

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Tuesday, January 2, 2018 at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

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

Council Member Michelle Erpenbach

Mayor Mike T. Huether

INVOCATION

● Dr. Ron Tottingham, Empire Baptist Temple

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● City Council Meeting of Tuesday, December 19, 2017, at 7 p.m.

● Special City Council Meeting of Tuesday, December 26, 2017, at 7 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the December 29, 2017, memo.

2. Approval of the notice of change orders on the December 29, 2017, memo.

3. Report of Requests for Quotes for Fuel dated: December 13, 2017; #1 and #2 Clear Diesel; 9,000 Gallons; CHS, Inc. (#1 Clear Diesel \$2.546 and #2 Clear Diesel \$2.296); Howes Oil (#1 Clear Diesel \$2.5125 and #2 Clear Diesel \$2.277); Harms Oil (#1 Clear Diesel \$2.48 and #2 Clear Diesel \$2.263); Midwest Oil, no bid. Bid awarded to: Harms Oil.
4. Report of Requests for Quotes for Fuel dated: December 14, 2017; #1 and #2 Dyed Diesel; 3,750 Gallons for #1 and 3,750 Gallons for #2; Midway Service (#1 Dyed Diesel, \$2.1585 and #2 Dyed Diesel, \$1.9484); Cole's Petroleum (#1 Dyed Diesel, \$2.1602 and #2 Dyed Diesel, \$1.9452); Harms Oil (#1 Dyed Diesel, \$2.6710 and #2 Dyed Diesel, \$2.4613); Howes Oil (#1 Dyed Diesel, \$2.1790 and #2 Dyed Diesel, \$1.9360). Stern Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Cole's Petroleum.
5. Report of Requests for Quotes for Fuel dated: December 21, 2017; Unleaded; 8,500 Gallons; Midway Service (\$1.9293); Cole's Petroleum (\$1.9760); Howes Oil (\$2.1260); Stern Oil, Harms Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Midway Service.
6. Report of Requests for Quotes for Fuel dated: December 21, 2017; #1 and #2 Clear Diesel; 7,500 Gallons; CHS, Inc. (#1 Clear Diesel, \$2.558 and #2 Clear Diesel, \$2.313); Howes Oil (#1 Clear Diesel, \$2.5475 and #2 Clear Diesel, \$2.299) Harms Oil and Midwest Oil, no bid. Bid awarded to: Howes Oil.
7. Report of Requests for Quotes for Fuel dated: December 21, 2017; Dyed Diesel 50/50; 15,550 Gallons; CHS, Inc. (#1 Dyed Diesel, \$2.2800 and #2 Dyed Diesel, \$2.040); Cole's Petroleum (for Chambers Street: #1 Dyed Diesel, \$2.2750 and #2 Dyed Diesel, \$2.0350 and for the Landfill: #1 Dyed Diesel, \$2.2528 and #2 Dyed Diesel, \$2.0188); Howes Oil (Only bid was for Fire Station 3 at \$2.2890 for 50/50 blend); Stern Oil, Harms Oil and Olson Oil, all no bid. Bid awarded to: Cole's Petroleum for Chambers Street and the Landfill; Howes Oil for Fire Station 3.

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. City of Sioux Falls, 224 W. 9th Street, Parcel #47059, for 2016 property taxes in the amount of \$3,011.43. Reason: Property purchased on May 15, 2015.
9. First Slavic Church, 3205 S. Six Mile Road, for 2016 property taxes in the amount of \$5,706.19. Reason: Building of the church, abate for one year.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, January 16, 2018, at 7 p.m. for Items 10

through 14:

10. New 2017-18 Retail Malt Beverage License for Josiah s Limited Partnership, Josiah s Coffeeshouse & Cafø, 104 West 12th Street (CUP not required).
11. New 2018 Retail Wine License for Josiah s Limited Partnership, Josiah s Coffeeshouse & Cafø, 104 West 12th Street (CUP not required).
12. Special One-Day Liquor License for Westward Ho Country Club Inc., The Country Club of Sioux Falls, to be operated at 316 South Phillips Avenue, for a Parent Advocates for Spanish Immersion fundraiser on January 27, 2018.
13. Special One-Day Wine License for Butterfly House & Aquarium to be operated at 4320 South Oxbow Avenue, for a fundraiser on February 1, 2018.
14. Special One-Day Liquor License for Philanthropy Promotions Inc., to be operated at 2101 West Burnside, for a Pheasant Fest Vendor Reception on February 15, 2018.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

15. Deferred from the City Council Meeting of Tuesday, December 19, 2017: New 2017-18 Retail Malt Beverage License for Davlon Inc., Shop N Cart Northwest, 400 North West Avenue, Suite, 102, with Conditional Use Permit (6224-2017) being approved on February 1, 2017. Pending final inspections per Fire, Health and Building Services.
16. Deferred from the City Council Meeting of Tuesday, December 19, 2017: Request to include video lottery terminals with the new 2017-18 Retail Malt Beverage License for Davlon Inc., business name to be determined, 400 North West Avenue, Suite 102, with Conditional Use Permit (6224-2017) being approved on February 1, 2017. Pending final inspections per Fire, Health and Building Services.
17. New 2018 Retail Wine License for Dakota Seafood Sioux Falls, Dakota Seafood Sioux Falls, 5009 South Western Avenue, Suite 200, with Conditional Use Permit (7688-2017) being approved on December 6, 2017. Pending final inspections per Fire, Health and Building Services.
18. New 2017-18 Retail Malt Beverage License for Dakota Seafood Sioux Falls,

Dakota Seafood Sioux Falls, 5009 South Western Avenue, Suite 200, with Conditional Use Permit (7688-2017) being approved on December 6, 2017. Pending final inspections per Fire, Health and Building Services.

19. Transfer of 2017-18 Retail Malt Beverage License from Tokyo Sushi & Hibachi Steakhouse LLC, Tokyo Sushi & Hibachi Steakhouse, 3202 East 10th Street, to Tokyo Sushi & Hibachi Steakhouse SD LLC, Tokyo Sushi & Hibachi Steakhouse, 3202 East 10th Street.
20. Transfer of 2017 Retail Wine License from Tokyo Sushi & Hibachi Steakhouse LLC, Tokyo Sushi & Hibachi Steakhouse, 3202 East 10th Street, to Tokyo Sushi & Hibachi Steakhouse SD LLC, Tokyo Sushi & Hibachi Steakhouse, 3202 East 10th Street.
21. Renewal of 2018 Retail Wine License for Tokyo Sushi & Hibachi Steakhouse SD LLC, Tokyo Sushi & Hibachi Steakhouse, 3202 East 10th Street.
22. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Great Bear Recreation Park Inc., Great Bear Recreation Park to be operated at Media One, 3918 South Western Avenue, for a Chamber Mixer on January 9, 2018.
23. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Zoological Society Sioux Falls to be operated at the Great Plains Zoo & Delbridge Museum, 805 South Kiwanis Avenue, for a chamber mixer on March 13, 2018.
24. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Minnehaha Country Club Inc. to be operated at Lawrence & Schiller, 3932 South Willow Avenue, for a special event on January 5, 2018.

INTRODUCTION AND ADOPTION OF ORDINANCES

25. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 212 S. WILLOW AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT PETITION NO. 7680-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).
26. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 6300 AND 6400 W. 43RD ST. FROM THE RA-1 APARTMENT RESIDENTIAL LOW-DENSITY DISTRICT TO THE O OFFICE DISTRICT PETITION NO. 7734-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).
27. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED SOUTH OF E. MADISON ST. AND EAST OF N. DUBUQUE AVE. FROM THE RS SINGLE FAMILY RESIDENTIAL SUBURBAN AND CN CONSERVATION DISTRICTS TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN, RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN, RD-2 TOWNHOME RESIDENTIAL SUBURBAN, AND REC

RECREATION DISTRICTS PETITION NO. 7735-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

Set a date of hearing and 2nd Reading for Tuesday, January 9, 2018, at 7 p.m. for Item 28:

28. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD (THE CITY) REPEALING ORDINANCE NO. 119-17 AUTHORIZING THE ISSUANCE OF ITS SALES TAX REVENUE BONDS AND OTHER ACTIONS RELATED THERETO.

Set a date of hearing and 2nd Reading for Tuesday, January 9, 2018, at 7 p.m. for Item 29:

29. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD (THE CITY) REPEALING ORDINANCE NO. 120-17 AUTHORIZING THE MAYOR TO ENTER INTO A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND LEGACY DEVELOPMENT & CONSULTING COMPANY, LLC AND OTHER ACTIONS RELATED THERETO.

Set a date of hearing and 2nd Reading for Tuesday, January 9, 2018, at 7 p.m. for Item 30:

30. 1st Ordinance: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROPOSING A CITY CHARTER AMENDMENT FOR THE APRIL 2018 ELECTION THROUGH CHARTER AMENDMENT ARTICLE VIII, SECTION 8.01(b).

HEARINGS AND RESOLUTIONS

31. A RESOLUTION ESTABLISHING THE SIOUX FALLS CITY COUNCIL S CITIZEN RECOGNITION PROGRAM.

32. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SD. Annexation 7772-2017 and 7786-2017 - Kappenman Property (E. 26th St. and S. Veterans Pkwy.)

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 21, 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.