

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Tuesday, April 4, 2017 at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Theresa Stehly

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Council Member Rick Kiley

Council Member Greg Neitzert

Council Member Rex Rolfing

Council Member Marshall Selberg

Council Member Pat Starr

Mayor Mike T. Huether

INVOCATION

● Joseph Oyeyode, Prayer Partner, Direct Line Prayer Center

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● National Service Recognition Day - April 4, 2017

● Fair Housing Month - April, 2017

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting on Tuesday, March 21, 2017, at 4 p.m.

● City Council Meeting on Tuesday, March 21, 2017, at 7 p.m.

● Special City Council Meeting of Tuesday, March 28, 2017, at 2:30 p.m.

● Joint City Council/Minnehaha County Commission Meeting on Tuesday,
March 28, 2017, at 5 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the March 31, 2017, memo.
2. A communication was received from Mayra Avila-Telon requesting permission to consume, but not sell, liquor and/or malt beverages at the Multi-Cultural Center, 515 N. Main Ave. on July 15, 2017, for a Quincenera celebration.
3. Report of Requests for Quotes for Fuel dated: March 15, 2017; #1 and #2 Dyed Diesel Fuel; 3,750 gallons #1 and 3,750 gallons #2 (7,500 gallons total); Harms Oil (\$1.6693 #1 and \$1.5983 #2); Midway Service (\$1.6795 #1 and \$1.6030 #2); Cole's Petroleum (\$1.6944 #1 and \$1.6030 #2); Stern Oil (\$1.7225 #1 and \$1.6042 #2); CHS, Inc., Howe's Oil, and Olson Oil, all no bid. Bid awarded to: Harms Oil.
4. Report of Requests for Quotes for Fuel dated: March 20, 2017; 50/50 Blend of Clear Diesel; 7,500 gallons; CHS, Inc. (\$2.1025 #1 Clear Diesel and \$1.92 #2 Clear Diesel); Howe's Oil, Harms Oil and Midwest Oil, all no bid. Bid awarded to: CHS, Inc.
5. Report of Requests for Quotes for Fuel dated: March 22, 2017; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Cole's Petroleum (\$1.7837); Harms Oil (\$1.7873); Howe's Oil (\$1.8260); Stern Oil (\$1.8289); CHS, Inc., Midway Service and Olson Oil, all no bid. Bid awarded to: Cole's Petroleum.
6. Report of Request for Quotes for Fuel dated: March 22, 2017; E-10 Unleaded Ethanol and #2 Clear Diesel; 650 gallons Unleaded Ethanol and 1,100 gallons #2 Clear Diesel; Howe's Oil (\$1.8580 Unleaded Ethanol and \$1.9580 #2 Clear Diesel); Stern Oil (\$1.8708 Unleaded Ethanol and \$1.9673 #2 Clear Diesel); Cole's Petroleum (\$1.8860 Unleaded Ethanol and \$1.9950 #2 Clear Diesel); CHS, Inc., Harms Oil, Midway Service, and Olson Oil, all no bid. Bid awarded to: Howe's Oil.
7. Report of Requests for Quotes for Fuel dated: March 23, 2017; #2 Dyed Diesel Fuel; 7,500 gallons; Howe's Oil (\$1.6124); Stern Oil (\$1.6165); Harms Oil (\$1.6175); Cole's Petroleum (\$1.6278); CHS, Inc. (\$1.6475); Midway Service and Olson Oil, both no bid. Bid awarded to: Howe's Oil.

APPLICATIONS

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:

8. Jerald L. Evans, 3105 S. Norton Avenue, for 2016 property taxes in the amount of \$582.21. They should have received owner occupant status.
9. Charlotte Spagnuolo, 5001 E. Prospect, for 2016 property taxes in the amount of \$949.74. Missed the filing deadline date.
10. Daniel Keefe, 5606 W. Tanager Pl., for 2016 property taxes in the amount of \$ 69.91. Non Owner Occupied Status.

Items 11 and 12: The amount requested is the difference between the elderly freeze and the non-elderly freeze.

11. Verna M. Trainer, 713 E. Pam Rd, for 2016 property taxes in the amount of \$610.89.
12. Arda Kadinger, 1405 N. Mable Ave, for 2016 property taxes in the amount of \$506.26.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, April 18, 2017, at 7 p.m. for Items 13 through 25:

13. Transfer of a 2017 Retail Liquor License from Pinnacle Hospitality, Tre Lounge, 601 West 33rd Street, to Elmwood Hospitality LLC, Crooked Pint Ale House, 2020 West Russell Street (CUP not required).
14. New 2017 Retail Wine License for Divine Nail Spa LLC, Divine Nail Spa, 6807 South Louise Avenue, with Conditional Use Permit (6297-2017) being approved on March 1, 2017.
15. New 2016-17 Retail Malt Beverage License for Big Rig HD LLC, Big Rig BBQ, 3219 South Minnesota Avenue (CUP not required).
16. New 2017 Retail Wine License for Chef Jeni & Company Inc., Chef Jeni & Company, 3638 South Southeastern Avenue, with the Conditional Use Permit (2010-11-05) being approved on December 1, 2010.
17. New 2017-18 Retail Malt Beverage License for Chef Jeni & Company Inc., Chef Jeni & Company, 3638 South Southeastern Avenue, with the Conditional Use Permit (2010-11-05) being approved on December 1, 2010.
18. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America, Chef Dominique s Catering to be operated at Poet LLC, 4615 North Lewis Avenue, for a social on May 4, 2017.

19. Special One-Day Liquor License for TNT Entertainment, Wiley s Tavern, to be operated at 337 North Phillips Avenue (Albert House parking lot), for an outdoor concert on July 7, 2017.

20. Special One-Day Wine Licenses for Downtown Sioux Falls Inc. to be operated at the following locations: 8th & Railroad Center Lobby, 401 East 8th Street #200A, A League of Your Own, 229 South Phillips Avenue, American State Bank, 223 South Phillips Avenue, Atoley Salon, 317 South Phillips Avenue, Bead Co./Acorn 19, 319 South Phillips Avenue, CH Patisserie, 309 South Phillips Avenue #1, Chelsea s Boutique, 220 South Phillips Avenue, Great Outdoor Store, 201 East Tenth Street, Home Porch Gifts, 217 South Phillips Avenue, J.H. & Sons, 216 South Phillips Avenue, Lillians, 311 South Phillips Avenue, Lot 2029, 207 South Phillips Avenue, Luca s Boutique, 401 East 8th Street, #122, NV Studio, 106 West 11th Street, Oh My Word Luxury Paperie, 328 South Phillips Avenue, Rehfeld s Art & Framing, 210 South Phillips Avenue, Rug & Relic, 401 East 8th Street #114, Say Anything Jewelry, 225 South Phillips Avenue, Simply Perfect, 401 East 8th Street #108, 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 May 5, 2017.

21. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls Inc., to be operated at 8th & Railroad Center Parking Lot, 401 East 8th Street, for East bank Block Parties on June 2, July 7, August 4 and September 1, 2017.

22. Special One-Day Malt Beverage 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 22, July 27, and August 24, 2017.

23. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls Inc., to be operated on Phillips Avenue from 10th Street to 14th Street; 11th Street from Dakota Avenue to Mall Avenue, 12th Street from Main Avenue to Phillips Avenue, 13th Street from Main Avenue to 1st Avenue and Great Western Bank parking ramp located at 11th & Dakota, for Hot Summer Nites on July 12, 2017.

24. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls Inc., to be operated on the River Greenway from 6th Street to South of 8th Street including Raven Industries riverfront and parking lot located at 205 East 6th Street, to include the prairie area between Phase 1 River Greenway and the Cherapa Place parking lot, north to 6th Street and south to Cherapa Place, for Downtown Riverfest on August 19, 2017.

25. A PROPOSED RESOLUTION OF INTENT TO ENTER INTO A LEASE OF MUNICIPAL REAL PROPERTY.

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

26. New 2016-17 Retail Malt Beverage License for Full Circle Sandwich Kitchen, LLC, Bread & Circus Sandwich Kitchen, 600 North Main Avenue, Suite 110 (CUP not required). Pending final inspections per Fire, Health, and Building Services.
27. New 2017 Retail Wine License for Full Circle Sandwich Kitchen, LLC, Bread & Circus Sandwich Kitchen, 600 North Main Avenue, Suite 110 (CUP not required). Pending final inspections per Fire, Health and Building Services.
28. New 2017 Retail Wine License for Crown Gaming Inc., Paradise West Casino, 5109 W. 12th Street.
29. New 2017 Retail Wine License for Crown Gaming Inc., Paradise East Casino, 1914 South Sycamore Avenue, Suite 106.
30. New 2017 Retail Wine License for Anthony and UT Duong, T Nail Spa, 433 W. 69th Street (CUP not required).
31. New 2016-17 Retail Malt Beverage License for Anthony and UT Duong, T Nail Spa, 433 W. 69th Street (CUP not required).
32. Transfer of 2016-17 Retail Malt Beverage License from Sioux Falls Pilots LLC, Sioux Falls Pilots, 2505 South Grange Avenue, (Augustana University Ronken Baseball field only) to South Dakota Gold Baseball Club LLC, Sioux Falls Gold, 2505 South Grange Avenue, (Augustana University Ronken Baseball field only).
33. Special One-Day Malt Beverage and Special One Day Wine License for Catering America, Chef Dominique s Catering to be operated at Graham Automotive, 801 West 41st Street, for an open house on April 21, 2017.
34. Special One-Day Malt Beverage and Special One Day Wine License for Catering America, Chef Dominique s Catering to be operated at Avera Prairie Center, 1000 East 23rd Street, for a social event on April 28, 2017.
35. Special One-Day Malt Beverage and Special One Day Wine License for Catering America, Chef Dominique s Catering to be operated at Sioux Falls Specialty Hospital, 910 East 20th Street, for a social event on April 27, 2017.
36. Special One-Day Malt Beverage and Special One Day Wine License for Catering

America, Chef Dominique s Catering to be operated at Liberty National Bank, 133 South Main Avenue, for an open house on April 25, 2017.

37. Special One-Day Malt Beverage License for Jam Art & Supplies to be operated at Cherapa Place east parking lot, 300 North Cherapa Place, for the 605 Summer Classic on June 23-24, 2017.

INTRODUCTION AND ADOPTION OF ORDINANCES

38. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE NORTHWEST CORNER OF E. 26TH ST. AND S. CLIFF AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN, O OFFICE, AND C-1 COMMERCIAL PEDESTRIAN-ORIENTED DISTRICTS, TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 4674-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).
39. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SOUTHEAST CORNER OF S. SOUTHEASTERN AVE. AND E. 69TH ST. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR, RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY, O OFFICE, AND AG AGRICULTURE DISTRICTS TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR, LW LIVE-WORK, AND RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICTS, PETITION NO. 6120-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).
40. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 201 N. KIWANIS AVE. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE C-3 COMMERCIAL COMMUNITY DISTRICT, PETITION NO. 6244-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).
41. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED EAST OF S. SYCAMORE AVE., NORTH OF E. TAYLOR ST., AND WEST OF S. CAPITOL AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 6256-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).
42. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED WEST OF S. SIX MILE RD. AND FUTURE E. 45TH ST. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN AND RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICTS TO THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT, AND RD-2 TOWNHOME RESIDENTIAL SUBURBAN DISTRICTS PETITION NO. 6313-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).
43. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED SOUTH OF W. LANDSCAPE PL., WEST OF S. MINNESOTA AVE., AND NORTH OF S. GARDEN CT. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN, C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR, AND RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICTS TO THE CN CONSERVATION AND O OFFICE

DISTRICTS, PETITION NO. 6319-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

44. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED EAST OF VETERANS PARKWAY AND WEST OF SILVERTHORNE AVE. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT TO THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT, PETITION NO. 6320-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).
45. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED SOUTH OF E. 24TH ST., EAST OF S. 10TH AVE., AND WEST OF S. CLIFF AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN AND O OFFICE DISTRICTS TO THE S-2 INSTITUTIONAL CAMPUS PUD DISTRICT, PETITION NO. 6337-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).
46. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 1740 S. ST. MICHAELS CIR. FROM THE O OFFICE DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 6345-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).
47. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED NORTH OF W. 41ST ST. AND WEST OF LANCASTER DR. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN, CN CONSERVATION, AND RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICTS TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN, CN CONSERVATION, AND RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICTS, PETITION NO. 6350-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).
48. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 1801 S. BAHNSON AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT, PETITION NO. 6353-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).
49. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SOUTHEAST CORNER OF E. MULBERRY ST. AND N. SHERMAN AVE. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT TO THE I-1 LIGHT INDUSTRIAL DISTRICT, PETITION NO. 6354-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

HEARINGS AND RESOLUTIONS

50. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF MAPLE ROCK ADDITION. Planning Commission recommends approval (5-0).

51. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF WEST VIEW ESTATES PHASE I ADDITION. Planning Commission recommends approval (5-0).
52. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SD. Annexation 6217-2017 - Willow Ridge (E. Madison S. and Six Mile Rd).
53. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SD. Annexation 6246-2017 Jacobson Tracts (85th St. and Cliff Ave.).

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)

54. REPORT OF THE MARCH 29, 2017, 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. 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.