

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Tuesday, September 16, 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

&#9679; Dr. Erich McCandless, Empire Baptist Temple

PLEDGE OF ALLEGIANCE

RECOGNITION/AWARDS

&#9679; Outstanding Citizen Award Presentation by Police Chief Doug Barthel

&#9679; Resolution from the Sioux Falls Development Foundation Board of Directors presented by Tom Simmons, Sioux Falls Development Foundation Chair

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Tuesday, September 9, 2014, at 4:00 p.m.

&#9679; City Council Meeting of Tuesday, September 9, 2014, at 7:00 p.m.

#### COMMUNICATIONS

1. Approval of Contracts/Agreements on September 11, 2014 memo.
2. Notice of Change Orders on the September 11, 2014 memo.

#### APPLICATIONS

3. Special One-Day Liquor License requests for Great Bear Recreation Park Inc., Great Bear Recreation Park, to be operated at 5901 East Rice Street, for special events on October 4 and October 11, 2014.
4. Special One-Day Liquor Licenses for Washington Pavilion Management Inc., to be operated at Washington Pavilion of Arts & Science, 301 South Main Avenue for special events on October 3, 9, 11, and 25, 2014.
5. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering to be operated at The Old Courthouse Museum, 200 West 6th Street, for a USD History Convention on October 9, 2014.

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, October 7, 2014, at 7:00 p.m. on Items 6 and 7:

6. Transfer of 2014-15 Package Malt Beverage License from Maria Luz Lima, La Michoacana Mexican Store, 2319 West 12th Street, to Luis Giron, Tienda El Quetzal, 2319 West 12th Street (CUP not required).
7. New 2014-15 Package Malt Beverage License for WAM, LLC, All Day Cafø/ TapHouse 41, 2101 West 41st Street, Suite 24 (CUP not required).

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

#### PUBLIC INPUT

#### UNFINISHED BUSINESS

8. Transfer of 2014 Retail Liquor License, including Sunday sales certificate

and video lottery terminals, from SRS Inc., Wild Willies, 4200 North Cliff Avenue, to SRS Inc., Sandbar, to be operated at Lot 2A, Block 1 Lake Lorraine addition (general location 2200-2400 South Marion Road) with Conditional Use Permit (2014-03-11) being approved on April 2, 2014. Pending permits and final inspections per Fire, Health and Building Services.

9. New 2014-15 Retail Malt Beverage License, including video lottery terminals, for The BarCode Bar & Grill LLC, The BarCode Bar & Grill to be operated at 4200 North Cliff Avenue (CUP not required). Pending final inspections per Fire and Health.
10. New 2014 Retail Wine License, including video lottery terminals, for The BarCode Bar & Grill LLC, The BarCode Bar & Grill to be operated at 4200 North Cliff Avenue (CUP not required). Pending final inspections per Fire and Health.
11. New 2014-15 Retail Malt Beverage License for Pappy s The Original Inc., Pappy s The Original to be operated at 101 South Phillips Avenue, Suite 101 (CUP not required). Pending permits and final inspections per Fire, Health and Building Services.
12. New 2014 Retail Wine License for Pappy s The Original Inc., Pappy s The Original to be operated at 101 South Phillips Avenue, Suite 101 (CUP not required). Pending permits and final inspections per Fire, Health and Building Services.
13. Special One-Day Liquor License for Sertoma Butterfly House and Marine Cove, 4320 South Oxbow Avenue for a fundraiser on September 23, 2014. Pending permits and final inspections per Fire, Health and Building Services.
14. Special One-Day Malt Beverage and Special One-Day Wine Licenses for The Banquet to be operated at Cliff Avenue Greenhouse & Garden Center, 2101 East 26th Street for a Supply Our Students fundraiser on September 25, 2014.
15. Special One-Day Wine Licenses for Downtown Sioux Falls, Inc., to be operated at the following locations: 8th & Railroad Center Lobby, 401 East 8th Street, Bead Co., 319 South Phillips Avenue, CH Patisserie, 309 South Phillips Avenue, Chelsea s Boutique, 321 South Phillips Avenue, Cliff Hangers Gallery, 126 South Phillips Avenue, Great Outdoor Store, 201 East Tenth Street, Lillian s, 311 South Phillips Avenue, Rehfeld s Art & Framing, 210 South Phillips Avenue, Simply Perfect, 401 East 8th Street #108, Sticks and Steel, 401 East 8th Street Suite 118, Young & Richard s, 222 South Phillips Avenue, Zandbroz Variety, 209 South Phillips Avenue, Exposure Gallery & Studios, 401 North Phillips Avenue, Sun Flower Photography, 400 North Main Avenue, and Lot 2029, 333 South Phillips Avenue, for the First Friday Art & Wine Walk on October 3, 2014.
16. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Oglala Pet Project to be operated at the 8th & Railroad Center parking lot and back deck, 401 East 8th Street, for a fundraiser on October 4, 2014.

17. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering to be operated at Avera At Home, 5116 South Solberg Avenue, for a Board Member Tour on October 7, 2014.
18. Special One-Day Malt Beverage and Special One-Day Wine Licenses for The Feisty Fighters to be operated at Landscape Garden Center, 7201 South Minnesota Avenue, for a fundraiser on November 18, 2014.

INTRODUCTION AND ADOPTION OF ORDINANCES

19. 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, 2015.

Set a date of hearing and 2nd Reading for Tuesday, October 7, 2014, at 7:00 p.m. for Item 20:

20. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 201 S. FRANKLIN AVE. FROM THE I-2, HEAVY INDUSTRIAL DISTRICT TO THE C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 2014-08-03 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, October 7, 2014, at 7:00 p.m. for Item 21:

21. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 2525 W. 3RD ST. FROM THE C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2014-08-04 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, October 7, 2014, at 7:00 p.m. for Item 22:

22. 1st 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. 2014-08-09 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, October 7, 2014, at 7:00 p.m. for Item 23:

23. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE 2013 SHAPE PLACES ZONING ORDINANCE OF THE CITY OF SIOUX FALLS. Planning

Commission recommends approval.

#### HEARINGS AND RESOLUTIONS

24. A RESOLUTION APPOINTING AN AUDIT COMMITTEE MEMBER TO THE CITY COUNCIL AUDIT COMMITTEE.
25. A RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2015, AND THE 2015 2019 CAPITAL PROGRAM.
26. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A CONSTRUCTION MANAGER AT-RISK AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND SIOUX FALLS CONSTRUCTION, A JOURNEY GROUP COMPANY, FOR CONSTRUCTION MANAGER AT-RISK SERVICES FOR THE INDOOR AQUATICS FACILITY AT SPELLERBERG PARK, ALONG WITH OTHER DOCUMENTS, AMENDMENTS, CHANGE ORDERS, OR OTHER INSTRUMENTS AS MAY BE DEEMED NECESSARY AND APPROPRIATE CONSISTENT WITH THE TERMS OF THE AGREEMENT.
27. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL ARCHITECTURAL AND ENGINEERING DESIGN SERVICES AGREEMENT BETWEEN THE CITY AND TSP, INC. FOR THE INDOOR AQUATICS FACILITY AT SPELLERBERG PARK, ALONG WITH OTHER DOCUMENTS, AMENDMENTS, CHANGE ORDERS, OR OTHER INSTRUMENTS AS MAY BE DEEMED NECESSARY AND APPROPRIATE CONSISTENT WITH THE TERMS OF THE AGREEMENT.
28. A RESOLUTION APPROVING THE RELEASE OF PERMANENT SANITARY EASEMENTS LOCATED IN LOT 2B, BLOCK 1, LAKE LORRAINE ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA, AND TRACT 1, LAKE LORRAINE ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA, AND LOT 5 AND LOT 6 OF THE RESUBDIVISION OF SIOUX FALLS FARMSTEAD IN SECTION 25, TOWNSHIP 101 NORTH, RANGE 50 WEST OF THE 5TH P.M., MINNEHAHA COUNTY, SOUTH DAKOTA.
29. A RESOLUTION APPROVING THE RELEASE OF A PORTION OF PERMANENT UTILITY EASEMENT LOCATED IN TRACT 4A OF MARTENS ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.
30. A RESOLUTION APPROVING THE RELEASE OF A PORTION OF PERMANENT SANITARY SEWER EASEMENT AND UTILITY EASEMENT LOCATED IN LOT 1B OF OAKWOOD HILLS ESTATES, AN ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.
31. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.

#### 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](http://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.