

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
REGULAR MEETING OF Tuesday, January 3, 2017 at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Pat Starr

Council Member Theresa Stehly

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

Mayor Mike T. Huether

INVOCATION

&#9679; Pastor Allen Brummel, Heritage Protestant Reformed Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Tuesday, December 20, 2016, at 4 p.m.

&#9679; City Council Meeting of Tuesday, December 20, 2016, at 7 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the December 30, 2016, memo.

2. Approval of the notice of change orders on the December 30, 2016, memo.

3. Report of Requests for Quotes for Fuel dated: December 15, 2016; #1 Dyed Diesel Fuel; 7,500 gallons; Stern Oil (\$1.8847); Cole's Petroleum (\$1.9440); Harms Oil, CHS, Inc., Howes Oil, Midwest Oil, Midway Service (Vollan), and Olson Oil, all no bid. Bid awarded to: Stern Oil.
4. Report of Requests for Quotes for Fuel dated: December 19, 2016; #1 and #2 Dyed Diesel Fuel; 11,250 gallons #1 and 11,250 gallons #2 (22,500 total); Harms Oil (\$1.9102 #1 and \$1.6877 #2); Stern Oil (\$1.9135 #1 and \$1.6868 #2); Stern Oil (\$1.9804 #1 and \$1.7034 #2); CHS, Inc., Howes Oil, Midwest Oil, Midway Service (Vollan), and Olson Oil, all no bid. Bid awarded to Harms Oil.
5. Report of Requests for Quotes for Fuel dated: December 19, 2016; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Cole's Petroleum (\$1.7325); Harms Oil (\$1.7698); Midway Service (\$1.8000); Stern Oil, CHS, Inc., Howes Oil, Olson Oil, all no bid. Bid awarded to Cole's Petroleum.
6. Report of Requests for Quotes for Fuel dated: December 21, 2016; Unleaded Ethanol; 6,655 gallons; Midway Service (\$2.0475); Stern Oil (\$2.1300); Howes Oil and Cole's Petroleum, both no bid. Bid awarded to: Midway Service.
7. Report of Requests for Quotes for Fuel dated: December 21, 2016; Clear Diesel #1; 203 gallons; Midway Service (\$2.2725); Stern Oil (\$2.3239); Howes Oil and Cole's Petroleum, both no bid. Bid awarded to: Midway Service.
8. Report of Requests for Quotes for Fuel dated: December 21, 2016; Clear Diesel #2; 203 gallons; Midway Service (\$2.0080); Stern Oil (\$2.0839); Howes Oil and Cole's Petroleum, both no bid. Bid awarded to: Midway Service.
9. Report of Requests for Quotes for Fuel dated: December 23, 2016; #1 and #2 Dyed Diesel Fuel; 3,750 gallons #1 and 3,750 #2 (7,500 total); Stern Oil (\$1.9829 #1 and \$1.7492 #2); Harms Oil (\$2.0322 #1 and \$1.7512 #2); Cole's Petroleum, CHS, Inc., Howes Oil, Midwest Oil, Midway Service (Vollan), and Olson Oil, all no bid. Bid awarded to: Stern Oil.
10. Report of Requests for Quotes for Fuel dated: December 23, 2016; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; CHS, Inc. (\$1.9130); Stern Oil (\$1.9292); Harms Oil (\$1.9184); Midway Service, Cole's Petroleum, Howes Oil, and Olson Oil, all no bid. Bid awarded to: CHS, Inc.
11. Report of Requests for Quotes for Fuel dated: December 27, 2016; 50/50 Blend of Clear Diesel; 9,000 gallons; Harms Oil (\$2.3526 #1 and \$2.0776 #2); CHS, Inc., Howes Oil, and Midwest Oil, all no bid. Bid awarded to: Harms Oil.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, January 17, 2017, at 7 p.m. for Item 12:

12. Special One-Day Malt Beverage License for Downtown Sioux Falls Inc., to be operated at the State Theatre, 316 South Phillips Avenue on February 3, 2017 for a First Friday event.

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

#### PUBLIC INPUT

#### UNFINISHED BUSINESS

13. New 2016-17 Package Malt Beverage License for Shopko Stores Operating Co LLC, Shopko #101, 4501 East Arrowhead Parkway (CUP not required).
14. Special One-Day Malt Beverage and Special One Day Wine Licenses for Sertoma Butterfly House & Marine Cove, 4320 South Oxbow Avenue, for a Chamber Mixer on February 21, 2017.
15. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Avera McKennan Foundation to be operated at Avera Behavioral Health, 4400 West 69th Street, for a fundraiser on February 4, 2017.
16. Special One-Day Off-Sale Package Wine License for Junior League of Sioux Falls to be operated at 4510 West 61st Street North for a fundraiser on February 10, 2017.
17. Special One-Day Liquor License for Avera McKennan Foundation to be operated at Avera Prairie Center, 1000 East 23rd Street, for the Big Grape fundraiser on April 7, 2017.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

18. Deferred from the City Council Meetings on November 1, 2016 and December 6, 2016: 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1200 E. 3RD ST. FROM THE S-1 GENERAL INSTITUTIONAL DISTRICT TO THE C-3 COMMERCIAL COMMUNITY DISTRICT, PETITION NO. 5397-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends denial (4-3).
19. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1900 N. BAHNSON AVE. FROM THE AG AGRICULTURE DISTRICT TO THE I-2 HEAVY INDUSTRIAL DISTRICT, PETITION NO. 5765-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).

20. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 2600 W. 57TH ST. FROM THE CN CONSERVATION DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR, AND LW LIVE-WORK DISTRICTS, PETITION NO. 5798-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).
  21. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SOUTHWEST CORNER OF E. 41ST ST. AND S. VETERANS PKWY. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR AND REC RECREATIONAL DISTRICTS TO THE, C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR AND REC RECREATIONAL DISTRICTS, PETITION NO. 5878-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).
  22. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3201 S. NICANN CT. FROM THE CN CONSERVATION DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 5957 2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).
  23. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 601 N. DULUTH AVE. FROM THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT TO THE LW LIVE-WORK DISTRICT, PETITION NO. 5963-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).
  24. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1001 S. SERTOMA AVE. FROM THE O OFFICE DISTRICT TO THE LW LIVE-WORK DISTRICT, PETITION NO. 5997-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).
  25. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 4801 AND 4901 E. GRANT ST. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 5829-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-1).
  26. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING 157.115 OF THE CODE OF ORDINANCES OF THE CITY PERTAINING TO MINIMUM SUBDIVISION IMPROVEMENTS. Planning Commission recommends approval (6-0).
  27. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 157: SUBDIVISIONS AND APPENDIX C OF CHAPTER 157: SUBDIVISION CONSTRUCTION AGREEMENT. Planning Commission recommends approval (6-0).
- Set a date of hearing and 2nd Reading for Tuesday, January 10, 2017, at 7 p.m. for Item 28:
28. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES BY ADDING CHAPTER 55, PRIVATELY OWNED BEST MANAGEMENT PRACTICES.

Set a date of hearing and 2nd Reading for Tuesday, January 10, 2017, at 7 p.m. for Item 29:

29. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY TO PROVIDE FOR PERMIT AND INSPECTION FEES INTO ONE REFERENCED LOCATION.

Set a date of hearing and 2nd Reading for Tuesday, January 10, 2017, at 7 p.m. for Item 30:

30. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY RELOCATING THE PLUMBING PROVISIONS FROM TITLE XI: BUSINESS REGULATIONS, CHAPTER 121: PLUMBING TO TITLE XV: LAND USAGE, CHAPTER 150: BUILDING, OF THE CODE OF ORDINANCES OF SIOUX FALLS, SD; AND ADOPTING THE 2015 UNIFORM PLUMBING CODE AND AMENDMENTS THERETO.

#### HEARINGS AND RESOLUTIONS

31. Deferred from the City Council Meeting on December 6, 2016: A RESOLUTION OF INTENT TO EXTEND THE BOUNDARIES OF THE CITY OF SIOUX FALLS.

32. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF HIDDEN VALLEY STABLES ADDITION.

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)

33. REPORT OF THE DECEMBER 23, 2016, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

#### NEW BUSINESS

34. MOTION TO PROVIDE ADVICE AND CONSENT FOR THE APPOINTMENT OF JODI FICK AS DIRECTOR OF SIOUXLAND LIBRARIES.

#### 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.