

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
REGULAR MEETING OF Tuesday, September 6, 2016 at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Rick Kiley

Council Member Greg Neitzert

Council Member Rex Roling

Council Member Marshall Selberg

Council Member Pat Starr

Council Member Theresa Stehly

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Mayor Mike T. Huether

INVOCATION

&#9679; Pastor Fred Wilgenberg, New Roots Ministry

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

&#9679; Suicide Prevention Week - September 5-11, 2016

&#9679; Childhood Cancer Awareness Month - September, 2016

RECOGNITION/AWARDS

&#9679; South Dakota Hall of Fame Inductees - Christine Hamilton, JoEllen Koerner and Elizabeth Meyers

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Budget Hearings Meeting of Tuesday, August 16, 2016, at 3 p.m.

&#9679; City Council Meeting of Tuesday, August 16, 2016.

&#9679; Informational Meeting of Tuesday, August 23, 2016, at 4 p.m.

&#9679; Joint City Council/Lincoln County Commission Meeting of Tuesday, August 23, 2016, at 7 p.m.

#### COMMUNICATIONS

1. Approval of contracts/agreements on the September 2, 2016, memo.
2. Approval of the notice of change orders on the September 2, 2016, memo.
3. A communication was received from Mallory Iverson requesting permission to consume, but not sell, malt beverages at The Old Courthouse Museum, 200 West 6th Street, on Friday, September 9, 2016, pursuant to SDCL 35-1-5.5, for the purpose of a wedding ceremony.
4. A communication was received from Amy Jensen and Matt East, requesting permission to consume, but not sell, liquor, wine and/or malt beverage at The Old Courthouse Museum, 200 W. 6th Street, on Saturday, November 12, 2016, pursuant to SDCL 35-1-5.5 for the purpose of a wedding.
5. Report of Requests for Quotes for Fuel dated: August 15, 2016; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Harms Oil (\$1.7096); Stern Oil (\$1.7222); Midway Service (\$1.7223); Howes Oil (\$1.7310); Cole's Petroleum (\$1.7415); CHS, Inc. (\$1.7550); Olson Oil, no bid. Bid awarded to: Harms Oil.
6. Report of Request for Quotes for Fuel dated: August 16, 2016; #2 Clear Diesel; 7,500 gallons; CHS, Inc. (\$1.8825); Harms Oil (\$1.8717); Howe's Oil and Midwest Oil, both no bid. Bid awarded to: Harms Oil.
7. Report of Requests for Quotes for Fuel dated: August 16, 2016; #2 Dyed Diesel; 2,000 gallons; Howes Oil (\$1.717); Midwest Oil (\$1.669); Midway Service (\$1.690). Bid awarded to: Midwest Oil.
8. Report of Requests for Quotes for Fuel dated: August 19, 2016; #2 Dyed Diesel Fuel; 7,500 gallons; Stern Oil (\$1.6656); Harms Oil (\$1.6749); CHS, Inc. (\$1.6999); Cole's Petroleum (\$1.7135); Howes Oil, Midwest Oil, Midway Service (Vollan) and Olson Oil, all no bid. Bid awarded to: Stern Oil.
9. Report of Requests for Quotes for Fuel dated: August 24, 2016; #2 Dyed Diesel Fuel; 7,500 gallons; Stern Oil (\$1.6467); Harms Oil (\$1.6712); CHS,

Inc. (\$1.6900); Cole's Petroleum (\$1.7115); Howes Oil, Midwest Oil, Midway Service (Vollan), and Olson Oil, all no bid. Bid awarded to: Stern Oil.

10. Report of Request for Quotes for Fuel dated: August 24, 2016; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Midway Service (\$1.8196); Stern Oil (\$1.8284); Harms Oil (\$1.8303); CHS, Inc. (\$1.8450); Cole's Petroleum (\$1.8669); Howes Oil, and Olson Oil, both no bid. Bid awarded to: Midway Service.
11. Report of Requests for Quotes for Fuel dated: August 24, 2016; #2 Clear Diesel; 8,500 gallons; CHS, Inc. (\$1.969); Harms Oil (\$1.957); Howe's Oil and Midwest Oil, both no bid. Bid awarded to: Harms Oil.
12. Report of Requests for Quotes for Fuel dated: August 26, 2016; #2 Dyed Diesel Fuel; 7,500 gallons; Stern Oil (\$1.6631); Harms Oil (\$1.6768); CHS, Inc. (\$1.6925); Cole's Petroleum (\$1.7177); Howes Oil, Midwest Oil, Midway Service (Vollan) and Olson Oil, all no bid. Bid awarded to: Stern Oil.
13. Report of Requests for Quotes for Fuel dated: August 26, 2016; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Cole's Petroleum (\$1.8196); Stern Oil (\$1.8216) Harms Oil (\$1.8223); CHS, Inc. (\$1.8625); Howes Oil, Midway Service, and Olson Oil, all no bid. Bid awarded to: Cole's Petroleum.

#### APPLICATIONS

14. Special One-Day Liquor licenses for Great Bear Recreation Park Inc., Great Bear Recreation Park, 5901 East Rice Street, for special events on September 17 and October 29, 2016.
15. Special One-Day Liquor license for Hy-Vee Inc., All Occasions by Hy-Vee, to be operated at the Great Plains Zoo and Delbridge Museum, 805 South Kiwanis Avenue, for Siouxland Oral & Maxillofacial company event on November 5, 2016.
16. Special One-Day Liquor license for Bates Enterprises to be operated at the Multi-Cultural Center, 515 North Main Avenue, for a wrestling event on September 25, 2016.

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:

17. Jordan S. Minor, 620 N. Spring Avenue, for 2015 property taxes in the amount of \$277.54. Reason: Basement finish removed.
18. Joan Hall, 1103 N. Springfield Place, for 2015 property taxes in the amount of \$521.43. Reason: Owner Occupied received on the land only.
19. Jeffrey B. Jones, 2701 S. Kingswood Way, for 2015 property taxes in the

amount of \$628.06. Reason: Owner occupied status was removed.

20. Ryan E. King, 5408 W. 36th Street, for 2015 taxes in the amount of \$587.27.  
Reason: Owner Occupied status was removed.

21. Rhyan R. Rausis, 1305 S. Hyannis Port Lane, for 2015 property taxes in the amount of \$1,915.57. Reason: Owner Occupied status was removed.

Items 22-35 are for the City of Sioux Falls. Reason: Abatement requested for the time that a portion of the property was exempt.

22. Parcel #14777, 1701 E. 54th St. North, for 2015 property taxes in the amount of \$1,259.02.

23. Parcel #28810, 1100 W. 12th Street, for 2015 property taxes in the amount of \$185.26.

24. Parcel #33293, 2217 S. Covell Avenue, for 2015 property taxes in the amount of \$312.16.

25. Parcel #33939, 201 N. Cliff Avenue, for 2015 property taxes in the amount of \$1,834.17.

26. Parcel #34358, 2811 W. Madison St., for 2015 taxes in the amount of \$90.26.

27. Parcel #38200, 1916 S. Southeastern Avenue, for 2015 property taxes in the amount of \$183.01.

28. Parcel #47057, 2701 S. Duluth Avenue, for 2015 property taxes in the amount of \$1,459.39.

29. Parcel #47058, 2709 S. Duluth Avenue, for 2015 property taxes in the amount of \$1,235.74.

30. Parcel #47059, 2713 S. Duluth Avenue, for 2015 property taxes in the amount of \$1,584.03.

31. Parcel #48829, 1316 N. Phillips Avenue, for 2015 property taxes in the amount of \$269.51.

32. Parcel #53658, 3100 E. 10th Street, for 2015 property taxes in the amount of \$200.22.

33. Parcel #53804, 2605 E. 10th Street, for 2015 property taxes in the amount of \$1,645.25.

34. Parcel #79320, 5800 E. 6th Street, for 2015 property taxes in the amount of \$127.73.
35. Parcel #79321, 6000 E. 6th Street, for 2015 property taxes in the amount of \$166.30.

The following abatement was recommended for denial by the Director of Equalization and the State's Attorney's Office for Minnehaha County; and the City Attorney for Sioux Falls:

36. Murray Welder, 9212 W. Norma Trail, for 2015 property taxes in the amount of \$628.26. Reason: The applicant did not return the Owner Occupied Application.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, September 20, 2016, at 7 p.m. for Items 37-41:

37. New 2016-17 Retail Malt Beverage license for the Madina Otban, The Red Lion Coffee Shop, 1122 North Weber Avenue (CUP not required).
38. Transfer of 2016-17 Retail Malt Beverage license, with video lottery terminals, from Boys & Girls Clubs of the Sioux Empire, Burnside Game Place, 1605 West Burnside Avenue, to Arsiya Inc., Burnside Game Place, 1605 West Burnside Avenue, with Conditional Use Permit (5416-2016) being reviewed on September 7, 2016.
39. Transfer of 2016 Retail Wine license from Boys & Girls Clubs of the Sioux Empire, Burnside Game Place, 1605 West Burnside Avenue, to Arsiya Inc., Burnside Game Place, 1605 West Burnside Avenue, with Conditional Use Permit (5416-2016) being reviewed on September 7, 2016.
40. Special One-Day Malt Beverage license for Fernson Brewing Company to be operated at The Great Outdoor Store, 201 East 10th Street, for the Merrell Boots and Beer event on September 22, 2016.
41. Special One-Day Malt Beverage and One-Day Wine licenses for Catering America Inc., Chef Dominique s to be operated at Avera Health Clinic, 2100 South Marion Road, for a private event on October 4, 2016.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

42. New 2016-17 Package Malt Beverage/South Dakota Farm Winery license for Hair & Hair, Hampton Inn, 2417 South Carolyn Avenue.
43. New 2016 Retail Wine license for JSM Investments Inc., Benji s Casino, 5422 East Arrowhead Parkway (CUP not required). Pending permit issuance and final inspections per Fire, Health and Building Services.
44. New 2016-17 Retail Malt Beverage license for JSM Investments Inc., Benji s Casino, 5422 East Arrowhead Parkway (CUP not required). Pending permit issuance and final inspections per Fire, Health and Building Services.
45. Request to include video lottery terminals with the new 2016-17 Retail Malt Beverage license for JSM Investments, Inc., Benji s Casino, 5422 East Arrowhead Parkway. Pending permit issuance and final inspections per Fire, Health and Building Services.
46. Transfer of 2016 Retail Liquor license, with Sunday sales and video lottery terminals, from Sport Zone Inc., Rookies Sports Bar and Grill, 2616 South Louise Avenue, to Sickies ND, Inc., Sickies Garage, 2616 South Louise Avenue (CUP not required).
47. Special One-Day Wine License requests for Downtown Sioux Falls Inc., to be operated at the following locations: 8th & Railroad Center Lobby, 401 East 8th Street, A League of Your Own, 229 South Phillips Avenue, American State Bank, 223 South Phillips Avenue, Atoley Salon, 317 South Phillips Avenue, Bead Co., 319 South Phillips Avenue, Calvary Cathedral, 500 South Main Avenue, CH Patisserie, 309 South Phillips Avenue, Chelsea s Boutique, 321 South Phillips Avenue, Great Outdoor Store, 201 East 10th Street, Half Baked, 120 South Phillips Avenue, Home Porch Gifts, 217 South Phillips Avenue, J.H. & Sons, 216 South Phillips Avenue, JAM Art & Supplies, 401 North Phillips Avenue, Juliana s Boutique La Femme, 196 East 6th Street #100, Lillian s, 311 South Phillips Avenue, NV Studios, 106 West 11th Street, Rehfeld s Art & Framing, 210 South Phillips Avenue, Say Anything Jewelry, 225 South Phillips Avenue, S.H.U.E.S., 333 South Phillips Avenue, Simply Perfect, 401 East 8th Street #108, Sioux Falls Design Center, 108 West 11th Street, Sticks and Steel, 401 East 8th Street #118, Unglued, 218 South Phillips Avenue, Young & Richard s, 222 South Phillips Avenue, and Zandbroz Variety, 209 South Phillips Avenue, for the First Friday Wine Walk on October 7, 2016.
48. Special One-Day Malt Beverage and Special One-Day Wine licenses for Siouxland Heritage Museums to be operated at Pettigrew Home & Museum, 131 North Duluth Avenue, for History Happy Hour programs on September 22 and October 27, 2016.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

49. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 8301 W. 48TH ST. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT TO THE RD-2 TOWNHOME RESIDENTIAL SUBURBAN DISTRICT, PETITION NO.

4486-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).

50. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 5801 W. CHRISTOPHER PL. FROM THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT TO THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT, PETITION NO. 5303-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).

51. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1122 E. 8TH ST. FROM THE RT-2 TOWNHOME RESIDENTIAL TRADITIONAL DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 5250-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-0).

52. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE ISSUANCE OF ITS HEALTH FACILITIES REVENUE REFUNDING BONDS (DOW RUMMEL VILLAGE PROJECT), SERIES 2016, IN AN ORIGINAL AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$24,000,000, FOR THE PURPOSE OF PROVIDING FUNDS TO BE LOANED TO DOW RUMMEL VILLAGE, A SOUTH DAKOTA NONPROFIT CORPORATION, FOR THE PURPOSE OF REFUNDING OUTSTANDING BONDS; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF AN INDENTURE OF TRUST, A LOAN AGREEMENT, A MORTGAGE ONE HUNDRED EIGHTY-DAY REDEMPTION, SECURITY AGREEMENT AND FIXTURE FINANCING STATEMENT, A BOND PURCHASE AGREEMENT, A CONTINUING DISCLOSURE AGREEMENT, AND A TAX REGULATORY AGREEMENT; APPROVING THE FORM OF AND AUTHORIZING THE EXECUTION AND DELIVERY OF THE BONDS AND CERTAIN RELATED DOCUMENTS; MAKING CERTAIN FINDINGS AND DETERMINATIONS WITH RESPECT TO THE BONDS; AND PROVIDING FOR THE SECURITY, RIGHTS, AND REMEDIES OF THE HOLDERS OF THE BONDS.

Set a date of hearing and 2nd Reading for Tuesday, September 13, 2016, at 7 p.m. for Item 53:

53. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE NAMING OF A FACILITY SPACE ON PUBLIC PROPERTY.

Set a date of hearing and 2nd Reading for Tuesday, September 13, 2016, at 7 p.m. for Item 54:

54. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, CALLING A SPECIAL ELECTION ON THE ISSUE OF WHETHER THE CITY OF SIOUX FALLS, SD, SHOULD BUILD AN ADMINISTRATIVE OFFICE BUILDING AND ASSOCIATED SITE IMPROVEMENTS.

#### HEARINGS AND RESOLUTIONS

55. A RESOLUTION APPROVING THE 2016 2017 BUDGET FOR THE SIOUX FALLS CONVENTION & VISITORS BUREAU BUSINESS IMPROVEMENT DISTRICT S BUDGET.

56. A RESOLUTION DECLARING IT NECESSARY TO LEVY AND LEVYING A SPECIAL FRONT FOOT ASSESSMENT FEE FOR STREET MAINTENANCE AND REPAIR.

57. A RESOLUTION EXPRESSING UNWAVERING SUPPORT FOR BASING THE F-35 LIGHTNING JOINT STRIKE FIGHTER AT JOE FOSS FIELD, 114TH FIGHTER WING, SOUTH DAKOTA

AIR NATIONAL GUARD.

58. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, RESCHEDULING THE BUSINESS OF THE CITY FROM THE SCHEDULED CITY COUNCIL MEETING FOR TUESDAY, OCTOBER 18, 2016, TO MONDAY, OCTOBER 17, 2016.

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

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)

60. REPORT OF THE AUGUST 31, 2016, 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](http://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, COMMITTEE MEETINGS, AND CITY COUNCIL MEETINGS ON FRIDAYS AND SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS ON FIRST FRIDAY AND SUNDAY AFTER LIVE MEETING. GO TO



CITYLINK AT [WWW.SIOUXFALLS.ORG](http://WWW.SIOUXFALLS.ORG) FOR SPECIFIC PROGRAMMING TIMES.