

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Tuesday, July 1, 2014 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Dean Karsky
Council Member Rick Kiley
Council Member Rex Rolfing
Council Member Kermit L. Staggers

Council Member Kenny Anderson Jr.

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Council Member Greg Jamison
Mayor Mike T. Huether

INVOCATION

● Reed DeVries, Adult Ministry Team Leader for Celebrate Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● Sioux Falls as "A Purple Heart City" July 1, 2014

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, June 17, 2014, at 4:00 p.m.

● City Council Meeting of Tuesday, June 17, 2014, at 7:00 p.m.

● Informational Meeting of Tuesday, June 24, 2014, at 4:00 p.m.

● Joint City Council/Minnehaha County Commission Meeting on Tuesday, June 24, 2014, at 5:00 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the June 27, 2014 memo.
2. Notice of change orders on the June 27, 2014 memo.
3. Report of Requests for Quotes for Fuel dated: June 13, 2014; #2 Clear Diesel; 7,500 gallons; Harms Oil (\$3.5169); CHS, Inc., Howes Oil, Midwest Oil and Petroleum Traders Cor., all no bid. Bid awarded to: Harms Oil.
4. Report of Requests for Quotes for Fuel dated: June 17, 2014; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Harms Oil (\$3.1765); CHS, Inc., Howes Oil and Olson Oil, all no bid. Bid awarded to: Harms Oil.
5. Report of Requests for Quotes for Fuel dated: June 17, 2014; #2 Clear Diesel; 7,500 Gallons; Harms Oil (\$3.511); CHS, Inc., Howes Oil, Midwest Oil, Petroleum Traders Cor., all no bid. Bid awarded to: Harms Oil.
6. Report of Requests for Quotes for Fuel dated: June 18, 2014; Unleaded Ethanol & #2 Dyed Diesel; 4,500 gallons unleaded/3,500 gallons #2 Diesel; Harms Oil (\$3.2010 Unleaded/\$3.1291 #2 Diesel); CHS, Inc., Howes Oil and Olson Oil, all no bid. Bid awarded to: Harms Oil.
7. Report of Requests for Quotes for Fuel dated: June 19, 2014; Diesel (#1 and #2 blend); 710 gallons; Howes Oil (\$2,455.89); Palisades Oil and Midway Service, both no bid. Bid awarded to: Howes Oil.

APPLICATIONS

8. Renewal of 2014-15 Retail Malt Beverage License for A Taste of the Big Apple LLC, A Taste of the Big Apple, 600 North Main Avenue, Suite 110.
9. Renewal of 2014-15 Retail Malt Beverage License for Macho Nacho LLC, Macho Nacho, 3308 East 10th Street.
10. Special One-Day Liquor Licenses for Hy-Vee, Inc., All Occasions by Hy-Vee, to be operated at the Great Plains Zoo and Delbridge Museum, 805 South Kiwanis Avenue, for weddings on the following dates in 2014: August 2, August 9, September 13, September 27 and October 11.
11. Special One-Day Liquor License requests for Washington Pavilion Management Inc., Washington Pavilion of Arts & Science, 301 South Main Avenue, for weddings on August 2, 9, 23, and 29, 2014.

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:

12. Christina Grillas, 2106 S. Duluth Avenue, for 2013 property taxes in the amount of \$837.00.
13. Colletta C. Stewart, 3000 W. 34th Street, for property taxes in the amount of \$335.80. The amount requested is the difference between the elderly freeze and the non-elderly freeze.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, July 8, 2014, at 7:00 p.m. on Item 14:

14. Special One-Day Malt Beverage License for the Movember Foundation to be operated at Riverdale Park, 2000 East 24th Street, for a Mustache Dache Run on July 12, 2014, and to authorize publication of the notice on 06-27-14 to set the hearing date.

Set a date of hearing for Tuesday, July 15, 2014, at 7:00 p.m. on Item 15 through Item 21:

15. New 2014-15 Retail Malt Beverage License for Ice Sports Association, SCHEELS IcePlex, 4300 North Bobhalla Avenue (CUP not required).
16. New 2014-15 Retail Malt Beverage License for PPC Sioux Falls, Noodles & Company, 5216 East Arrowhead Parkway with Conditional Use Permit (2014-05-02) being approved on June 4, 2014.
17. New 2014 Retail Wine License for PPC Sioux Falls, Noodles & Company, 5216 East Arrowhead Parkway with Conditional Use Permit (2014-05-02) being approved on June 4, 2014.
18. New 2014-15 Retail Malt Beverage License, including video lottery terminals, for Wesley Brandis, The Brass Rail, 1213 North Cliff Avenue (CUP not required).
19. Special One-Day Liquor Licenses for Hy-Vee Inc., All Occasions by Hy-Vee to be operated at The Point is to Serve Church, 506 North Kiwanis Avenue for weddings on the following dates in 2014: August 9, August 23, September 6, September 13, September 20 and September 27.
20. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Hy-Vee Inc., All Occasions by Hy-Vee to be operated at The Point is to Serve Church, 506 North Kiwanis Avenue for wedding on August 16, 2014.
21. Special One-Day Liquor License for TSK, Inc., Stogeez Cigar Lounge to be operated on Phillips Avenue between 10th & 11th Streets for the Stogeez

Steakout on July 26, 2014.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

22. Deferred from the City Council Meeting of Tuesday, June 3, 2014:New 2014-15 Retail Malt Beverage License for The Beacon, LLC, The Beacon, to be operated at 3224 East 10th Street.
23. Deferred from the City Council Meeting of Tuesday, June 3, 2014:New 2014 Retail Wine License for The Beacon, LLC, The Beacon, to be operated at 3224 East 10th Street.
24. New 2014-15 Retail Malt Beverage License for Crickett Collins, The Bonus Round Bar, to be operated at 803 South Cliff Avenue.
25. Special One-Day Malt Beverage License for Special Olympics South Dakota to be operated at Yankton Trail Park, 3901 South Minnesota Avenue, for the Peach Festival on July 26, 2014.

INTRODUCTION AND ADOPTION OF ORDINANCES

26. 2nd Reading:AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 57: GARBAGE AND RECYCLING, SUBCHAPTER COLLECTION REGULATIONS. City Council action on the 2nd Reading will be deferred to the City Council Meeting of Tuesday, October 14, 2014, at 7:00 p.m.
27. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING SUBSECTIONS 110.033 110.035 OF CHAPTER 110: LICENSES OF TITLE XI: BUSINESS REGULATIONS BY REVISING ANNUAL FEES FOR LICENSES AND PERMITS AND FIRE DEPARTMENT INSPECTIONS FOR LICENSES ISSUED BY OTHER CITY DEPARTMENTS.
28. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 9000 W. 26TH ST. FROM THE AG AGRICULTURE DISTRICT TO THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT, PETITION NO. 2014-04-01, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
29. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHEAST CORNER OF W. 81ST ST. AND S. AUDIE AVE. FROM THE RA-

2 APARTMENT RESIDENTIAL MODERATE DENSITY, CN CONSERVATION, AND LW LIVE-WORK DISTRICTS TO THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY, CN CONSERVATION, AND LW LIVE-WORK DISTRICTS, PETITION NO. 2014-05-03, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

30. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE NORTHWEST CORNER OF E. 26TH ST. AND S. SIX MILE RD. FROM THE AG AGRICULTURE DISTRICT TO THE CN CONSERVATION, RA-3 APARTMENT RESIDENTIAL HIGH DENSITY, RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY, RD-2 TOWNHOME RESIDENTIAL SUBURBAN, RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN, AND C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICTS, PETITION NO. 2014-05-06, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
31. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE NORTHEAST AND SOUTHEAST CORNERS OF SD HWY. 42 AND S. SIX MILE RD. FROM THE AG AGRICULTURE DISTRICT TO THE CN CONSERVATION, RA-3 APARTMENT RESIDENTIAL HIGH DENSITY, C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR, AND C-3 COMMERCIAL COMMUNITY DISTRICTS, PETITION NO. 2014-05-07, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
32. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY WEST OF S. DISCOVERY AVE. AND SOUTH OF W. 12TH ST. FROM THE AG AGRICULTURE DISTRICT TO THE I-1 LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2014-05-08, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
33. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHWEST CORNER OF E. 26TH ST. AND S. POWDER HOUSE RD. FROM THE C-2 AND C-4 COMMERCIAL, CN OPEN SPACE, O OFFICE/INSTITUTIONAL, RA-2 AND RA-1 APARTMENT RESIDENTIAL, AND RS SINGLE-FAMILY RESIDENTIAL DISTRICTS TO THE C-2, C-3, AND C-4 COMMERCIAL, CN OPEN SPACE, O OFFICE/INSTITUTIONAL, RA-3, RA-2, AND RA-1 APARTMENT RESIDENTIAL, LW LIVE-WORK, RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN, AND RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICTS, PETITION NO. 2014-05-10, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
34. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. BAHNSON AVE. AND E. 11TH ST. FROM THE C-3 COMMERCIAL COMMUNITY DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT, PETITION NO. 2014-05-13, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
35. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT SD HWY. 42 AND E. SIX MILE RD. FROM THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT TO THE RA-3 APARTMENT RESIDENTIAL HIGH DENSITY DISTRICT, PETITION NO. 2014-05-14, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
36. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. HANSON AVE. AND W. BRIDGER ST. FROM THE RA-2 APARTMENT

RESIDENTIAL MODERATE DENSITY AND LW LIVE-WORK DISTRICTS TO THE RD-2 TOWNHOME RESIDENTIAL SUBURBAN AND THE CN CONSERVATION DISTRICTS, PETITION NO. 2014-05-15, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

37. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE NORTHWEST CORNER OF 69TH ST. AND S. SOUTHEASTERN AVE. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE S-1 GENERAL INSTITUTIONAL DISTRICT, PETITION NO. 2014-05-16, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
38. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE NORTHEAST CORNER OF 69TH ST. AND CLIFF AVE. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE C-3 COMMERCIAL COMMUNITY DISTRICT, INCLUDING CONDITIONS AS ALLOWED IN SECTION 160.650 (e) PLACING LIMITATIONS ON REGULATIONS WITHIN THE RE4 FORM, PETITION NO. 2014-05-17, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval with the following condition: 1) Building of no more than 50,000 square feet of gross floor area.
39. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHWEST CORNER OF GRAND SLAM AVE. AND 45TH ST. FROM THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT TO THE RD-2 TOWNHOME RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 2014-05-19, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Set a date of hearing and 2nd Reading for Tuesday, July 22, 2014, at 7:00 p.m. at the Joint City Council/Lincoln County Commission Meeting for Item 40:

40. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REZONING PROPERTY AT THE SE1/4 SECTION 19, TOWNSHIP 100N, RANGE 50W, LINCOLN COUNTY, FROM THE AG, AGRICULTURAL DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT. Planning Commission recommends approval.

HEARINGS AND RESOLUTIONS

41. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF CEDAR PINES ADDITION. Planning Commission recommends approval.
42. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF PONDEROSA HIGHLANDS ADDITION. Planning Commission recommends approval.
43. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE SIOUX FALLS CULTURAL PLAN.
44. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO VARIOUS CITIZEN BOARDS.

REPORT OF OFFICERS/BOARDS/COMMITTEES/TRANSFERS OF UNENCUMBERED APPROPRIATION
BALANCES AMONG PROGRAMS WITHIN A DEPARTMENT OR ORGANIZATIONAL UNIT AS PROVIDED
IN THE SIOUX FALLS CITY CHARTER SECTION 5.07(d)

45. REPORT OF THE JUNE 23, 2014, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN
MAJOR ORGANIZATIONAL UNITS.

NEW BUSINESS

ITEMS ADDED AFTER AGENDA DEADLINE

The City Council may include other such business as may come before this body.

ADJOURNMENT

MEETING ASSISTANCE: UPON REQUEST, ACCOMMODATIONS FOR MEETINGS WILL BE PROVIDED
FOR PERSONS WITH DISABILITIES. PLEASE CONTACT THE CITY CLERK S OFFICE,
CARNEGIE TOWN HALL, AT (605) 367-8080 (VOICE) OR (605) 367-7039 (TDD) 24 HOURS
IN ADVANCE OF THE MEETING.

ADDRESSING THE COUNCIL: PERSONS ADDRESSING THE COUNCIL SHALL USE THE
MICROPHONE AT THE PODIUM. PLEASE STATE YOUR NAME. PRESENTATIONS ARE LIMITED
TO FIVE MINUTES.

LIVE BROADCASTS OF COUNCIL MEETINGS ON CITYLINK: INFORMATIONAL MEETINGS AIR
LIVE ON TUESDAYS EACH MONTH AT 4:00 P.M. COUNCIL COMMITTEE MEETINGS AIR LIVE
THE FIRST, SECOND, AND THIRD TUESDAYS OF EACH MONTH IMMEDIATELY FOLLOWING THE
INFORMATIONAL MEETING. CITY COUNCIL MEETINGS AIR LIVE THE FIRST, SECOND, AND
THIRD TUESDAYS OF EACH MONTH AT 7:00 P.M. THE JOINT CITY COUNCIL/MINNEHAHA
COUNTY COMMISSION MEETINGS AIR LIVE THE FOURTH TUESDAY OF EACH MONTH AT 5:00
P.M. REGULAR MEETINGS OF THE CITY COUNCIL ARE ALSO ARCHIVED AND AVAILABLE FOR
VIEWING ON DEMAND AT WWW.SIOUXFALLS.ORG. LINKS TO EACH MEETING S VIDEO ARE
POSTED ON THE MEETING MINUTES AND AGENDAS PAGE.

CLOSED CAPTIONING: CITY COUNCIL MEETINGS ARE CLOSE CAPTIONED ON CITYLINK.

CITYLINK REBROADCAST: INFORMATIONAL MEETINGS AT 1:30 A.M. AND 9:00 A.M. ON
THURSDAYS, AND 6:00 P.M. ON SATURDAYS. COUNCIL COMMITTEE MEETINGS AT 12:30 A.M.
AND 8:00 A.M. ON THURSDAYS, AND 5:00 P.M. ON SATURDAYS. CITY COUNCIL MEETINGS
AT 2:30 AM AND 10:00 A.M. ON THURSDAYS, AND 7:00 P.M. ON SATURDAYS. JOINT CITY
COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 8:00 A.M. ON FIRST FRIDAY AFTER
LIVE MEETING AND 1:00 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.