

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Tuesday, August 1, 2017 at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

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

Council Member Rick Kiley

Mayor Mike T. Huether

INVOCATION

● Reverend Brett Best, Emmanuel Baptist

PLEDGE OF ALLEGIANCE

VISITOR RECOGNITION

● Sioux Falls Little League All-Stars

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Special City Council Meeting of Tuesday, July 18, 2017, at 2:30 p.m.

● Informational Meeting of Tuesday, July 18, 2017, at 4 p.m.

● City Council Meeting of Tuesday, July 18, 2017, at 7 p.m.

● Joint City Council/Minnehaha County Commission Meeting of Tuesday, July 25, 2017, at 5 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the July 28, 2017, memo.
2. A communication was received from Sarah Schreck requesting permission to consume, but not sell, beer and wine at the History Club of Sioux Falls, 758 S. Phillips Avenue, on Saturday, September 2, 2017, pursuant to SDCL 35-1-5.5, for a wedding reception.
3. A communication was received from Jessica Christians requesting permission to consume, but not sell, beer, wine, and liquor at the Old Courthouse Museum, 200 W. Sixth St., on Friday, October 13, 2017, from 5 p.m. to midnight, pursuant to SDCL 35-1-5.5 for an anniversary party.
4. A communication was received from Andy Schultz and Michaela Meiers requesting permission to consume, but not sell, wine and malt beverages at the History Club of Sioux Falls, 758 S. Phillips Avenue, on Saturday, October 14, 2017, pursuant to SDCL 35-1-5.5, for a wedding reception.
5. Report of Requests for Quotes for Fuel dated: July 13, 2017; #2 Dyed Diesel; 7,500 Gallons; Midway Service (\$1.5765); Cole's Petroleum (\$1.5738); Stern Oil (\$1.575); Harms Oil (\$1.5818); Howes Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Cole's Petroleum.
6. Report of Requests for Quotes for Fuel dated: July 17, 2017; #2 Clear Diesel; 7,500 Gallons; CHS, Inc. (\$1.93); Howe's Oil, Harms Oil and Midwest Oil, all no bid. Bid awarded to: CHS, Inc.
7. Report of Requests for Quotes for Fuel dated: July 17, 2017; Unleaded; 8,500 Gallons; Midway Service (\$1.7754); Cole's Petroleum (\$1.7727); Stern Oil (\$1.7883); Harms Oil (\$1.7790); Howes Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Cole's Petroleum.
8. Report of Request for Quotes for Fuel dated: July 19, 2017; E-10 Unleaded Ethanol/87 Octane; 8,500 Gallons; Cole's Petroleum (\$1.7666); Harms Oil (\$1.7778); Stern Oil (\$1.7882); CHS, Inc. (\$1.8100); Howes Oil (\$1.7845); Midway Service (\$1.7638); Olson Oil, no bid. Bid awarded to: Midway Service.
9. Report of Requests for Quotes for Fuel dated: July 21, 2017; #2 Dyed Diesel Fuel; 7,500 Gallons; Midway Service (\$1.6455); Cole's Petroleum (\$1.6412); Stern Oil (\$1.6440); Howes Oil (\$1.6435); CHS, Inc. (\$1.6850); Harms Oil and Olson Oil, all no bid. Bid awarded to: Cole's Petroleum.
10. Report of Requests for Quotes for Fuel dated: July 21, 2017; #2 Dyed Diesel and Unleaded Ethanol; 2,000 Gallons #2 Dyed Diesel and 6,000 Gallons

Unleaded Ethanol; Midway Service (\$1.7633 Unleaded and \$1.6260 #2 Dyed Diesel); Cole's Petroleum (\$1.7646 Unleaded and \$1.6197 #2 Dyed Diesel); Harms Oil (\$1.7633 Unleaded and \$1.6203 #2 Dyed Diesel); Howes Oil (\$1.7635 Unleaded and \$1.6240 #2 Dyed Diesel); Stern Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Harms Oil.

APPLICATIONS

11. Special One-Day Liquor Licenses for The Meadow Barn to be operated at the Multi-Cultural Center, 515 North Main Avenue, for weddings on September 23 and October 14, 2017.

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:

12. Ross Wickman, 4821 S. Dunlap Avenue, for 2016 property tax in the amount of \$868.87. Reason: computer delay in generating the form.
13. Alpha Center, 3405 S. Kiwanis, (parcel 59703) for 2016 property taxes in the amount of \$5,454.11. Reason: Tax exempt property purchased on August 12, 2016.
14. Alpha Center, 3405 S. Kiwanis, (parcel 59704) for 2016 property taxes in the amount of \$168.75. Reason: Tax exempt property purchased on August 12, 2016.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, August 15, 2017, at 7 p.m. for Items 15 through 23:

15. New 2017 Retail Wine License for The Stag s Head LLC, The Stag s Head, 6205 Old Village Place (CUP not required).
16. New 2017-18 Retail Malt Beverage License for The Stag s Head LLC, The Stag s Head, 6205 Old Village Place (CUP not required).
17. Request to include video lottery terminals with the new 2017-18 Retail Malt Beverage License for The Stag s Head LLC, The Stag s Head, 6205 Old Village Place.
18. New 2017 Retail Wine License for Envy Nail & Spa LLC, Envy Nail & Spa, 4212 West Empire Place (CUP not required).
19. New 2017-18 Retail Malt Beverage License for Envy Nail & Spa LLC, Envy Nail & Spa, 4212 West Empire Place (CUP not required).

20. New 2017 Off-Sale Delivery License for TSlat Inc., JJ s Wine, Spirits & Cigars, 4810 South Western Avenue.
21. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America, Chef Dominique s Catering to be operated at Poet, 4615 North Lewis Avenue, for a social on August 22, 2017.
22. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Stockyards Plaza Inc., to be operated at Stockyards Ag Experience Barn, 301 East Falls Park Drive, for donor appreciation events on August 23 & 24, 2017.
23. Special One-Day Malt Beverage License for The Banquet to be operated at Cliff Avenue Greenhouse & Garden Center, 2101 East 26th Street, for a fundraiser on October 5, 2017.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

24. New 2017-18 Package Malt Beverage/South Dakota Farm Winery License for 57th Street Lodging Partners Corporation, Hampton Inn & Suites, 3701 West Avera Drive (CUP not required). Pending final inspections per Building Services.
25. New 2017-18 Package Malt Beverage/South Dakota Farm Winery License for Meat Lodge LLC, Meat Lodge, 3505 North Cliff Avenue (CUP not required).
26. New 2017-18 Retail Malt Beverage/South Dakota Farm Winery for The Hideout LLC, The Hideout, 1213 North Cliff Avenue (CUP not required). Pending final inspections per Fire and Health.
27. New 2017-18 Package Malt Beverage License for Convenience Plus Inc., Convenience Plus Inc., 1104 East 10th Street (CUP not required).
28. New 2017 Off-Sale Delivery License for Dominique Fontenille, The Liquid Warehouse, 230 South Phillips Avenue, Suite 100.
29. Transfer of 2017 Retail Wine License, with video lottery terminals, from Tri State Gaming, Full House Casino, 5005 West 12th Street, to TJT Inc., Jokerz Casino 3, 5005 West 12th Street.
30. Transfer of 2017-18 Retail Malt Beverage License, with video lottery

terminals, from Tri State Gaming, Full House Casino, 5005 West 12th Street, to TJT Inc., Jokerz Casino 3, 5005 West 12th Street.

31. Special One-Day Wine License for Butterfly House & Marine Cove, 4320 South Oxbow Avenue, for a fundraiser on August 8, 2017.
32. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Minnehaha & Lincoln County Democrats to be operated at 758 South Phillips Avenue, for a fundraiser on August 17, 2017.
33. Special One-Day Malt Beverage License for Sickies ND Inc, Sickies Garage to be operated in Sickies Garage parking lot, 2616 South Louise Avenue, for the Bike Night finale on August 23, 2017.
34. Special One-Day Liquor License for Hy-Vee Inc., All Occasions by Hy-Vee to be operated at The Point is to Serve Church, 506 North Kiwanis Avenue, for a wedding reception on September 16, 2017.

INTRODUCTION AND ADOPTION OF ORDINANCES

35. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT NORTHEAST CORNER OF E. 6TH ST. AND N. BAHNSON AVE. FROM THE AG AGRICULTURE DISTRICT TO THE LW LIVE-WORK DISTRICT, PETITION NO. 6219-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-1).
36. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 4000 S. ELLIS RD. FROM THE AG AGRICULTURE DISTRICT TO THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 6687-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).
37. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED SOUTH OF E. MADISON ST. AND EAST OF N. SIX MILE RD. FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 6728-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).
38. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 1320 S. MINNESOTA AVE. FROM THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 6747-2017, 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 1806 E. MULBERRY ST. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT, PETITION NO. 6832-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission

recommends approval (6-0).

40. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 4900 S. COTTONWOOD PL. FROM THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT TO THE O OFFICE DISTRICT, PETITION NO. 6891-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).
41. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 3201 S. THEODORE AVE. FROM THE O OFFICE DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT, PETITION NO. 6906-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).
42. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED NORTH OF W. 57TH ST. AND WEST OF I-229 FROM THE LW LIVE-WORK DISTRICT TO THE O OFFICE AND C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICTS, PETITION NO. 6912-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).
43. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 5509 N. QUARRY AVE. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE I-1 LIGHT INDUSTRIAL DISTRICT, PETITION NO. 6937-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).
44. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 3810 N. CAREER AVE. FROM THE O OFFICE AND RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICTS TO THE LW LIVE-WORK DISTRICT, PETITION NO. 6938-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).
45. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 2601 E. 8TH ST. FROM THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT TO THE LW LIVE-WORK DISTRICT, PETITION NO. 6963-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).
46. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING GRATUITOUS TRANSFER OF REAL PROPERTY.
47. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING AN OFFER TO PURCHASE REAL PROPERTY FROM THE CITY OF SIOUX FALLS.

Set a date of hearing and 2nd Reading for Tuesday, August 8, 2017, at 7 p.m. for Item 48:

48. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 95: PARKS AND RECREATION, REQUIRING PARK BOARD COMPOSITION BASED ON CITY COUNCIL DISTRICTS.

Set a date of hearing and 2nd Reading for Tuesday, August 8, 2017, at 7 p.m.

for Item 49:

49. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 150: BUILDING, RENTAL HOUSING.

Set a date of hearing and 2nd Reading for Tuesday, August 15, 2017, at 7 p.m. for Item 50:

50. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 111: ALCOHOLIC BEVERAGES TO PROVIDE FOR AN OFF-SALE DELIVERY CLASSIFICATION AND FEE.

Set a date of hearing and 2nd Reading for Tuesday, August 22, 2017, at 5 p.m. at the Joint City Council/Minnehaha County Meeting for Item 51:

51. 1st Reading: AN ORDINANCE AMENDING THE 2002 REVISED JOINT ZONING ORDINANCE FOR MINNEHAHA COUNTY AND THE CITY OF SIOUX FALLS BY REZONING CERTAIN PROPERTY.

HEARINGS AND RESOLUTIONS

52. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF WILLOW RIDGE III ADDITION. Planning Commission recommends approval (6-0).

53. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF SPRINGDALE ADDITION. Planning Commission recommends approval (6-0).

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 JULY 13, 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.