

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

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Michelle Erpenbach

Council Member Greg Jamison

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

Mayor Mike T. Huether

INVOCATION

● Pastor Val Putnam, Westminster Presbyterian Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, June 16, 2015, at 4 p.m.

● City Council Meeting of Tuesday, June 16, 2015, at 7 p.m.

● Informational Meeting of Tuesday, June 23, 2015, at 4 p.m.

● Joint City Council/Minnehaha County Commission Meeting of Tuesday, June 23, 2015, at 5 p.m.

● Informational Meeting of Tuesday, June 30, 2015, at 4 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the July 2, 2015, memo.
2. Approval of the notice of change orders on the July 2, 2015, memo.
3. A communication was received from the Siouxland Heritage Museum requesting permission to consume, but not sell, wine and malt beverages at The Old Courthouse Museum, 200 W. 6th Street, on Thursday, July 16, 2015, from 5 p.m. to 7 p.m., pursuant to SDCL 35-1-5.3 for an exhibit opening reception.
4. A communication was received from Bradley Groeneweg and Lexy Hofer requesting permission to consume, but not sell, liquor, wine and malt beverages at The Old Courthouse Museum, 200 W. 6th Street, on Saturday, August 22, 2015, from 4 p.m. to 11:45 p.m. pursuant to SDCL 35-1-1.5 to celebrate a wedding and reception.
5. Report of Requests for Quotes for Fuel dated: June 18, 2015; #2 Clear Diesel; 7,500 gallons; CHS, Inc. (\$2.1525); Harms Oil (\$2.1525); Howe's Oil, Midwest Oil and Petroleum Traders Co., all no bid. Bid awarded to: Harms Oil.
6. Report of Request for Quotes For Fuel dated: June 23, 2015; Blended Diesel; 2,000 gallons; Howe's Oil (\$2.269); Midway Oil (\$2.10); Midwest Oil (\$2.199). Bid awarded to: Midway Oil.
7. Report of Requests for Quotes for Fuel dated: June 24, 2015; #2 Dyed Diesel Fuel; 7,500 gallons; Howe's Oil (\$1.9175); Harms Oil (\$1.9240); CHS, Inc. (\$1.9387); Cole's Petroleum (\$1.9589); Midwest Oil and Olson Oil, both no bid. Bid awarded to: Howe's Oil.
8. Report of Requests for Quotes for Fuel dated: June 24, 2015; #2 Clear Diesel; 7,500 gallons; CHS, Inc. (\$2.2135); Howe's Oil (\$2.198); Harms Oil (\$2.2061); Midwest Oil and Petroleum Traders Co., both no bid. Bid awarded to: Howe's Oil.
9. Report of Requests for Quotes for Fuel dated: June 25, 2015; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Harms Oil (\$2.2100); Howe's Oil (\$2.2695); CHS, Inc., Cole's Petroleum and Olson Oil, all no bid. Bid awarded to: Harm's Oil.

APPLICATIONS

10. Amend the Special One-Day Malt Beverage and Special One-Day Wine Licenses, approved on May 19, 2015, 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, and to include the grassy area between Phase 1 River Greenway and the Cherapa Place parking lot, north to 6th street and south to Cherapa Place for Downtown Riverfest on August 15, 2015.

11. Renewal of 2015-16 Retail Malt Beverage license for F & H Repair Service Inc., Faini Designs Jewelry Studio, 6203 South Old Village Place.
12. Special One-Day Liquor License for TSK, Inc., Stogeez Cigar Lounge to be operated on Phillips Avenue between 10th & 11th Streets for Stogeez Steakout on July 25, 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:

13. St. John American Lutheran Church of Sioux Falls, 1912 W. 13th St., for 2014 taxes in the amount of \$85.31. The house was razed on November 13, 2014.
14. Ronald J. Hoefert, 125 N. Conklin Avenue, for 2014 taxes in the amount of \$888.35. 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 21, 2015, at 7 p.m. on Items 15 through 21:

15. New 2015 Retail Wine License, including video lottery terminals, for Badlands Gaming LLC, Badlands Gaming LLC to be operated at 1600 West Russell Street (CUP not required).
16. New 2015-16 Retail Malt Beverage License, including video lottery terminals, for Badlands Gaming LLC, Badlands Gaming LLC to be operated at 1600 West Russell Street (CUP not required).
17. New 2015 Package Liquor License for Badlands Gaming LLC, Badlands Gaming LLC to be operated at 1600 West Russell Street (CUP not required).
18. New 2015 Package Liquor License for SRO Restaurants, LLC, Grille 26 to be operated at 1716 South Western Avenue (CUP not required).
19. New 2015 Retail Wine License for Pure Bliss LLC, A Perfect 10 Nail & Beauty Bar to be operated at 712 South Highline Place (CUP not required).
20. New 2015-16 Retail Malt Beverage License for Pure Bliss LLC, A Perfect 10 Nail & Beauty Bar to be operated at 712 South Highline Place (CUP not required).

21. 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 August 8 and 15, 2015.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

22. New 2015-16 Retail Malt Beverage License for Hy-Vee, Inc., Hy-Vee Food Store #5, 3020 East 10th Street (full service restaurant; CUP not required).
23. New 2015-16 Retail Malt Beverage License for Hy-Vee, Inc., Hy-Vee Food Store #6, 1231 East 57th Street (full service restaurant; CUP not required).
24. New 2015-16 Retail Malt Beverage License for Hy-Vee, Inc., Hy-Vee Food Store #7, 2700 West 10th Street (full service restaurant; CUP not required).
25. New 2015-16 Retail Malt Beverage License for Sioux Falls Lodging Associates, LLC, TownePlace Suites, 6400 South Connie Avenue. Pending final inspections per Building Services.
26. New 2015 Retail Wine License for Sioux Falls Lodging Associates, LLC, TownePlace Suites, 6400 South Connie Avenue. Pending final inspections per Building Services.
27. New 2015-16 Package Malt Beverage License for Shopko Stores Operating Co., LLC, Shopko #76, 1601 West 41st Street.
28. New 2015-16 Package Malt Beverage License for Berenise Garcia-Navarrete, Alberto Carranza and Miguel Garcia, Mi Casa Latina Mexican Store, 809 South Marion Road.
29. New 2015 Package Liquor License for Coles Petroleum Products Inc., Kota Korner, 900 North Sycamore.
30. Transfer of 2014-15 Retail Malt Beverage License, including video lottery terminals, from Sandtrap, Inc., Bogey s Bar & Grill, 815 South Marion Road, to Sandtrap Inc., Bogey s Clubhouse Casino, 811 South Marion Road.

31. Renewal of 2015-16 Retail Malt Beverage License for Sandtrap Inc., Bogey s Clubhouse Casino, 811 South Marion Road.

INTRODUCTION AND ADOPTION OF ORDINANCES

32. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF SAID CITY BY CHANGING A STREET NAME.

33. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING PLANNING PUBLIC NOTIFICATION SIGNAGE FEES.

34. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY W. OF N. WEBER AVE., N. OF E. 10TH ST., AND S. OF E. 3RD ST. FROM THE I-1, LIGHT INDUSTRIAL AND C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICTS TO THE DTPUD, DOWNTOWN PLANNED UNIT DEVELOPMENT DISTRICT, PETITION NO. 2543-2015 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 504 S. MCKNELLY AVE. FROM THE RD-2, TOWNHOME RESIDENTIAL SUBURBAN DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2709-2015 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, REZONING PROPERTY W. OF S. INFIELD AVE. AND S. OF E. 41ST ST. FROM THE AG, AGRICULTURE DISTRICT TO THE RD-1, TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 2729-2015 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 504 AND 604 S. HILLVIEW RD. FROM THE RD-1, TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT TO THE C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 2341-2015 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 E. AND W. OF N. PENNSYLVANIA AVE. AND S. OF W. 54TH ST. N. FROM THE RS, SINGLE-FAMILY RESIDENTIAL SUBURBAN AND RD-1, TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICTS TO THE RD-1, TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN AND RD-2, TOWNHOME RESIDENTIAL SUBURBAN DISTRICTS, PETITION NO. 2454-2015 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

39. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY W. OF S. SERTOMA AVE. AND S. OF W. STONEY CREEK ST. FROM THE RS, SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RD-1, TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 2734-2015 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, July 14, 2015, at 7 p.m. for Item 40:

40. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY UPDATING PERMIT AND INSPECTION FEE EXEMPTIONS.

HEARINGS AND RESOLUTIONS

41. A RESOLUTION APPROVING A COMPLETE STREETS POLICY.

42. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. ANNEXATION 2596-2015 - NIELSON ADDITION.

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

44. REPORT OF THE JUNE 30, 2015, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

NEW BUSINESS

45. CONSIDERATION OF TRAVEL REQUEST FOR COUNCILOR KERMIT L. STAGGERS TO ATTEND THE AMERICAN DREAM COALITION CONFERENCE IN AUSTIN, TEXAS.

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. 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 MEETINGSAT 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.