

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, December 15, 2015 at 7 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 Rolwing

Council Member Kermit L. Staggers

Council Member Kenny Anderson Jr.

Council Member Christine M. Erickson

Mayor Mike T. Huether

INVOCATION

● Dr. Ron Tottingham, Empire Baptist Temple

PLEDGE OF ALLEGIANCE

RECOGNITION/AWARDS

● Presentation of Master Municipal Clerk Certification to Denise D. Tucker, Assistant City Clerk

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, December 8, 2015, at 4 p.m.

● City Council Meeting of Tuesday, December 8, 2015, at 7 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the December 10, 2015, memo.
2. Report of Requests for Quotes for Fuel dated December 2, 2015; #1 and #2 Dyed Diesel Fuel; 7,500 Gallons (Total 15,000 gallons); Cole's Petroleum (\$1.6440 #1 DM & \$1.3385 #2 DM); Howes Oil (\$1.6650 #1 DM & \$1.3650 #2 DM); Harms Oil (\$1.6800 #1 DM & \$1.3700 #2 DM); CHS, Inc. (\$1.7406 #1 DM & \$1.3990 #2 DM); Midwest Oil and Olson Oil, both no bid. Bid awarded to: Cole's Petroleum.
3. Report of Requests for Quotes for Fuel dated December 3, 2015; E-10 Unleaded Ethanol/87 Octane; 8,500 Gallons; Howes Oil (\$1.5440); Harms Oil (\$1.5456); CHS, Inc. (\$1.5684); Cole's Petroleum and Olson Oil, both no bid. Bid awarded to: Howes Oil.
4. Report of Requests for Quotes for Fuel dated December 3, 2015; Unleaded Ethanol; 643 Gallons; Howes Oil (\$1.8130); Midway Service and Stern Oil, both no bid. Bid awarded to: Howes Oil.
5. Report of Requests for Quotes for Fuel dated December 3, 2015; Clear Diesel #1; 544 Gallons; Howes Oil (\$1.9680); Midway Service and Stern Oil, both no bid. Bid awarded to: Howes Oil.
6. Report of Requests for Quotes for Fuel dated December 3, 2015; Clear Diesel #2; 544 Gallons; Howes Oil (\$1.6680); Midway Service and Stern Oil, both no bid. Bid awarded to: Howes Oil.
7. Report of Requests for Quotes for Fuel dated December 8, 2015; Unleaded; 400 Gallons; Howes Oil (\$1.8130); Midway Service(\$1.863); and Stern Oil, no bid. Bid awarded to: Howes Oil.
8. A communication was received from the Great Plains Zoo & Delbridge Museum requesting permission to consume, but not sell, liquor, wine and/or malt beverage at the Great Plains Zoo, 805 S. Kiwanis Ave., on Wednesday, December 30, 2015, for a private donor event.
9. A communication was received from Sandra Bauer and Lee Clemens requesting permission to consume, but not sell, liquor, wine and/or malt beverage at the Old Courthouse Museum, 200 W. Sixth St., on Saturday, April 30, 2016, from 10 a.m. until 12 a.m. for a wedding ceremony and reception.

APPLICATIONS

10. Special One-Day Malt Beverage and Special One-Day Wine Licenses for The Little Cellar Wine Company to be operated at the Old Courthouse Museum, 200 West 6th Street, for a wedding on January 2, 2016.
11. Various Retail Liquor, Package Liquor, and Retail Wine License renewals for 2016 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit D.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, January 5, 2016, at 7 p.m. on Items 12 through 15:

12. New 2016 Retail Wine License for PRG SF East LLC, Marco s Pizza, 3220 South Sycamore Avenue, Suite 110, with Conditional Use Permit (3804-2015) being approved on December 2, 2015.
13. New 2015-16 Retail Malt Beverage License for PRG SF East LLC, Marco s Pizza, 3220 South Sycamore Avenue, Suite 110, with Conditional Use Permit (3804-2015) being approved on December 2, 2015.
14. Special One-Day Malt Beverage and Special One-Day Wine Licenses for JAM Art & Supplies to be operated at 140 North Phillips Avenue, for an art exhibit opening and artist performances on January 8 and 9, 2016.
15. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., to be operated at Poet, 4615 North Lewis Avenue, for a business meeting on January 28, 2016.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

16. Transfer of 2016 Retail Liquor License, with Sunday sales certificate and video lottery terminals, from Red Buffalo Trading Company Inc., Skelly s Pub & Grill, 130 South Phillips Avenue, to Pave, LLC, Skelly s Pub & Grill, 130 South Phillips Avenue. Pending permits and final inspections per Fire, Health and Building Services.
17. New 2016 Retail Wine License for Guillermo Pedro, Mi Tierra Authentic Mexican Restaurant & Bakery, 337 South Phillips Avenue.
18. New 2015-16 Retail Malt Beverage License for Guillermo Pedro, Mi Tierra Authentic Mexican Restaurant & Bakery, 337 South Phillips Avenue.
19. New 2016 Retail Wine License for Golden Coin Casino, Inc., Golden Coin Casino, 2505 West Russell Street, Suite 101.

20. Transfer of 2015 Retail Liquor License, with video lottery terminals, from SKK LLC, The Copper Lounge, 136 South Phillips Avenue, to IJK LLC, The Copper Lounge, 136 South Phillips Avenue.
21. Renewal of 2016 Retail Liquor License for IJK LLC, The Copper Lounge, 136 South Phillips Avenue.
22. Transfer of 2015 Retail Liquor License, with Sunday sales certificate, from TSK Inc., Stogeez Cigar Lounge, 215 South Phillips Avenue, to IJK Inc., Stogeez Cigar Lounge, 215 South Phillips Avenue.
23. Renewal of 2016 Retail Liquor License for IJK Inc., Stogeez Cigar Lounge, 215 South Phillips Avenue.
24. Transfer of 2015-16 Package Malt Beverage/South Dakota Farm Wine license from Freedom Valu Centers Inc., Erickson Valu Center, 1601 South Minnesota Avenue, to Jay AMBE-2, LLC, Freedom Valu Center, 1601 South Minnesota Avenue.
25. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., to be operated at The Carpenter Ballroom, 221 South Phillips Avenue, for holiday parties on January 8 and 9, 2016
26. Various Retail Liquor, Package Liquor, and Retail Wine License renewals for 2016 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit E.

INTRODUCTION AND ADOPTION OF ORDINANCES

27. Deferred from the City Council Meeting on 12/01/15 and 11/17/15: 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 39: PERSONNEL REGULATIONS AND BENEFITS; RETIREMENT AND PENSIONS; SECTION 39.036 APPLICATION TO APPOINTIVE OFFICERS.
28. Deferred from the City Council Meeting on 12/08/15: 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 41: FEES.
29. Deferred from the City Council Meeting on 12/08/15: 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 77: PARKING REGULATIONS.
30. Deferred from the City Council Meeting on 12/08/15: 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 WASHINGTON SQUARE PARTNERS, LLC, IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT FOR TAX INCREMENTAL DISTRICT NO. TWENTY, CITY OF SIOUX FALLS.

31. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE 2016 MUNICIPAL ELECTION BOOKLET.
32. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY ADOPTING THE 2015 INTERNATIONAL BUILDING CODE AND AMENDMENTS THERETO.
33. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY ADOPTING THE 2015 INTERNATIONAL RESIDENTIAL BUILDING CODE AND AMENDMENTS THERETO.
34. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY ADOPTING THE 2015 INTERNATIONAL EXISTING BUILDING CODE AND AMENDMENTS THERETO.
35. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY ADOPTING THE 2015 INTERNATIONAL MECHANICAL CODE AND THE 2015 INTERNATIONAL FUEL GAS CODE AND AMENDMENTS THERETO.
36. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY ADOPTING THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE AND AMENDMENTS THERETO.
37. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY ELIMINATING THE MAXIMUM TWO-YEAR TIME PERIOD FOR A HOMEOWNER S PLUMBING, MECHANICAL, AND ELECTRICAL PERMIT; TO ELIMINATE HOMEOWNER PERMITS FOR NEW HOUSES TO BE CONSISTENT WITH STATE RULE; AND TO SET A 90-DAY TIME PERIOD FROM THE DATE OF APPLICATION TO ADMINISTER A MECHANICAL EXAM, RESIDENTIAL CONSTRUCTION SUPERVISOR EXAM, ELECTRICAL EXAM, AND A PLUMBING EXAM; AND TO EXPAND THE OBLIGATION OF THE RESIDENTIAL CONTRACTOR S COMPLIANCE BOND TO INCLUDE FEES CHARGED BY PUBLIC WORKS.
38. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING CHAPTER 117: PEDDLERS AND VENDORS.
39. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING PROVISIONAL SUPPLEMENTAL APPROPRIATIONS FOR SNOW REMOVAL OPERATIONS.

Set a date of hearing and 2nd Reading for Tuesday, January 5, 2016, at 7 p.m. on Item 40:

40. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING A LEASE OF HORSEBARN FACILITIES WITHIN FALLS PARK.

Set a date of hearing and 2nd Reading for Tuesday, January 5, 2016, at 7 p.m. on Item 41:

41. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY EAST AND WEST OF S. VETERANS PKWY. AND SOUTH OF E. MADISON ST. FROM THE AG AGRICULTURE DISTRICT TO THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY,

RA-3 APARTMENT RESIDENTIAL HIGH DENSITY, O OFFICE, C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR, C-3 COMMERCIAL COMMUNITY, AND C-4 COMMERCIAL REGIONAL DISTRICTS, PETITION NO. 3677-2015 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, January 5, 2016, at 7 p.m. on Item 42:

42. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 812 S. SPRING AVE. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT, PETITION NO. 3776-2015, 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, January 5, 2016, at 7 p.m. on Item 43:

43. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY SOUTH OF W. 12TH ST. AND WEST OF S. SERTOMA AVE. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE CN CONSERVATION DISTRICT, PETITION NO. 3808-2015, 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, January 5, 2016, at 7 p.m. on Item 44:

44. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY WEST OF S. GRAYSTONE AVE. AND NORTH OF E. 69TH ST. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT TO THE LW LIVE/WORK DISTRICT, PETITION NO. 3812-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (Planning Commission recommends approval.)

HEARINGS AND RESOLUTIONS

45. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.

46. A RESOLUTION ESTABLISHING THE CITY OF SIOUX FALLS LEGISLATIVE PRIORITIES FOR THE 2016 STATE LEGISLATIVE SESSION.

47. A RESOLUTION ESTABLISHING A PAY-FOR-PERFORMANCE PROGRAM FOR THE CITY COUNCIL APPOINTED POSITIONS OF BUDGET ANALYST, CITY CLERK, INTERNAL AUDITOR, INTERNAL AUDIT MANAGER, AND LEGISLATIVE/OPERATIONS MANAGER.

48. A RESOLUTION AUTHORIZING THE CITY OF SIOUX FALLS TO GIFT A TABLE TO THE SIOUX FALLS SCHOOL DISTRICT.

49. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, RESCHEDULING AND POSTPONING THE BUSINESS OF THE CITY FOR EVENTS IN 2016.

NEW BUSINESS

50. A motion to appoint Tom Greco as the City Clerk, pursuant to section 2.08 of the Charter of the City of Sioux Falls, effective January 11, 2016.

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.