

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, August 16, 2016 at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

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

Council Member Christine M. Erickson

Mayor Mike T. Huether

INVOCATION

● Pastor Wade Coffey, Celebrate Community Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Budget Hearings Meeting of Tuesday, August 9, 2016, at 3 p.m.

● City Council Meeting of Tuesday, August 9, 2016, at 7 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the August 12, 2016, memo.

2. Approval of the notice of change orders on the August 12, 2016, memo.

3. Report of Requests for Quotes for Fuel dated: August 1, 2016; #2 Clear

Diesel; 7,500 gallons; CHS, Inc. (\$1.7099); Harms Oil (\$1.6682); Howes Oil and Midwest Oil, both no bid. Bid awarded to: Harms Oil.

4. Report of Requests for Quotes for Fuel dated: August 2, 2016; #2 Dyed Diesel; 3,000 gallons; Howes Oil (\$1.549); Midwest Oil (\$1.679); Midway Service (\$1.490). Bid awarded to: Midway Service.
5. Report of Requests for Quotes for Fuel dated: August 4, 2016; #2 Dyed Diesel; 7,500 gallons; Harms Oil (\$1.4058); Stern Oil (\$1.4109); Cole s Petroleum (\$1.4112); CHS, Inc. (\$1.4475); Howes Oil, Midwest Oil, Midway Service (Vollan), and Olson Oil, all no bid. Bid awarded to: Harms Oil.
6. Report of Requests for Quotes for Fuel dated: August 4, 2016; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Harms Oil (\$1.6575); Stern Oil (\$1.6641); Cole s Petroleum (\$1.6665); Midway (Vollan) Oil (\$1.6693); CHS, Inc. (\$1.7099); Howes Oil and Olson Oil, both no bid. Bid awarded to: Harms Oil.
7. Report of Requests for Quotes for Fuel dated: August 9, 2016; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Midway Service (\$1.7089); Harms Oil (\$1.7125); Stern Oil (\$1.7137); Cole s Petroleum (\$1.7245); CHS, Inc. (\$1.7499); Howes Oil and Olson Oil, both no bid. Bid awarded to: Midway Service.
8. Report of Requests for Quotes for Fuel dated: August 9, 2016; #2 Dyed Diesel; 7,500 gallons; Stern Oil (\$1.4612); Harms Oil (\$1.4765); Cole s Petroleum (\$1.4770); CHS, Inc. (\$1.4925); Howes Oil, Midwest Oil, Midway Service (Vollan), and Olson Oil, all no bid. Bid awarded to: Stern Oil.

APPLICATIONS

9. 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 August 18, 2016.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, September 6, 2016, for Items 10 through 16:

10. New 2016-17 Package Malt Beverage/South Dakota Farm Winery license for Hair & Hair, Hampton Inn, 2417 South Carolyn Avenue.
11. New 2016 Retail Wine license for JSM Investments Inc., Benji s Casino, 5422 East Arrowhead Parkway (CUP not required).
12. New 2016-17 Retail Malt Beverage license for JSM Investments Inc., Benji s Casino, 5422 East Arrowhead Parkway (CUP not required).

13. 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.
14. 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).
15. 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.
16. 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.

Set a date of hearing for Tuesday, September 13, 2016, for Item 17:

17. A PROPOSED RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2017, AND THE 2017-2021 CAPITAL PROGRAM.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

18. Transfer of 2016-17 Retail Malt Beverage license, with video lottery terminals, from Paradise Management Inc., Paradise Casino, 5109 West 12th Street, to Crown Gaming Inc., Paradise Casino, 5109 West 12th Street.

19. Transfer of 2016-17 Retail Malt Beverage license, with video lottery terminals, from Paradise Management Inc., Paradise East Casino, 1914 South Sycamore Avenue, Suite 106, to Crown Gaming Inc., Paradise East Casino, 1914 South Sycamore Avenue, Suite 106.
20. New 2016 Package Liquor license for MF Spot Inc., The Barrel House, 4701 East 54th Street. Pending final inspections per Fire, Health, and Building Services.
21. Transfer of 2016 Retail Liquor license, with Sunday sales certificate and video lottery terminals, from Westwinds Casino Inc., Westwinds Casino, 4615 West Homefield Drive, to Westwinds Casino Inc., Westwinds Casino, 4609 West Homefield Drive.
22. New 2016-17 Retail Malt Beverage license for Hy-Vee Inc., Hy-Vee #4, 1900 South Marion Road, with conditional use permit (5165-2016) being reviewed by the Planning Commission on August 3, 2016. Pending final inspections per Building Services.
23. New 2016 Retail Wine license for Hy-Vee Inc., Hy-Vee #4, 1900 South Marion Road, with conditional use permit (5165-2016) being reviewed by the Planning Commission on August 3, 2016. Pending final inspections per Building Services.
24. New 2016-17 Retail Malt Beverage license for Hy-Vee Inc., Hy-Vee #1, 1601 South Sycamore Avenue, with conditional use permit (4834-2016) being reviewed by the Planning Commission on August 3, 2016. Pending final inspections per Building Services.
25. New 2016 Retail Wine license for Hy-Vee Inc., Hy-Vee #1, 1601 South Sycamore Avenue, with conditional use permit (4834-2016) being reviewed by the Planning Commission on August 3, 2016. Pending final inspections per Building Services.
26. New 2016-17 Retail Malt Beverage license for Burrito Brothers Inc., Pancheros Mexican Grill, 4824 South Louise Avenue, with the conditional use permit (4833-2016) being approved on July 6, 2016. Pending final inspections per Fire, Health and Building Services.
27. Special One-Day Malt Beverage and Special One-Day Wine licenses for Sanford Health to be operated at 2301 East 60th Street North, for a private event on August 23, 2016.
28. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Stockyards Plaza Inc., to be operated at the Falls Park Horse Barn, 309 East Falls Park Drive, for a fundraiser on September 20, 2016.
29. Special One-Day Malt Beverage license for The Banquet to be operated at Cliff Avenue Greenhouse and Garden Center, 2101 East 26th Street, for a

Project SOS fundraiser on October 6, 2016.

30. Special One-Day Malt Beverage and Special One-Day Wine licenses for Catering America Inc. to be operated at Orthopedic Institute Auditorium, 810 East 23rd Street, for a holiday party on December 1, 2016.

INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Tuesday, September 6, 2016, at 7 p.m. for Item 31:

31. 1st 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).

Set a date of hearing and 2nd Reading for Tuesday, September 6, 2016, at 7 p.m. for Item 32:

32. 1st 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).

Set a date of hearing and 2nd Reading for Tuesday, September 6, 2016, at 7 p.m. for Item 33:

33. 1st 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).

Set a date of hearing and 2nd Reading for Tuesday, September 6, 2016, at 7 p.m. for Item 34:

34. 1st 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.

HEARINGS AND RESOLUTIONS

35. Public Hearing for public input regarding the proposal to issue revenue bonds in a principal amount not to exceed \$24,000,000 (the Bonds), pursuant to South Dakota Codified Laws, Chapter 9-54, as amended (the Act), in order to refinance a project on behalf of Dow Rummel Village, a South Dakota nonprofit corporation formerly known as Rummel Memorial Home, Inc. (the Corporation), which operates nursing home, healthcare, and housing facilities for the elderly in Sioux Falls, South Dakota. See Agenda Item 34.
36. A RESOLUTION APPROVING A JOINT POWERS AGREEMENT BETWEEN THE OFFICE OF ATTORNEY GENERAL DIVISION OF CRIMINAL INVESTIGATION, MINNEHAHA COUNTY SHERIFF S OFFICE, AND THE SIOUX FALLS POLICE DEPARTMENT SIOUX FALLS AREA DRUG TASK FORCE.
37. A RESOLUTION AUTHORIZING SIOUXLAND LIBRARIES TO GIFT SHELVING AND FOUR CHILDREN S TABLES TO THE GARRETSON SCHOOL DISTRICT.
38. A RESOLUTION AUTHORIZING SIOUX FALLS FIRE RESCUE TO GIFT 20 SETS OF FIRE TURNOUT GEAR TO THE HENRY, SD, FIRE DEPARTMENT.
39. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.

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, 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 FOR SPECIFIC PROGRAMMING TIMES.