Fall & Winter Vessel --Ben Hammond--UT, In front of Meierhenry Law Firm.

Robert the Bruce --Benjamin Victor--SD, In front of Minerva s.

Alternates--

Raptor --Kate Denton--London.

Cortez, Esta Hijode puta --Ernie Stedman--OR.

Paul Revere --Dee Clements--CO.

Tween --James Haire--CO.

St. Joseph --Nichols Legeros--MN.

Indian Dancer --Georgene McGonagle--CO.

Home of the Brave --Benjamin Victor--SD.
Land of the Free --Benjamin Victor--SD.
Equis --Tom Herzog--SC.
Delightful --Carol Cunningham--CO.
On Wings of Hope --Martin Eichinger--OR.
Dance of Life --D. E. McDermott--VA.
Trapezoids --Joe Forrest Sackett--NM.
Man in Motion --Denis Kleine--BC.
Seeing in the Dark --Martin Eichinger--OR.
Racing Horse --Noelio Gonzalez.
Urban Buffalo --Jerry McKellar--WA.

Date adopted: 03/15/2010.

Dave

Munson

Mayor
ATTEST:
Debra A. Owen
City Clerk

23. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. (ANNEXATION 2009-12-01-85TH ST. AND TALLGRASS AVE.-BENTWOOD PLACE INC).

Proposed res1711

Staff Report

Exhibit

A motion was made by Council Member Jamison and seconded by Council Member Anderson Jr. to adopt said Resolution 22-10.

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

RESOLUTION NO. 22-10

ANNEXATION 2009-12-01-85TH ST. AND TALLGRASS AVE.-BENTWOOD PLACE INC.
A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA.
WHEREAS, there has been presented to the City Council of the City of Sioux Falls and filed with the City

Clerk, a Petition in writing signed by the owners and otherwise in compliance with the provisions of SDCL Chapter 9-4, requesting that the territory hereinafter described be included within the municipality;
WHEREAS, there has been an analysis completed in regard to the territory hereinafter described and it has been found that:

1. The property has been properly described and is contiguous to the current city limits.

2. The annexation and concept plan are consistent with the Shape Sioux Falls 2035 Comprehensive Plan.

3. There will be adequate provision for municipal utilities and access to the major street network when the following occur:

a. A main water line is extended to the annexation area.

b. The developer will need to find a method to extend sanitary sewer from the adjacent development.

c. A master drainage plan for the site must be completed.

d. The developer shall utilize other street options to provide access to the annexation area other than the existing Hanson Pl. ROW.

e. The developer shall petition 85th St. for future arterial street improvements.

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

That the following described properties be and the same hereby are included within the corporate limits of the city of Sioux Falls, Lincoln County, and the boundary of the city is hereby extended to include such territory.

Tracts 1 and 2 Hauff-s Addition; Tract 1 of Hanson s 2nd Addition; the N 13' of the W 559' of the E 834' in the S1/2 SW1/4 including the adjacent 85th St. right-of-way all in Section 17, T 100N, R50W of the 5th P.M., Lincoln County, South Dakota.

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: 03/15/2010.

Dave

Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

24. A RESOLUTION AMENDING THE 2010-2014 CAPITAL PROGRAM TO ADD TWO PATROL VEHICLES.

A motion was made by Council Member Beninga and seconded by Council Member Anderson Jr. to adopt said Resolution 23-10.

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

RESOLUTION NO. 23-10

A RESOLUTION AMENDING THE 2010--2014 CAPITAL PROGRAM TO ADD TWO PATROL VEHICLES.

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

That the 2010--2014 Capital Program be amended as follows:

Police

Amend the Other Capital Expenditures Program by adding two patrol vehicles in 2010. The estimated cost is \$51,600 and will be funded by grant funds.

Date adopted: 3/15/2010.

Dave

Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

Proposed res1715

ADJOURNMENT

A motion was made by Council Member Jamison and seconded by Council Member Beninga to adjourn at 8:14 p.m.

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

Jamie L. Palmer
Assistant City Clerk