

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
REGULAR MEETING OF Tuesday, May 5, 2015 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; Care Pastor Brian Reynoldson, Celebrate Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

&#9679; Municipal Clerks Week - May 3-9, 2015

&#9679; Bike Month - May 2015

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Tuesday, April 21, 2015, at 4:00 p.m.

&#9679; Informational Meeting of Tuesday, April 28, 2015, at 4:00 p.m.

&#9679; City Council Meeting of April 21, 2015 at 7:00 p.m.

#### COMMUNICATIONS

1. Approval of contracts/agreements on the April 30, 2015 memo.
2. A communication was received from Michael Greco and Melanie Rockne requesting permission to consume, but not sell, beer and wine at The History Club of Sioux Falls, 758 South Philips Avenue, on Friday, September 4, 2015, from 6:00 p.m. to 10:00 p.m. pursuant to SDCL 35-1-5.5 for the purpose of a wedding rehearsal dinner.
3. A communication was received from Mulumbilwa Kabwali, Protocol President, requesting permission to consume, but not sell, beer and wine at the Multi-Cultural Center, 515 North Main Avenue for the following two weddings, pursuant to SDCL 35-1-5.5: Muzaliwa Kabwali on Saturday, May 30, 2015, from 6 p.m. to 12 midnight, and Nicolas Alimasi on Saturday, July 11, 2015, from 6 p.m. to 12 midnight.
4. Report of Requests for Quotes for Fuel dated: April 20, 2015; #2 Dyed Diesel; 3,000 gallons; Howes Oil (\$2.159); Stern Oil (\$2.0213); and Midway Service (\$2.0230). Bid awarded to: Stern Oil.
5. Report of Requests for Quotes for Fuel dated: April 22, 2015; Unleaded Ethanol; 615 gallons; Midway Service (\$2.1355); Howes Oil (\$2.2015); Stern Oil, no bid. Bid awarded to Midway Service.
6. Report of Requests for Quotes for Fuel dated: April 22, 2015; Clear Diesel #1; 253 gallons; Midway Service (\$2.3881); Howes Oil (\$2.3525); Stern Oil (\$2.6476). Bid awarded to Midway Service.
7. Report of Requests for Quotes for Fuel dated: April 22, 2015; Clear Diesel #2; 253 gallons; Midway Service (\$2.2105); Howes Oil (\$2.2715); Stern Oil (\$2.3019). Bid awarded to: Midway Service.
8. Report of Requests for Quotes for Fuel dated: April 24, 2015; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Harms Oil (\$2.0552); Howes Oil (\$2.0560); CHS, Inc., Cole's Petroleum, and Olson Oil, no bids. Bid awarded to: Harms Oil.
9. Report of Requests for Quotes for Fuel dated: April 27, 2015; #2 Dyed Diesel; 7,500 gallons; Harms Oil (\$1.9674); Howes Oil (\$1.9715); CHS, Inc. (\$2.0050); Cole's Petroleum (\$2.0127); Midwest Oil and Olson Oil, no bids. Bid awarded to: Harms Oil.
10. Report of Requests for Quotes for Fuel dated: April 28, 2015; #2 Clear Diesel; 7,500 gallons; CHS, Inc. (\$2.2725); Howes Oil (\$2.2495); Harms Oil (\$2.2585); Petroleum Traders Co. (\$2.224); Midwest Oil, no bid. Bid

awarded to: Petroleum Traders Co.

#### APPLICATIONS

11. Special One-Day Liquor License for Prairie Pasta Inc., Johnny Carinos to be operated at the Old Courthouse Museum, 200 West 6th Street, for a wedding on June 5, 2015.
12. Special One-Day Wine License for The Center for Equality to be operated at Terrace Park, 1100 4th Street, for a Sioux Falls Pride event on June 20, 2015.
13. 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 June 21, 2015.
14. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sioux Falls Sister Cities to be operated at Falls Park West (park area north of the Sioux Falls Park and Recreation Office leading to Falls Park along Phillips Avenue) for the Germanfest to be held on September 12, 2015.
15. Various Retail Malt Beverage, Retail Malt Beverage/South Dakota Farm Winery, Package Malt Beverage, and Package Malt Beverage/South Dakota Farm Winery License renewals for 2015-16 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit B.

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:

Items 16-20: The amount requested is the difference between the elderly freeze and the non-elderly freeze.

16. Lyle Burrell, 5508 W. 45th St., for 2014 property taxes in the amount of \$722.18.
17. Dennis Erickson, 804 S. Hawthorne Ave., for 2014 property taxes in the amount of \$285.75.
18. Don Hager, 3608 S. Gateway Blvd. #203, for 2014 property taxes in the amount of \$349.34.
19. Bobby Hall, 1212 S. Norton Ave., for 2014 property taxes in the amount of \$248.21.
20. Sam Nastase, 601 S. Bahnson Ave., for 2014 property taxes in the amount of \$823.94.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, May 19, 2015, at 7:00 p.m. for Items 21 through 25:

21. New 2015-16 Retail Malt Beverage License, including video lottery terminals, for Vikash Patel, Golden Coin Casino, to be operated at 2505 West Russell St, Suite 101, with Conditional Use Permit (1824-2014) being approved on November 5, 2014.
22. New 2014-15 Package Malt Beverage License for Olson Oil Company, Get N Go #22, 4915 North Cliff Avenue (CUP not required).
23. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls Inc., to be operated at 8th & Railroad Parking Lot, 401 East 8th Street, for Downtown Block Parties on the East Bank on June 5, July 3, August 7, and September 4, 2015.
24. Special One-Day Malt Beverage License for Downtown Sioux Falls, Inc., to be operated on Phillips Avenue from 9th to 14th Streets; Main Avenue from 10th to 13th Streets, 13th Street from Main to 1st Avenue, 12th Street from Main to Phillips Avenues, 11th Street from Dakota to Mall Avenues, 10th Street from Main to Mall Avenues, Parking Ramp by Main & 12th, Surface lot behind Diner, and Plaza by 12th & Phillips, for Hot Summer Nites on July 15, 2015.
25. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls Inc., to be operated within Phases 1 and 2 of Downtown Riverfront (from 6th Street to South of 8th Street) including Raven Industries riverfront and parking lot located at 205 East 6th Street, for Downtown Riverfest on August 15, 2015.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

26. New 2015 Package Liquor License for GF Buche Company, Buche s Bargain Butcher to be operated at 200 South Kiwanis Avenue (CUP not required).
27. Transfer of 2015 Retail Liquor License, including Sunday sales and video lottery terminals, from Martini s Inc., Martini s Casino & Lounge, 4823 South Louise Avenue, to Dave Kulish, Martini s Casino & Lounge, 4823 South Louise Avenue (CUP not required).

28. 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 May 16, June 20, and July 11, 2015.
29. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering to be operated at Orthopedic Institute, 810 East 23rd Street, for a South Dakota Chiropractors social on May 8, 2015.
30. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Sioux Falls Area Community Foundation to be operated at Sioux Falls Area Community Foundation, 200 North Cherapa Place for a Science Fest social on June 12, 2015.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

31. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3205 S. SIX MILE RD. FROM THE AG, AGRICULTURE DISTRICT TO THE RS, SINGLE FAMILY RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 2054-2015 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 AT 7901 E. 57TH ST. FROM THE AG, AGRICULTURE DISTRICT TO THE O, OFFICE AND C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 2275-2015 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 N. OF E. MADISON ST. AND E. AND W. OF PROPOSED HIGHWAY 100 FROM THE RS, SINGLE-FAMILY RESIDENTIAL SUBURBAN, CN, CONSERVATION, POPUD, PEDESTRIAN ORIENTATED PLANNED UNIT DEVELOPMENT, RD-1, TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN, RA-2, APARTMENT RESIDENTIAL MODERATE DENSITY, LW, LIVE-WORK AND C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE RS, SINGLE-FAMILY RESIDENTIAL SUBURBAN, RD-2, TOWNHOME RESIDENTIAL SUBURBAN, RA-3, APARTMENT RESIDENTIAL HIGH DENSITY, LW, LIVE-WORK, O, OFFICE AND C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 2353-2015 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 S. OF W. 57TH ST. AND E. OF S. MARION RD. FROM THE O, OFFICE DISTRICT TO THE RA-2, APARTMENT RESIDENTIAL MODERATE DENSITY AND C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 2361-2015 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 216 S. BLAUVELT AVE. FROM THE RD-1, TWIN HOME/DUPLEX RESIDENTIAL-SUBURBAN DISTRICT TO THE C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR

DISTRICT, PETITION NO. 2360-2015 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, May 12, 2015, at 7:00 p.m. for Item 36:

36. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS (\$1,099,500 for Highways & Streets).

Set a date of hearing and 2nd Reading for Tuesday, May 12, 2015, at 7:00 p.m. for Item 37:

37. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE ISSUANCE OF REVENUE BONDS AND PLEDGING A SURCHARGE FOR IMPROVEMENTS TO ITS WASTEWATER SYSTEM AND NONPOINT SOURCE IMPROVEMENTS.

Set a date of hearing and 2nd Reading for Tuesday, May 12, 2015, at 7:00 p.m. for Item 38:

38. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING FOR A SURCHARGE FOR PROJECT TO MAKE IMPROVEMENTS TO ITS WASTEWATER SYSTEM AND FOR NONPOINT SOURCE FACILITIES, IMPROVEMENTS, AND ACTIVITIES FOR PAYMENT OF REVENUE BONDS AND YEARLY REVIEW OF RATES.

Set a date of hearing and 2nd Reading for Tuesday, May 12, 2015, at 7:00 p.m. for Item 39:

39. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING SECTIONS 51.081 AND 51.081.01 OF THE CODE OF ORDINANCES OF THE CITY BY ADDING SURCHARGE AND RATE SECTIONS.

#### HEARINGS AND RESOLUTIONS

40. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF USF SOUTH CAMPUS ADDITION. Planning Commission recommends approval.

41. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. Annexation 2207-2015 - Olesen's Addition.

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)

42. REPORT OF THE APRIL 28, 2015, 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.

AS YOUR ELECTED REPRESENTATIVES, THE CITY COUNCIL VALUES YOUR INPUT AND FEEDBACK. HOWEVER, THE SOUTH DAKOTA SUPREME COURT HAS RULED THAT CITY COUNCILORS MAY NOT ENGAGE IN PRIVATE COMMUNICATIONS WITH PERSONS WHEN THE CITY COUNCIL WILL ACT AS A DECISION-MAKER ON AN UPCOMING MATTER INVOLVING A LICENSE OR A PERMIT. IN THOSE INSTANCES, PERSONS ARE ENCOURAGED TO PROVIDE WRITTEN COMMENTS TO THE ENTIRE CITY COUNCIL OR TO PROVIDE ORAL COMMENT AT THE PUBLIC MEETING ON THAT MATTER WHEN IT IS CONSIDERED BY THE ENTIRE CITY COUNCIL. THOSE WHO PROVIDE COMMENTS SHOULD UNDERSTAND THAT THEIR COMMENTS WILL BECOME PART OF THE OFFICIAL RECORD AND SUBJECT TO REVIEW BY ALL PARTIES AND THE PUBLIC.

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.