

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, August 15, 2017 at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

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

Council Member Greg Neitzert
Council Member Rex Rolwing
Mayor Mike T. Huether

INVOCATION

● Pastor Randy Gehring, Our Savior's Lutheran Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● City Council Meeting of Tuesday, August 8, 2017, at 7 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the August 11, 2017, memo.
2. Approval of the notice change orders on the August 11, 2017, memo.
3. Report of Requests for Quotes for Fuel dated: August 2, 2017: Dyed Diesel #2; 7,500 gallons; Midway Service (\$1.7519); Cole's Petroleum (\$1.7517);

- Stern Oil (\$1.7561); Harms Oil (\$1.7583); Howes Oil (\$1.7495); CHS, Inc. (\$1.7999); and Olson Oil, no bid. Bid awarded to: Howes Oil.
4. Report of Requests for Quotes for Fuel dated: August 7, 2017; Dyed Diesel #2 and Unleaded; 7,500 gallons Dyed Diesel #2/8,500 gallons Unleaded; Midway Service (\$1.7520 DD #2/\$1.8478 UL); Cole's Petroleum (\$1.7570 DD #2/\$1.8659 UL); Stern Oil (\$1.7637 DD #2/\$1.8534 UL); Harms Oil (\$1.7739 DD #2/\$1.8709 UL); CHS, Inc. (\$1.8040 DD #2/\$1.9249 UL); Howes Oil and Olson Oil, both no bid. Bid awarded to: Midway Service.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, September 5, 2017, at 7 p.m. for Items 5 through 9:

5. New 2017 Retail Liquor License, including Sunday sales certificate, for Ted J. Thoms, business name to be determined, 400 North Main Avenue, Suite 206 (CUP not required).
6. Request to include video lottery terminals with the new 2017 Retail Liquor License, including Sunday sales certificate, for Ted J. Thoms, business name to be determined, 400 North Main Avenue, Suite 206 (CUP not required).
7. Transfer of 2017 Retail Liquor License, including Sunday sales certificate and video lottery terminals, from Sue Erickson, Happy Jacks Sioux Falls IV, 1211 East Benson Road, to MG Oil Company, Happy Jacks Sioux Falls IV, 1211 East Benson Road.
8. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s to be operated at Vance Thompson Vision, 3101 West 57th Street, for an open house on September 11, 2017.
9. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s to be operated at 2011 Austin Drive, for a United Way fundraiser on September 19, 2017.

Set a date of hearing for Tuesday, September 12, 2017, at 7 p.m. for Items 10:

10. A PROPOSED RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2018, AND THE 2018-2022 CAPITAL PROGRAM.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

11. New 2017 Retail Wine License for The Stag s Head LLC, The Stag s Head, 6205 Old Village Place (CUP not required). Pending final inspections per

Fire, Health & Building Services.

12. New 2017-18 Retail Malt Beverage License for The Stag s Head LLC, The Stag s Head, 6205 Old Village Place (CUP not required). Pending final inspections per Fire, Health & Building Services.
13. 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. Pending final inspections per Fire, Health & Building Services.
14. New 2017 Retail Wine License for Envy Nail & Spa LLC, Envy Nail & Spa, 4212 West Empire Place (CUP not required). Pending final inspections per Fire, Health & Building Services.
15. New 2017-18 Retail Malt Beverage License for Envy Nail & Spa LLC, Envy Nail & Spa, 4212 West Empire Place (CUP not required). Pending final inspections per Fire, Health & Building Services.
16. New 2017 Off-Sale Delivery License for TSlat Inc., JJ s Wine, Spirits & Cigars, 4810 South Western Avenue.
17. 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.
18. 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.
19. 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.

INTRODUCTION AND ADOPTION OF ORDINANCES

20. 2nd 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.
21. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY OF SIOUX FALLS, SD, BY REVISING BOUNDARIES FOR VOTING PRECINCTS AS SET FORTH IN SECTION 38.003 OF CHAPTER 38: ELECTIONS.
22. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES FOR CHAPTER 156: FLOODPLAIN MANAGEMENT.

Set a date of hearing and 2nd Reading for Tuesday, September 5, 2017, at 7 p.m. for Item 23:

23. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 1600 W. 51ST ST. FROM THE UNZONED AND I-1 LIGHT INDUSTRIAL DISTRICTS TO THE S-1 GENERAL INSTITUTIONAL AND I-1 LIGHT INDUSTRIAL DISTRICTS PETITION NO. 6596-2017, 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 5, 2017, at 7 p.m. for Item 24:

24. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 426 W. 7TH ST. FROM THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT PETITION NO. 6980-2017, 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 5, 2017, at 7 p.m. for Item 25:

25. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 430 W. 7TH ST. FROM THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT PETITION NO. 6982-2017, 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 5, 2017, at 7 p.m. for Item 26:

26. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE NW CORNER OF E. 85TH ST. AND S. CLIFF AVE. FROM THE AG AGRICULTURE DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT PETITION NO. 6998-2017, 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 5, 2017, at 7 p.m. for Item 27:

27. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED EAST OF S. SYCAMORE AVE. AND NORTH OF E. 41ST ST. FROM THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT TO THE RD-1 TWIN HOME/ DUPLEX RESIDENTIAL SUBURBAN, O OFFICE, AND C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICTS PETITION NO. 7071-2017, 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 5, 2017, at 7 p.m. for Item 28:

28. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED NORTH OF W. 41ST ST. AND WEST OF S. ELLIS RD. FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT PETITION NO. 7078-2017, 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 5, 2017, at 7 p.m. for Item 29:

29. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT NE CORNER OF W. BENSON RD. AND N. OKLAHOMA AVE. FROM THE O OFFICE DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT PETITION NO. 7080-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF

SIOUX FALLS. Planning Commission recommends approval (7-0).

HEARINGS AND RESOLUTIONS

30. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF A SCULPTURE ON PUBLIC PROPERTY. (Hey Mary Lou, Blindside)
31. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF A SCULPTURE ON PUBLIC PROPERTY. (Trudy Peckham Memorial)
32. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.
33. A RESOLUTION APPROVING A JOINT POWERS AGREEMENT BETWEEN THE SOUTH DAKOTA OFFICE OF ATTORNEY GENERAL AND THE SIOUX FALLS POLICE DEPARTMENT.

NOTICE OF HEARINGS FOR STREET VACATIONS

Set a hearing date for Tuesday, September 12, 2017, at 7 p.m. for Items 34 and 35:

34. A PROPOSED RESOLUTION VACATING THE N. COCKATIEL AVE. RIGHT-OF-WAY FROM THE SOUTH RIGHT-OF-WAY LINE OF W. AMBER ST. TO 102.50' SOUTH.
35. A PROPOSED RESOLUTION VACATING A PORTION OF THE MALL AVENUE RIGHT-OF-WAY AS SHOWN ON EXHIBIT A.

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)

36. REPORT OF THE AUGUST 4, 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.