

City of Sioux Falls Council Meeting Minutes
Carnegie Town Hall, 235 West 10th Street
MEETING OF Monday, April 19, 2010 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. PASTOR NATANAEL LIZARAZO, FIRST LUTHERAN CHURCH

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

A. NATIONAL VOLUNTEER WEEK - APRIL 18-24, 2010

B. MAY 2010 AS MOTORCYCLE SAFETY AND AWARENESS MONTH

RECOGNITION/AWARDS

A. MAYORAL BEAUTIFICATION AWARD FOR HOMES AND YARDS 2009-2010

B. MAYORAL BEAUTIFICATION AWARD FOR BUSINESS &/OR PUBLIC SPACE 2009-2010

C. MAYORAL BEAUTIFICATION AWARD FOR COMMUNITY LEADERSHIP 2009-2010

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Knudson and seconded by Council Member Anderson Jr. 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, APRIL 12, 2010, AT 4:00 P.M.

B. CITY COUNCIL MEETING OF MONDAY, APRIL 12, 2010, AT 7:00 P.M.

COMMUNICATIONS

1. A COMMUNICATION WAS RECEIVED FROM AUGUSTANA DEAF AWARENESS ORGANIZATION STATING ITS INTENT TO SELL RAFFLE TICKETS FROM APRIL 30, 2010 TO MAY 1, 2010 FOR VARIOUS DONATED PRICES. TICKETS WILL BE \$1.00 EACH OR THREE NON-PERISHABLE FOOD ITEMS WHICH WILL BE DONATED TO THE FOOD PANTRY. THE PROCEEDS ARE TO BE USED TO BENEFIT AUGUSTANA DEAF AWARENESS ORGANIZATION AND THE SIOUX FALLS FOOD PANTRY.
2. A COMMUNICATION WAS RECEIVED FROM THE AUGUSTANA COLLEGE MEN'S WRESTLING TEAM STATING THEIR INTENT TO SELL RAFFLE TICKETS FROM MAY 24, 2010 TO DECEMBER 1, 2010 FOR A TRIP TO LAS VEGAS (VALUED AT \$500). TICKETS WILL BE \$10.00 EACH. THE PROCEEDS ARE TO BE USED FOR TRAVEL EXPENSES FOR THE WRESTLING PROGRAM.
3. A COMMUNICATION WAS RECEIVED FROM WENDY L. LEWIS REQUESTING PERMISSION TO CONSUME, BUT NOT SELL, WINE AND MALT BEVERAGES AT SERTOMA BUTTERFLY HOUSE, 4320 S. OXBOW AVENUE, ON SUNDAY, JUNE 6, 2010, FROM 1:00 P.M. TO 5:00 P.M. FOR THE PURPOSE OF A PUBLIC RECEPTION FOR ARTIST JOHN GREENE HOSTED BY HISTORICAL SOCIETY.

APPLICATIONS

4. ARBOR'S EDGE, LLC, 1008 S. TORREY PINE, FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$80.07. THE 2009 VALUATION WAS ENTERED INCORRECTLY INTO THE SYSTEM SO TAXPAYER IS NOW REQUESTING ABATEMENT FOR THE DIFFERENCE.
5. DANIEL HARTMANN, 4725 W. ANTELOPE DR., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$3,179.46. PARCEL WAS SPLIT FOR 2009 AND THE VALUE WAS NOT CHANGED ON THE NEW SMALLER PARCEL SO TAXPAYER IS NOW REQUESTING ABATEMENT FOR THE DIFFERENCE.
6. ORLENE BRENDE, 504 S. VAN EPS AVE, FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$264.57. STRUCTURE WAS REMOVED ON FEBRUARY 28, 2009 SO TAXPAYER IS NOW REQUESTING ABATEMENT FOR THE TIME THAT STRUCTURE WAS GONE.
7. MERVA SCHMIDT, 212 W. 26TH STREET, FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$433.40. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.

8. LAVONNE LEITHEISER, 321 N FANELLE AVE, FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$83.51. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
9. LOIS AULNER, 1420 N. JESSICA AVE., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$620.84. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
10. LORNA SKINNER, 1414 E. 6TH ST., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$182.85. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
11. CLIFFORD OLSON, 1501 S. RIVERDALE RD, FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$847.55. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
12. DELBERT HEESCH, 608 S. HAWTHORNE AVE., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$809.09. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
13. VIOLA NELSON, 1217 E. RICE ST., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$364.25. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
14. PAMELA CORNER, 812 S. MABLE AVE., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$140.86. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
15. BERNADINE HOEL, 807 N. MABLE AVE., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$158.75. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
16. ESTHER BURNS, 3548 S. GATEWAY BLVD #202, FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$342.52. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
17. LURLINE OVERGARD, 517 S. BLAINE AVE., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$716.02. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.
18. BONNIE PEKRON, 411 S. HOLLY AVE., FOR 2009 PROPERTY TAXES IN THE AMOUNT OF \$570.79. THE AMOUNT REQUESTED IS THE DIFFERENCE BETWEEN THE ELDERLY FREEZE AND NON ELDERLY FREEZE.

APPROVAL OF REGULAR AGENDA

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

Anderson Jr. 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

John Schwartz spoke regarding an arena and convention center proposal.

UNFINISHED BUSINESS

DOC: ITEMS 19-31 MEMO-COUNCIL

19. NEW 2010 RETAIL WINE LICENSE FOR TRI-STATE GAMING, FULL HOUSE CASINO, TO BE OPERATED AT 5005 WEST 12TH STREET, INCLUDING VIDEO LOTTERY TERMINALS PLACED WITH EXISTING RETAIL MALT BEVERAGE LICENSE (CUP NOT REQUIRED; THIS IS AN ADDITION TO AN EXISTING LICENSE WHICH PREDATES THE ORDINANCE). PENDING CORRECTIONS PER FIRE.
20. TRANSFER OF A 2009-10 RETAIL MALT BEVERAGE LICENSE FROM HANDOUGH INC., CLIFFSIDE CASINO, 904 SOUTH CLIFF AVENUE, TO SIM & SIM ENTERPRISE INC., J'S WILD CASINO, TO BE OPERATED AT 904 SOUTH CLIFF AVENUE, INCLUDING VIDEO LOTTERY TERMINALS, WITH THE CONDITIONAL USE PERMIT (2010-02-05) BEING APPROVED ON 03-03-10.
21. TRANSFER OF A 2009-10 RETAIL MALT BEVERAGE LICENSE FROM THE SIOUX FALLS CANARIES PROFESSIONAL BASEBALL CLUB LLC, SIOUX FALLS CANARIES, 1001 NORTH WEST AVENUE, TO OVATIONS FOOD SERVICES LP, SIOUX FALLS PHEASANTS BASEBALL CLUB, TO BE OPERATED AT 1001 NORTH WEST AVENUE, (CUP NOT REQUIRED; THIS PREDATES THE ORDINANCE).
22. TRANSFER OF A 2010 RETAIL WINE LICENSE FROM THE SIOUX FALLS CANARIES PROFESSIONAL BASEBALL CLUB LLC, SIOUX FALLS CANARIES, 1001 NORTH WEST AVENUE, TO OVATIONS FOOD SERVICES LP, SIOUX FALLS PHEASANTS BASEBALL CLUB, TO BE OPERATED AT 1001 NORTH WEST AVENUE, (CUP NOT REQUIRED; THIS PREDATES THE ORDINANCE).
23. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR OVATIONS FOOD SERVICES LP, SIOUX FALLS PHEASANTS BASEBALL CLUB, TO BE OPERATED AT 1001 NORTH WEST AVENUE, IN THE TIKI BAR AND SUITES, FOR THE 2010 HOME SEASON GAMES AND FOR THE SOUTH DAKOTA AMATEUR BASEBALL TOURNEY TO BE HELD AUGUST 4-15, 2010.
24. SPECIAL ONE-DAY LIQUOR LICENSE FOR BAKE'S LIQUOR INC. TO BE OPERATED AT THE OLD COURTHOUSE MUSEUM, 200 WEST SIXTH STREET, ON MAY 15, 2010, FOR A WEDDING RECEPTION.

25. SPECIAL ONE-DAY LIQUOR LICENSE REQUESTS FOR WASHINGTON PAVILION MANAGEMENT INC., WASHINGTON PAVILION OF ARTS & SCIENCE, 301 SOUTH MAIN AVENUE, ON JUNE 25-26, 2010, FOR CLASS REUNIONS.
26. SPECIAL ONE-DAY WINE AND SPECIAL ONE-DAY OFF-SALE WINE LICENSES FOR THE SOUTH DAKOTA WINE GROWERS ASSOCIATION TO BE OPERATED AT THE SERTOMA BUTTERFLY HOUSE, 4320 SOUTH OXBOW AVENUE, ON APRIL 29, 2010, FOR A RECEPTION.
27. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR THE SIOUX FALLS JAZZ & BLUES SOCIETY TO BE OPERATED AT YANKTON TRAIL PARK, 3901 SOUTH MINNESOTA AVENUE, ON JULY 15-17, 2010, FOR THE JAZZFEST.
28. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR THE SIOUX FALLS AREA COMMUNITY FOUNDATION TO BE OPERATED AT SAMMONS FINANCIAL CENTER, ONE SAMMONS PLAZA, ON APRIL 29, 2010, FOR THE SFACF FUNDRAISING EVENT.
29. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR SISTERS OF THE PRESENTATION OF THE BLESSED VIRGIN MARY TO BE OPERATED AT FALLS PARK, FALLS PARK DRIVE, ON MAY 1, 2010, FOR THE CINCO DE MAYO CELEBRATION.
30. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR SANFORD HEALTH FOUNDATION TO BE OPERATED AT THE SANFORD RESEARCH FACILITY, 2301 EAST 60TH STREET NORTH, ON JUNE 12, 2010, FOR THE 2010 SANFORD CHILDREN'S GALA FUNDRAISER.
31. SPECIAL ONE-DAY MALT BEVERAGE AND SPECIAL ONE-DAY WINE LICENSES FOR MAKE-A-WISH FOUNDATION OF SOUTH DAKOTA TO BE OPERATED AT THE PARK RIDGE GALLERIA, 1600 SOUTH WESTERN AVENUE, ON APRIL 30, 2010, FOR THE PARK RIDGE 55TH ANNIVERSARY CELEBRATION.

A motion was made by Council Member Knudson and seconded by Council Member Litz to approve Items 19 through 31, 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, 7. Noes, 0.
Motion Passed

INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Monday, May 3, 2010, at 7:00 p.m. for Items 32 through 42:

32. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, CORRECTING CLERICAL ERRORS IN ORDINANCE 109-09.

Proposed ord1165

PC Minutes - Item 19

33. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1208 W. 28TH ST. FROM THE RS-2, RESIDENTIAL DISTRICT TO THE S, INSTITUTIONAL DISTRICT, PETITION NO. 2010-02-05 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

Proposed ord1175

PC Report

PC Exhibits

PC Minutes - Item 3

34. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 5700 E. RED OAK DR. FROM THE RS-2, RESIDENTIAL DISTRICT AND THE DAWLEY FARM VILLAGE PLANNED DEVELOPMENT DISTRICT TO THE RA-1, RESIDENTIAL DISTRICT, PETITION NO. 2010-02-07 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

Proposed ord1176

PC Report

PC Exhibits

PC Minutes - Item 4

35. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT NW CORNER OF S. MONTICELLO AND W. 26TH ST. FROM THE BERRY PLANNED DEVELOPMENT DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2010-03-01 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

Proposed ord1177

PC Report

PC Exhibits

PC Minutes - Item 5

36. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT NE CORNER OF S. DUBUQUE AVE. AND E. 41ST ST. FROM THE RD, RESIDENTIAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2010-03-02 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

Proposed ord1178

PC Report

PC Exhibits

PC Minutes - Item 6

37. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2010-03-03 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT SOUTH BAHNSON AVENUE AND EAST 57TH STREET ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA REGULATIONS AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

Proposed ord1179

PC Report

PC Exhibits

PC Minutes - Item 9

38. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 6101 E. 49TH ST. FROM THE S, INSTITUTIONAL DISTRICT TO THE RD, RESIDENTIAL DISTRICT AND THE RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2010-03-05 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

Proposed ord1180

PC Report

PC Exhibits

PC Minutes - Item 7

39. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT

PETITION NO. 2010-03-07 TO CHAPTER 15.45.070, PLANNED DEVELOPMENT DISTRICTS, AT 1030 N. MINNESOTA AVE. ALLOWING CHANGES IN LAND USE AS REFLECTED IN THE REVISED SUBAREA REGULATIONS AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

Proposed ord1181

PC Report

PC Exhibits

PC Minutes - Item 15

40. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1816 S. SUMMIT AVE. FROM THE RS-2, RESIDENTIAL DISTRICT TO THE O, OFFICE DISTRICT, PETITION NO. 2010-03-09 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

Proposed ord1182

PC Report

PC Exhibits

PC Minutes - Item 14

41. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. MINNESOTA AVE. AND W. 85TH ST. FROM THE RA-1, RESIDENTIAL DISTRICT TO THE RC, RECREATION/CONSERVATION DISTRICT, PETITION NO. 2010-03-10 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

Proposed ord1183

PC Report

PC Exhibits

PC Minutes - Item 8

42. 1ST READING: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE REVISED ORDINANCES OF THE CITY BY REVISING SECTION 43-10, TRANSIT, PARATRANSIT, AND DEMAND RESPONSE FARES AS FOUND IN CHAPTER 43, VEHICLES FOR HIRE.

Proposed ord1171

A motion was made by Council Member Jamison and seconded by Council Member Litz to set a hearing date and 2nd Reading for Monday, May 3, 2010, at 7:00 p.m. for Items 32 through 42.

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

43. A RESOLUTION APPROVING A SCULPTURE ON CITY PROPERTY (DAKOTA WIND).

Proposed res1720

Exhibit

A motion was made by Council Member Litz and seconded by Council Member Knudson to adopt said Resolution 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

RESOLUTION NO. 27-10

A RESOLUTION APPROVING A SCULPTURE ON CITY PROPERTY.
WHEREAS, the Arena/Convention Center/Entertainment Board and SculptureWalk propose placement of a bronze sculpture for outdoor display on public property; and
WHEREAS, the proposed sculpture, known as Dakota Wind by Nebraska artist Marth a Pettigrew, is a bronze sculpture depicting a Native American Woman and measuring 44" in height, 24" in width, and 24" in length; and
WHEREAS, the sculpture would be leased by private business for up to one year and is not intended to be a gift to the city; and
WHEREAS, the proposed location for the outdoor sculpture is at the main front (east) entrance to the Sioux Falls Convention Center and would be placed upon approximately three-foot high quartzite pedestal; and
WHEREAS, the sculpture reflects South Dakota cultural heritage theme and will further enhance the Sioux Falls Convention Center area for all citizens and visitors to enjoy; and
WHEREAS, the proposed sculptures have already been juried through the SculptureW

alk Process, and reviewed and approved by the Visual Arts Commission and Arena/Convention Center/Entertainment Board; and

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

The outdoor sculpture, known as Dakota Wind and its placement at the Sioux Falls Convention Center be approved as presented.

Date adopted: 4/19/2010.

Dave

Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

44. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF A SCULPTURE ON CITY PROPERTY (BRONZE EAGLE).

Proposed res1721

Exhibit

A motion was made by Council Member Beninga and seconded by Council Member Litz to adopt said Resolution 28-10.

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. 28-10

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF A SCULPTURE ON CITY PROPERTY.

WHEREAS, the Les and Cheryl Heddleston family has gifted an outdoor bronze sculpture, known as Bronze Eagle,

by Italian artist, Franco F. Omme, to the City of Sioux Falls; and

WHEREAS, the sculpture depicts an eagle figure and measures approximately 72" high and 61" in width and will

be prominently displayed in the Sioux Falls Veterans Memorial Park; and

WHEREAS, the funding for the placement and installation of the sculpture will be from donations received by

the Veterans Memorial Park Board; and

WHEREAS, the sculpture will be placed within an existing landscaped circular drop-off area, near the Walts

Avenue park entrance, with commemorative plaque inscription; and

WHEREAS, the Sioux Falls Veterans Memorial Park Advisory Board reviewed the scu

sculpture proposal, determined
the proposed visual art piece meets the intent of the Sioux Falls Veterans Memorial Park mission statement,
has a patriotic theme, and conforms with the Sioux Falls Veterans Memorial Park master plan; and
WHEREAS, the Sioux Falls Veterans Memorial Park Advisory Board, the Sioux Falls Visual Arts Commission, and
the Parks and Recreation Board, have reviewed and recommended the Bronze Eagle sculpture and its placement;
and
NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:
Hereby respectfully accepts this magnificent bronze sculpture, known as Bronze Eagle, and its placement in
the Sioux Falls Veterans Memorial Park, as presented.

Date adopted: 4/19/2010.

Dave

Munson

Mayor
ATTEST:
Debra A. Owen
City Clerk

45. A RESOLUTION MODIFYING SIOUX AREA METRO PARATRANSIT SERVICE HOURS AND CREATING "DEMAND RESPONSE" EVENING BUS SERVICE.

Proposed res1722

A motion was made by Council Member Anderson Jr. and seconded by Council Member Beninga to adopt said Resolution 30-10.

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. 30-10

A RESOLUTION MODIFYING SIOUX AREA METRO PARATRANSIT SERVICE HOURS AND CREATING DEMAND RESPONSE EVENING BUS SERVICE.

WHEREAS, Sioux Area Metro Paratransit Service provides service to people with disabilities. Each bus is fully accessible with wheelchair securement locations. Sioux Area Metro Paratransit service is a curb-to-curb shared ride transportation service for persons who are, due to their functional limitation(s), unable to use accessible fixed route bus service;
WHEREAS, current paratransit service hours weekdays are from 5:15 a.m. until 10

p.m.;

WHEREAS, current fixed route transit service hours are from 5:45 a.m. with the last bus returning to the Bus

Stop at 7:45 p.m.;

WHEREAS, Sioux Area Metro conducted a pilot project beginning in April of 2009 wherein it offered general

riders the opportunity to utilize the paratransit service between the hours of 8 p.m. to 10 p.m. on weekdays;

WHEREAS, given the success of the pilot project, Sioux Area Metro will be creating a Demand Response Evening

Transit Service between the weekday hours of 8 p.m. to 10 p.m. utilizing paratransit buses;

WHEREAS, on February 22, 2010, a public hearing of the Public Transportation Advisory Board was held wherein

the Public Transportation Advisory Board unanimously recommended approval of the change in paratransit weekday

service hours to 5:15 a.m. until 8 p.m. in conjunction with the creation of a new Demand Response Evening

Transit Service from 8 p.m. to 10 p.m. on weekdays; and

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

That the change in weekday paratransit service hours to 5:15 a.m. to 8 p.m. is hereby approved; and

The creation of a weekday Demand Response Evening Transit Service during the hours of 8 p.m. to 10 p.m.

which will be available to people with disabilities, along with general riders is hereby approved.

Date adopted: 4/19/2010.

Dave

Munson

Mayor

ATTEST:

Debra A. Owen

City Clerk

46. A RESOLUTION DECLARING THE RESULTS OF THE CITY OF SIOUX FALLS/SCHOOL BOARD ELECTION HELD IN THE CITY OF SIOUX FALLS, SD ON TUESDAY, THE 13TH DAY OF APRIL, 2010.

Proposed resp001

A motion was made by Council Member Knudson and seconded by Council Member Jamison to adopt said Resolution 29-10.

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. 29-10

A RESOLUTION DECLARING THE RESULTS OF THE CITY OF SIOUX FALLS MUNICIPAL/SCHOOL BOARD ELECTION HELD

IN THE CITY OF SIOUX FALLS, SD, ON TUESDAY, THE 13TH DAY OF APRIL, 2010.

On Tuesday, the 13th day of April 2010, a City of Sioux Falls Municipal/School Board Election was

held. The purpose of this election was to elect one Mayor, four Council Members for the City of

Sioux Falls, South Dakota and to vote on three amendments to the Charter for the City of Sioux

Falls.

The City Council of the City of Sioux Falls met as the Canvassing Board pursuant to law on Monday,

April 19, 2010, at the Carnegie Town Hall, 235 West 10th Street, Sioux Falls, South Dakota, at 7:00

p.m., to canvass the votes cast for City offices at said Municipal Election.

Pursuant to the Canvassing Board's report, candidates for the positions of one Mayor, one

At-Large A position; one At-Large B position; one Central District position; and one

Southeast District position; received the following votes:

For the Mayor of Sioux Falls, four-year term: Bill Peterson - 4,015; Vernon Brown - 5,926; J. Pat

Costello - 4,829; Kermit L. Staggers - 7,364; Mike Huether - 7,315; Janoet Ajda - 156.

For the At-Large A, four-year term Council Member position: Rex Rolwing - 11,269; Charles Gaetze -

2,592; Jesus Ramirez - 889; Clara Hart - 5,458; Clarence Kooistra - 4,648.

For the At-Large B, four-year term Council Member position: James Entenman - 16,609; Michael Jones

- 6,143.

For the Central District, four-year term Council Member position: Theresa Stehley - 1,926; Michelle

Erpenbach - 2,466; James Milne - 174; Michael Hemmer - 470.

For the Southeast District, four-year term Council Member position: Ryan White - 698; Bob

Christensen - 2,852; Sue Aguilar - 4,058.

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

That pursuant to the Canvassing Board's report, no candidate received a majority of the votes cast

at said election for the Mayor position.

That pursuant to the Canvassing Board's report, Rex Rolwing received 45.34 percent of the votes

cast at said election and is hereby declared elected to the position of Council Member At-Large for

a four-year term.

That pursuant to the Canvassing Board's report, James Entenman received 73.00 percent of the votes

cast at said election and is hereby declared elected to the position of Council Member At-Large for

a four-year term.

That pursuant to the Canvassing Board's report, Michelle Erpenbach received 48.96 percent of the

votes cast at said election and is hereby declared elected to the position of Council Member for

the Central District for a four-year term.

That pursuant to the Canvassing Board's report, Sue Aguilar received 53.34 percent of the votes

cast at said election and is hereby declared elected to the position of Council Member for the

Southeast District for a four-year term.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX FALLS, S D:

That pursuant to the Canvassing Board s report, amendments to the Sioux Falls Ci ty Charter, A through c, were approved by the electorate, each having received a majority of a ffirmative votes cast for said amendments:

Charter Amendment A	Budget	
67.29 percent		
of the vote		
Charter Amendment B	Districting Commission	74.5
9 percent of the		
vote		
Charter Amendment C	Elections	
61.14 percent		
of the vote		

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF SIOUX FALLS, S D:

That, it is necessary to hold a Secondary (Runoff) Election as provided by law, on Tuesday, April 27, 2010, and the election shall be held for the candidate who received the high est number of votes at the first election. They are:

For Mayor, four-year term:		
Kermit L. Staggers		7,364
Mike Huether		7,315

This resolution will become effective upon first publication.

Date adopted: 4/19/2010.

Dave Munson

Mayor
ATTEST:
Debra A. Owen
City Clerk

ADJOURNMENT

A motion was made by Council Member Beninga and seconded by Council Member Brown to adjourn at 7:48 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, CMC
Assistant City Clerk