

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, May 17, 2016 at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Council Member Rick Kiley

Council Member Greg Neitzert

Council Member Rex Rolwing

Council Member Marshall Selberg

Council Member Pat Starr

Council Member Theresa Stehly

Mayor Mike T. Huether

INVOCATION

● Reverend David Kraemer, All Souls Unitarian Universalist Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● Motorcycle Safety and Awareness Month - May 2016

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, May 10, 2016, at 4 p.m.

● City Council Meeting of Tuesday, May 10, 2016, at 7 p.m.

COMMUNICATIONS

1. Approval of Contracts/ Agreements on the May 12, 2016 Memo.

2. A memorandum dated April 30, 2016, declaring surplus property.
3. Report of Requests for Quotes for Fuel dated: May 1, 2016; Clear Diesel #1; 408 Gallons; Howes Oil (\$1.8899); Stern Oil (\$1.9667); Midway Service and Cole's Petroleum, both no bid. Bid awarded to: Stern Oil.
4. Report of Requests for Quotes for Fuel dated: May 6, 2016; Unleaded Ethanol; 605 Gallons; Howes Oil (\$1.8975); Stern Oil (\$1.7115); Midway Service and Cole's Petroleum, both no bid. Bid awarded to: Stern Oil.
5. Report of Requests for Quotes for Fuel, dated: May 9, 2016; #2 Dyed Diesel Fuel; 7,500 Gallons; Cole's Petroleum (\$1.3905); Harms Oil (\$1.3950); Stern Oil (\$1.4016); Howes Oil (\$1.4090); CHS, Inc. (\$1.4490); Midwest Oil, Midway Service (Vollan), and Olson Oil, all no bid. Bid awarded to: Cole's Petroleum.
6. A communication was received from Miranda Brudellie requesting permission to consume, but not sell, beer and wine at Terrace Park-West Shelter, 1100 W. 4th St., on Sunday, May 29, 2016, from 12:00 p.m. until 6:00 p.m. for a BBQ in honor of an upcoming wedding.
7. A communication was received from Staci Peters requesting permission to consume, but not sell, wine and/or malt beverages at The Old Courthouse Museum, 200 W. 6th St., on Thursday, June 23, 2016, from 5:00 p.m. to 7:00 p.m. for an exhibit opening reception.

APPLICATIONS

8. Special One-Day Liquor License for Washington Pavilion Management Inc., to be operated at Washington Pavilion of Arts & Sciences, 301 South Main Avenue, for a wedding reception on June 3, 2017.
9. Special One-Day Liquor Licenses for Hy-Vee Inc., All Occasions by Hy-Vee to be operated at Great Plains Zoo and Delbridge Museum, 805 South Kiwanis Avenue, for wedding receptions on June 10, September 10 and October 10, 2016.
10. Special One-Day Liquor Licenses for Hy-Vee Inc., All Occasions by Hy-Vee to be operated at the Old Courthouse Museum, 200 West 6th Street, for wedding receptions on June 11 and August 27, 2016.
11. Special One-Day Liquor Licenses for Great Bear Recreation Park Inc., Great Bear Recreation Park, 5901 East Rice Street, for special events on August 6 and 13, September 3, and October 15, 2016.
12. 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 2016-17 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit B.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, June 7, 2016, at 7 p.m. for Items 13 through 21:

13. New 2016-17 Package Malt Beverage License for Jon Faulds, Jon Faulds Amoco, 3308 West Russell Street.
14. Transfer of 2016 Retail Wine License from New Tokyo Japanese Restaurant LLC, New Tokyo Japanese Restaurant, 109 East 10th Street, to Oshima LLC, Oshima Japanese Restaurant, 109 East 10th Street (CUP not required).
15. Transfer of 2015-16 Retail Malt Beverage License from New Tokyo Japanese Restaurant LLC, New Tokyo Japanese Restaurant, 109 East 10th Street, to Oshima LLC, Oshima Japanese Restaurant, 109 East 10th Street (CUP not required).
16. Renewal of 2016-17 Retail Malt Beverage License for Oshima LLC, Oshima Japanese Restaurant, 109 East 10th Street.
17. Special One-Day Malt Beverage and One-Day Wine Licenses for Catering America Inc., Chef Dominique s to be operated at Docutap, 101 South Phillips Avenue, Suite 300, for an open house on June 15, 2016.
18. Special One-Day Malt Beverage and One-Day Wine Licenses for Catering America Inc., Chef Dominique s to be operated at Avera Medical Plastic & Reconstructive Surgery, 6215 South Cliff Avenue, Suite 110, for a social on June 28, 2016.
19. Special One-Day Malt Beverage and One-Day Wine Licenses for Catering America Inc., Chef Dominique s to be operated at Brennan Rock & Roll Academy, 900 West 11th Street, for a class reunion on July 29, 2016.
20. 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 wedding receptions on June 25, July 2 and 9, September 3 and 24, 2016.
21. 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 2016-17 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit E.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

22. Deferred from the City Council Meeting on Tuesday, April 19, 2016: Special One-Day Malt Beverage License for JAM Art & Supplies to be operated at Tower Park, 1000 North Main Avenue, for the What s Up? event on June 18, 2016.
23. Deferred from the City Council Meeting on Tuesday, April 19, 2016: Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls Inc., to be operated on levels 5 & 6 of the City of Sioux Falls Parking Ramp, 110 East 11th Street, for Rooftop Cinema events on June 23, July 28 and August 25, 2016.
24. Deferred from the City Council Meeting on Tuesday, May 10, 2016: New 2016-17 Retail Malt Beverage License, including video lottery terminals, for Commonwealth Gaming & Holdings, Deuces Casino 3.5, 5115 East Arrowhead Parkway, with Conditional Use Permit (4148-2016) being approved on March 3, 2016. Pending final inspections per Fire, Health and Building Services.
25. Deferred from the City Council Meeting on Tuesday, May 10, 2016: New 2016 Retail Wine License, including video lottery terminals, for Commonwealth Gaming & Holdings, Deuces Casino 3.5, 5115 East Arrowhead Parkway, with Conditional Use Permit (4148-2016) being approved on March 3, 2016. Pending final inspections per Fire, Health and Building Services.
26. New 2015-16 Retail Malt Beverage License for Heineman Hospitality Corp, Looks Fine Foods, 6213 South Old Village Place (CUP not required).
27. New 2015-16 Retail Malt Beverage License for Keller s Green Grocery LLC, Keller s Green Grocery, 221 South Phillips Avenue (CUP not required). Subject to final inspections per Fire, Health and Building Services.
28. Renewal of 2016-17 Retail Malt Beverage License for Keller s Green Grocery LLC, Keller s Green Grocery, 221 South Phillips Avenue (CUP not required). Subject to final inspections per Fire, Health and Building Services.
29. New 2016 Retail Wine License for Keller s Green Grocery LLC, Keller s Green Grocery, 221 South Phillips Avenue (CUP not required). Subject to final inspections per Health, Fire and Building Services.
30. New 2016 Package Liquor License Keller s Green Grocery LLC, Keller s Green Grocery, 221 South Phillips Avenue (CUP not required). Subject to final inspections per Fire, Health and Building Services.

31. New 2016 Package Liquor License for Fareway Stores, Inc., Fareway Stores #164, 3301 South Sycamore Avenue (CUP not required). Subject to final inspections per Fire, Health and Building Services.
32. New 2016 Retail Wine License for David Napolitano, Breadico, 201 North Weber Avenue, Suite 101 (CUP not required).
33. New 2016-17 Retail Malt Beverage License for David Napolitano, Breadico, 201 North Weber Avenue, Suite 101 (CUP not required).
34. New 2015-16 Retail Malt Beverage License for Hungry s Restaurant Inc., Marlins Family Restaurant, 108 South Minnesota Avenue (CUP not required). Subject to final inspections per Fire, Health and Building Services.
35. Renewal of 2016-17 Retail Malt Beverage License for Hungry s Restaurant Inc., Marlins Family Restaurant, 108 South Minnesota Avenue (CUP not required). Subject to final inspections per Fire, Health and Building Services.
36. New 2016 Retail Wine License for Hungry s Restaurant Inc., Marlins Family Restaurant, 108 South Minnesota Avenue (CUP not required). Subject to final inspections per Fire, Health and Building Services.
37. New 2016-17 Package Malt Beverage License for Davlon Inc., Shop N Cart 1-29, 4209 West 12th Street.
38. New 2016-17 Package Malt Beverage License for Grevco Inc., Shop N Cart East, 4301 East 12th Street.
39. New 2016-17 Package Malt Beverage License for Grevco Inc., Shop N Cart Northeast, 2701 East 6th Street.
40. New 2016-17 Package Malt Beverage License for Grevco Inc., Shop N Cart West, 5112 West 12th Street.
41. Transfer of 2016 Retail Liquor License, with Sunday sales certificate, from Pinnacle Hospitality Inc., Foley s Fish Chop Steakhouse, 2507 South Shirley Avenue, to Vanguard Hospitality SF, Foley s Fish Chop Steakhouse, 2507 South Shirley Avenue.
42. Transfer of 2015-16 Retail Malt Beverage License from Jacky Vanloh, Jacky s Restaurant, 702 East 7th Street, to Jacky s Restaurant LLC, Jacky s Restaurant, 702 East 7th Street.
43. Renewal of 2016-17 Retail Malt Beverage License for Jacky s Restaurant LLC, Jacky s Restaurant, 702 East 7th Street.

44. Transfer of 2015-16 Retail Malt Beverage License from Dakota Golf Management Inc., Prairie Green Golf Course, 600 East 69th Street, to Dakota Golf Management Inc., Prairie Green Golf Course, 600 East 69th Street.
45. Renewal of 2016-17 Retail Malt Beverage License for Dakota Golf Management Inc., Prairie Green Golf Course, 600 East 69th Street.
46. Transfer of 2015-16 Retail Malt Beverage License for Firew Hordofa, Shalom Ethiopian Coffee House, 1701 East 10th Street, to Ezekiel Osman, Kauda Coffeehouse and Restaurant, 1701 East 10th Street, with Conditional Use Permit (4509-2016) being reviewed on May 4, 2016. Pending inspection per Fire.
47. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catholic Diocese of Sioux Falls Vocations Office to be held at O Gorman High School parking lot, 3201 South Kiwanis Avenue, for a fundraiser on July 16, 2016
48. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sioux Falls Sister Cities to be operated at Fall Park West (park area north of the Sioux Falls Park and Recreation Office leading to Falls Park along Phillips Avenue) 131 East Falls Park Drive, for the Germanfest on September 10, 2016.
49. Special One-Day Malt Beverage Licenses for Sioux Falls Airshow Inc., to be held at Sioux Falls Regional Airport Grounds (grass area between South Dakota Air National Guard Kamp and Runway 9/27), 2801 North Jaycee Lane, for the Sioux Falls Airshow on July 23 & 24, 2016.

INTRODUCTION AND ADOPTION OF ORDINANCES

50. Deferred from the City Council Meeting on May 3, 2016: 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 2309 S. ELMWOOD AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT, PETITION NO. 4180-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (4-3).
 51. 2nd Reading:AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY CHANGING A STREET NAME. (East Arden Street)
 52. 2nd Reading:AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING CHAPTER 111: RESTRICTIONS ON ISSUANCE OF MALT BEVERAGE RETAILER LICENSES.
- Set a date of hearing and 2nd Reading for Tuesday, June 7, 2016, at 7 p.m. for item 53:
53. 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 (6-0).

Set a date of hearing and 2nd Reading for Tuesday, June 7, 2016, at 7 p.m. for item 54:

54. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHEAST CORNER OF E. 41ST ST. AND S. SPARTA AVE. FROM THE AG AGRICULTURE DISTRICT TO THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY AND C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICTS, PETITION NO. 4333-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

Set a date of hearing and 2nd Reading for Tuesday, June 7, 2016, at 7 p.m. for item 55:

55. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT SOUTHEAST CORNER OF W. 69TH ST. AND S. BEAL AVE. FROM THE AG AGRICULTURE DISTRICT TO THE CN CONSERVATION, RA-3 APARTMENT RESIDENTIAL HIGH DENSITY, LW LIVE/WORK AND C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICTS, PETITION NO. 4342-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

Set a date of hearing and 2nd Reading for Tuesday, June 7, 2016, at 7 p.m. for item 56:

56. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 400 S. CLEVELAND AVE. FROM THE RD-1 TWIN HOME/DUPLEX SUBURBAN DISTRICT TO THE O OFFICE DISTRICT, PETITION NO. 4468-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

Set a date of hearing and 2nd Reading for Tuesday, June 7, 2016, at 7 p.m. for item 57:

57. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY NORTH AND SOUTH OF W. 65TH ST. AND EAST OF S. TEA/ELLIS RD. FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 4475-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

Set a date of hearing and 2nd Reading for Tuesday, June 7, 2016, at 7 p.m. for item 58:

58. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY SOUTH OF E. 57TH ST. AND WEST OF S. GRAYSTONE AVE. FROM THE LW LIVE/WORK DISTRICT TO THE CN CONSERVATION DISTRICT, PETITION NO. 4481-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

Set a date of hearing and 2nd Reading for Tuesday, June 7, 2016, at 7 p.m. for item 59:

59. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3301 S. GARFIELD AVE. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT INCLUDING CONDITIONS AS ALLOWED IN SECTION 160.650 (e) PLACING LIMITATIONS ON REGULATIONS WITHIN THE RE2 AND RE3 FORM, PETITION NO. 4485-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0) with the following condition: principle and accessory uses within the RE2 and RE3 Form be limited to Accessory off-site parking .

Set a date of hearing and 2nd Reading for Tuesday, June 7, 2016, at 7 p.m. for item 60:

60. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1400 N. CLEVELAND AVE. FROM THE RD-1 TWIN HOME/DUPLEX SUBURBAN DISTRICT TO THE I-1 LIGHT INDUSTRIAL DISTRICT, PETITION NO. 4494-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

HEARINGS AND RESOLUTIONS

61. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, CORRECTING THE LEGAL DESCRIPTION OF ANNEXATION RESOLUTION NO. 30-16.

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

NEW BUSINESS

63. ELECTION OF CITY COUNCIL CHAIR

64. ELECTION OF CITY COUNCIL VICE CHAIR

65. ELECTION OF 4TH MEMBER TO CITY COUNCIL OPERATIONS COMMITTEE

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.