

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, January 19, 2016 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 Rolfing

Council Member Kermit L. Staggers

Council Member Kenny Anderson Jr.

Council Member Christine M. Erickson

Mayor Mike T. Huether

INVOCATION

● Pastor Kip Roozen, Asbury United Methodist Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● Stalking Awareness Month - January, 2016

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, January 12, 2016, at 4 p.m.

● City Council Meeting of Tuesday, January 12, 2016, at 7 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the January 14, 2016 memo.
2. A communication was received from Madalena Weniger requesting permission to consume, but not sell, wine at the Old Courthouse Museum, 200 W. 6th Street, on Saturday, July 30, 2016, from 6 p.m. to 11 p.m., pursuant to SDCL 35-1-5.5.
3. Report of Requests for Quotes for Fuel dated: January 7, 2016; #2 Clear Diesel; 7,500 Gallons; CHS, Inc. (\$1.436); Harms Oil (\$1.4257); Howes Oil, Midwest Oil, and Petroleum Traders Co., all no bid. Bid awarded to: Harms Oil
4. Report of Requests for quotes for Fuel dated: January 8, 2016; #1 and #2 Dyed Diesel Fuel; 7,500 Gallons Each (Total 15,000 Gallons); Howes Oil (\$1.3135 #1 Dyed Diesel Fuel and \$1.1145 #2 Dyed Diesel Fuel); Harms Oil (\$1.3182 #1 Dyed Diesel Fuel and \$1.1382 #2 Dyed Diesel Fuel); Stern Oil (\$1.3449 #1 Dyed Diesel Fuel and \$1.1163 #2 Dyed Diesel Fuel); CHS, Inc., Coles Petroleum, Midwest Oil, Olson Oil and Vollan Oil, all no bid. Bid awarded to: Howes Oil.
5. Report of Requests for Quotes for Fuel dated: January 11, 2016; #1 and #2 Dyed Diesel Fuel; 3,750 Gallons each (Total 7,500 gallons); Stern Oil (\$1.2794 #1 Dyed Diesel Fuel and \$1.0925 #2 Dyed Diesel Fuel); Harms Oil (\$1.2813 #1 Dyed Diesel Fuel and \$1.1025 #2 Dyed Diesel Fuel); Howes Oil (\$1.2825 #1 Dyed Diesel Fuel and \$1.1030 #2 Dyed Diesel Fuel); Coles Petroleum (\$1.2988 #1 Dyed Diesel Fuel and \$1.0968 #2 Dyed Diesel Fuel); Vollan Oil (\$1.3275 #1 Dyed Diesel Fuel and \$1.1106 #2 Dyed Diesel Fuel); CHS, Inc. (\$1.3669 #1 Dyed Diesel Fuel and \$1.1342 #2 Dyed Diesel Fuel); Midwest Oil and Olson Oil, both no bid. Bid awarded to: Stern Oil.
6. Report of Requests for Quotes for Fuel dated: January 12, 2016; E10 Unleaded Ethanol/87 Octane; 8,500 Gallons; Howes Oil (\$1.3350); Stern Oil (\$1.3537); Midway (Vollan) (\$1.3548); Cole's Petroleum (\$1.3640); Harms Oil (\$1.3757); CHS, Inc. (\$1.3798); Olson Oil, no bid. Bid awarded to: Howes Oil.

APPLICATIONS

7. Special One-Day Malt Beverage, Special One-Day Wine and Special One-Day Off-Sale Package Wine Dealer Licenses for the Multi-Cultural Center of Sioux Falls to be operated at 515 North Main Avenue, for a fundraiser on February 13, 2016.

NOTICE OF HEARINGS

Set a date of hearing for Monday, February 1, 2016, at 7 p.m. for Items 8 through 16:

8. New 2016 Package Liquor License for ICON Entertainment LLC, ICON Lounge, 402 North Main Avenue.

9. New 2016 Retail Wine License for Oh My Word, LLC, Oh My Word Luxury Paperie, 328 South Phillips Avenue.
10. New 2016 Retail Liquor License, including Sunday sales certificate and video lottery terminals, for Badlands Gaming Subsidiary, LLC, Badlands Gaming Subsidiary LLC, 1600 West Russell Street (CUP not required).
11. Rescind 2016 Retail Wine License for Badlands Gaming LLC, Badlands Gaming LLC to be operated at 1600 West Russell Street.
12. Rescind 2015-16 Retail Malt Beverage License for Badlands Gaming LLC, Badlands Gaming LLC to be operated at 1600 West Russell Street.
13. Special One-Day Liquor License for Realtors for Kids to be operated at Avera Prairie Center, 1000 East 23rd Street, for a fundraiser on February 5, 2016.
14. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Lutheran Social Services of South Dakota to be operated at TSP, 1112 North West Avenue, for a special event on February 9, 2016.
15. Special One-Day Liquor License for Ramkota Companies Inc., Best Western Ramkota Hotel, to be operated at Avera Prairie Center, 1000 East 23rd Street, for a Chamber Mixer on March 15, 2016.
16. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Lifescape, to be operated at Lifescape, 4100 South Western Avenue, for a Chamber Mixer on September 13, 2016.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

17. New 2015-16 Package Malt Beverage License for Hy-Vee Inc., Hy-Vee Gas, 3100 East 10th Street.
18. New 2016 Package Liquor License for Berenise Garcia-Navarrete and Alberto Carranza, Mi Casa Latina Mexican Store, 809 South Marion Road.
19. Special One-Day Off-Sale Package Wine Licenses for the St. Joseph Cathedral

Parish to be operated at the St. Joseph Cathedral, 521 North Duluth Avenue, for a fundraiser being held January 26-29, 2016.

20. Special One-Day Wine License for Senior Citizens Services Inc., to be operated at Active Generations, 2300 West 46th Street, for the Festival of Tables event on March 31, 2016.

INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Monday, February 1, 2016, at 7 p.m. for Item 21:

21. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING SECTION 38.003 PERTAINING TO ELECTION PRECINCTS.

Set a date of hearing and 2nd Reading for Monday, February 1, 2016, at 7 p.m. for Item 22:

22. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, SETTING THE REGULAR CITY ELECTION DATE FOR TUESDAY, APRIL 12, 2016, AND AUTHORIZING A JOINT ELECTION WITH THE SIOUX FALLS SCHOOL DISTRICT NO. 49-5.

Set a date of hearing and 2nd Reading for Monday, February 1, 2016, at 7 p.m. for Item 23:

23. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 30; CITY COUNCIL.

Set a date of hearing and 2nd Reading for Monday, February 1, 2016, at 7 p.m. for Item 24:

24. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE NAMING OF THE OUTDOOR AMPHITHEATER TO BE LOCATED AT FALLS PARK WEST TO LEVITT SHELL SIOUX FALLS, AND AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF SIOUX FALLS, FRIENDS OF LEVITT SHELL SIOUX FALLS INC. AND MORTIMER & MIMI LEVITT FOUNDATION REGARDING THE LEVITT SHELL AT FALLS PARK WEST.

Set a date of hearing and 2nd Reading for Monday, February 1, 2016, at 7 p.m. for Item 25:

25. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY NORTH OF W. 41ST ST. AND WEST OF S. ELLIS RD. FROM THE AG AGRICULTURE AND RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICTS TO THE CN CONSERVATION, RS SINGLE-FAMILY RESIDENTIAL SUBURBAN, AND RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICTS, PETITION NO. 2358-2015, 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 Monday, February 1, 2016, at 7 p.m. for Item 26:

26. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE NORTHEAST CORNER OF S. HOSTA AVE. AND E. 57TH ST. FROM THE LW LIVE-WORK DISTRICT TO THE O OFFICE DISTRICT, PETITION NO. 3867-2015, 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 Monday, February 1, 2016, at 7 p.m. for Item 27:

27. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED WEST OF N. MARION RD., EAST OF W. YUKON TRL., AND NORTH OF W. BENSON RD. FROM THE POPUD PEDESTRIAN-ORIENTED PLANNED UNIT DEVELOPMENT DISTRICT TO THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 3898-2015, 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 Monday, February 1, 2016, at 7 p.m. for Item 28:

28. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED WEST OF S. SYCAMORE AVE. AND BETWEEN E. 61ST ST. AND E. 65TH ST. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN AND RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICTS TO THE RD-2 TOWNHOME RESIDENTIAL SUBURBAN, LW LIVE-WORK, AND CN CONSERVATION DISTRICTS, PETITION NO. 3938-2015, 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 Monday, February 1, 2016, at 7 p.m. for Item 29:

29. 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.

Set a date of hearing and 2nd Reading for Monday, February 1, 2016, at 7 p.m. for Item 30:

30. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, ESTABLISHING THE CAR RENTAL CUSTOMER USE CHARGE AND AUTHORIZING THE USE OF THE PROCEEDS THEREOF FOR ECONOMIC DEVELOPMENT PROJECTS.

HEARINGS AND RESOLUTIONS

31. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. Annexation 3635-2015 - Leubecher (69th St. and Sycamore Avenue).

32. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. Annexation 3755-2015 - Akerson (85th St. and Minnesota Avenue).

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.