

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Tuesday, August 4, 2015 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Rick Kiley
Council Member Rex Rolwing
Council Member Kermit L. Staggers

Council Member Kenny Anderson Jr.

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Council Member Greg Jamison
Council Member Dean Karsky
Mayor Mike T. Huether

INVOCATION

● Brenda Hill, Prayer Minister for Direct Line

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, July 21, 2015, at 4 p.m.

● City Council Meeting of Tuesday, July 21, 2015, at 7 p.m.

● Informational Meeting of Tuesday, July 28, 2015, at 4 p.m.

● Joint City Council/Minnehaha County Commission Meeting of Tuesday, July 28, 2015, at 5 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the July 30, 2015, memo.
2. A communication was received from Dennis W. Hansen requesting permission to consume, but not sell, liquor, wine and malt beverages at The Old Courthouse Museum, 200 W. 6th Street, on Friday, September 4, 2015, pursuant to SDCL 35-1-5.5 to celebrate a wedding reception.
3. A communication was received from Dane Bloch requesting permission to consume, but not sell, wine and brewed local beer at The Old Courthouse Museum at 200 W. 6th Street, on Saturday, October 3, 2015, from 5 p.m. to 11 p.m. pursuant to SDCL 35-1-5.5 to celebrate a wedding reception.
4. Report of Requests for Quotes for Fuel dated: July 22, 2015; #2 Clear Diesel; 7,500 Gallons; CHS, Inc. (\$2.0923); Harm's Oil (\$2.085); Howe's Oil, Midwest Oil, and Petroleum Traders Co., all no bid. Bid awarded to: Harm's Oil.

APPLICATIONS

5. Special One-Day Liquor License for Ovations Food Services LP, to be operated at the Sioux Falls Orpheum Theater, 315 North Phillips Avenue, for a wedding reception on August 22, 2015.

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:

6. Cynthia L. Walberg, 2812 S. Cinnabar Circle, for 2014 taxes in the amount of \$917.86. The owner-occupied was removed in error.

Items 7-13: The properties were purchased by the City of Sioux Falls during 2014. Abatement amount requested is for 2014 property taxes.

7. Parcel #82734, Lot H-1 of Tract 1A of Westridge II Addition to the City of Sioux Falls for \$1,019.78.
8. Parcel #81366, Lot H-1 in Tract 3 of East Benson Addition to the City of Sioux Falls for \$72.52.
9. Parcel #79955, Lots H1 and H2 in Lot 1A of Tract 2 of Roosevelt South Addition for \$747.76.
10. Parcel #75429, Lots H-1 in Lots 2,3,4, & 5 in Block 1 of Morningside Addition for \$75.05.
11. Parcel #61428, Lot H-1 in Tract A of Morrows Addition for \$253.86.
12. Parcel #14629, Lot H-1 in NW 1/4 of 36-102-49 for \$62.10.

13. Parcel #14628, Lot H-1 in N 1/2 of SE 1/4 of 35-102-49 for \$64.65.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, August 18, 2015, at 7:00 p.m. for Items 14 through 19:

14. New 2015 Retail Wine License for Fernson Brewing Company LLC, Fernson Brewing Company, to be operated at 1400 East Robur Drive (CUP not required).
15. New 2015-16 Retail Malt Beverage License for Fernson Brewing Company LLC, Fernson Brewing Company, to be operated at 1400 East Robur Drive (CUP not required).
16. New 2015 Retail Wine License for Ramkota Companies, Inc., AeroStay Hotel, to be operated at 2821 North Jaycee Lane (CUP not required).
17. New 2015-16 Retail Malt Beverage License for Ramkota Companies, Inc., AeroStay Hotel, to be operated at 2821 North Jaycee Lane (CUP not required).
18. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering, to be operated at Bank Midwest, 225 South Minnesota Avenue, for a private social on August 26, 2015.
19. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering, to be operated at Vance Thompson Vision, 3101 West 57th Street, for customer appreciation on September 14, 2015.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

20. Transfer of a 2015-16 Retail Malt Beverage license from Dakota Lodging & Entertainment LLC, Quality Inn & Suites, 5410 North Granite Lane, to Granite Development LLC, Quality Inn & Suites, 5410 North Granite Lane.

21. Transfer of a 2015 Retail Wine license from Dakota Lodging & Entertainment LLC, Quality Inn & Suites, 5410 North Granite Lane, to Granite Development LLC, Quality Inn & Suites, 5410 North Granite Lane.
22. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering, to be operated at Sanford Health, 2301 East 60th Street North, for a Physician Leadership event on October 23, 2015.

INTRODUCTION AND ADOPTION OF ORDINANCES

23. Deferred from the City Council Meetings on 4/21/15 and 6/2/15: 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. AND W. OF N. MARLOW AVE. AND N. OF E. PADDINGTON ST. FROM THE AG, AGRICULTURE DISTRICT TO THE RS, SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT, PETITION NO.2249-2015 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.
24. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING SECTION 124.012 PROVIDING FOR SIOUX AREA METRO TRANSIT FARES.
25. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY NORTH OF W. 26TH ST. AND EAST OF S. ST. MICHAELS CIRCLE FROM THE O OFFICE DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 2859-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
26. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY EAST OF S. LOUISE AVE. AND NORTH OF W. 77TH ST. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 2875-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
27. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 5200 W. LAKESHORE BLVD. FROM THE C-3 COMMERCIAL COMMUNITY DISTRICT TO THE S-1 GENERAL INSTITUTIONAL DISTRICT, PETITION NO. 2888-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
28. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 9100 W. 26TH ST. FROM THE AG AGRICULTURE DISTRICT TO THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT, PETITION NO. 2889-2015, 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 EAST OF S. SOUTHEASTERN AVE. AND SOUTH OF E. CHATHAM ST. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN AND RD-2 TOWNHOME RESIDENTIAL SUBURBAN DISTRICTS,

PETITION NO. 2894-2015, 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 SOUTH OF E. BENSON RD. AND EAST OF I-229 FROM THE AG AGRICULTURE AND CN CONSERVATION DISTRICTS TO THE I-2 HEAVY INDUSTRIAL AND CN CONSERVATION DISTRICTS, PETITION NO. 2895-2015, 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 800 AND 900 E. I-90 LN. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE O OFFICE DISTRICT, PETITION NO. 2929-2015, 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 3521 S. NORTON AVE. FROM THE C-3 COMMERCIAL COMMUNITY DISTRICT TO THE I-1 LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2930-2015, 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 AT THE SOUTHEAST CORNER OF W. 57TH ST. AND S. MARION RD. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE C-3 COMMERCIAL COMMUNITY DISTRICT, PETITION NO. 2931-2015, 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 AT 2900 S. WALTZ AVE. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT TO THE RT-2 TOWNHOME RESIDENTIAL TRADITIONAL DISTRICT, PETITION NO. 2932-2015, 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 5311 N. 6TH AVE. FROM THE REC RECREATION DISTRICT TO THE I-1 LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2933-2015, 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, ESTABLISHING THE TAX INCREMENT REVENUES TO BE COLLECTED AND AUTHORIZING THE PAYMENT OF TAX INCREMENT REVENUES TO THE DEVELOPER IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT FOR TAX INCREMENTAL DISTRICT NO. NINETEEN, CITY OF SIOUX FALLS.

Set a date of hearing and 2nd Reading for Tuesday, August 11, 2015, at 7 p.m. for Item 37:

37. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING AMENDMENTS TO WATER TANK LEASE AGREEMENT NOS. 14-3449 and 14-3450.

Set a date of hearing and 2nd Reading for Tuesday, August 11, 2015, at 7 p.m. for Item 38:

38. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING SECTION 30.022 ORDINANCES, RESOLUTIONS, MOTIONS AND OTHER DOCUMENTS.

HEARINGS AND RESOLUTIONS

39. A RESOLUTION CREATING TAX INCREMENTAL DISTRICT NUMBER NINETEEN, CITY OF SIOUX FALLS.

40. A RESOLUTION APPROVING THE PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NUMBER NINETEEN, CITY OF SIOUX FALLS.

41. A RESOLUTION AUTHORIZING PARTICIPATION IN THE HEARTLAND CONSUMERS POWER DISTRICT POWER FORWARD ENERGY CONSERVATION PROGRAM.

42. A RESOLUTION APPROVING THE 2015 SIOUX FALLS BICYCLE PLAN.

43. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. ANNEXATION 2898-2015 - STONEARCH ADDITION.

44. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO THE PURCHASE OF REAL PROPERTY FROM THE BNSF RAILWAY COMPANY.

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 JULY 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. WHEN THE CITY COUNCIL WILL ACT AS A DECISION-MAKER ON AN UPCOMING MATTER INVOLVING A LICENSE OR A PERMIT, PERSONS ARE ENCOURAGED TO PROVIDE

WRITTEN COMMENTS TO THE ENTIRE CITY COUNCIL OR TO PROVIDE ORAL COMMENT AT THE PUBLIC MEETING WHEN THAT ITEM IS CONSIDERED BY THE ENTIRE CITY COUNCIL. THOSE WHO PROVIDE COMMENTS IN ANY MANNER SHOULD UNDERSTAND THAT THEIR COMMENTS MAY 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 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 P.M. THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AIR LIVE THE FOURTH TUESDAY OF EACH MONTH AT 5 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 A.M. ON THURSDAYS, AND 6 P.M. ON SATURDAYS. COUNCIL COMMITTEE MEETINGS AT 12:30 A.M. AND 8 A.M. ON THURSDAYS, AND 5 P.M. ON SATURDAYS. CITY COUNCIL MEETINGS AT 2:30 AM AND 10 A.M. ON THURSDAYS, AND 7 P.M. ON SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 8 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.