

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, February 20, 2018 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 Rolwing

Council Member Marshall Selberg

Council Member Pat Starr

Mayor Mike T. Huether

INVOCATION

● Reverend Brett Best , Emmanuel Baptist Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● City Council Meeting of Tuesday, February 13, 2018, at 7 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the February 16, 2018, memo.
2. Report for Requests for Quotes for Fuel dated: February 8, 2018; #1 & #2 Dyed Diesel; 3,750 Gallons each; Stern Oil (\$2.3222 #1 DM & \$2.0585 #2 DM); Harms Oil, Cole's Petroleum, CHS, Inc., Howes Oil, Midway Service, and Olson Oil, all no bid. Bid awarded to: Stern Oil.

3. Report of Requests for Quotes for Fuel dated: February 9, 2018; Clear Diesel # 1 & #2; 4,500 Gallons each; CHS, Inc., (\$2.345 #1 CM & \$2.6075 #2 CM); Harms Oil (\$2.3178 #1 CM & \$2.5843 #2 CM); Howes Oil and Midwest Oil, both no bid. Bid awarded to: Harms Oil.
4. Report of Requests for Quotes for Fuel dated: February 13, 2018; Unleaded; 8,500 Gallons; Midway Service (\$1.9939); Cole's Petroleum (\$1.9594); Stern Oil (\$2.0775); Harms Oil (\$1.9688); Howes Oil (\$1.9649); CHS, Inc. and Olson Oil, both no bid. Bid awarded to: Cole's Petroleum.
5. Approval of the SIOUXPERHERO Committee's recommendation that the City Council award the following individuals the SIOUXPERHERO citizen recognition award: Angela DeClerk, Laurie Fluit, Clair Halverson, Jayme Nelson, and Tessica Severson.

APPLICATIONS

The following abatements were recommended for approval by the Director of Equalization and deemed legally sufficient by the State's Attorney's Office for Minnehaha County and the City Attorney for Sioux Falls:

6. Masjid Attakwa, 710 S. West Ave., Parcel #52938, for 2016 property taxes in the amount of \$397.04. Reason: property is exempt from the tax.

Items 7 through 9: the amount requested is the difference between the elderly freeze and the non-elderly freeze.

7. Bob Wittrock, 703 Hermosa Dr., Parcel #32216, for 2017 property taxes in the amount of \$263.40.
8. Robert Natz, 2113 S. Western Ave., Parcel # 35043, for 2017 property taxes in the amount of \$611.28.
9. Norma Robinson, 2909 E. 23rd St., Parcel #36100, for 2017 property taxes in the amount of \$744.93.

The following abatements were recommended for approval by the Director of Equalization and deemed legally sufficient by the State's Attorney's Office for Lincoln County and the City Attorney for Sioux Falls:

10. Whispering Woods South, LLC., 5200 S Cliff Ave., for 2017 property taxes in the amount of \$435.95. Reason: wrong acres assessed for the 2017 assessment; new plat.
11. Norman and Karen Johnson, 704 E. Shadow Creen Ln., for 2017 property taxes in the amount of \$490.90. Reason: wrong assessment placed on the 2017 assessment.

12. Parcel #281.59.24.009A for 2017 property taxes in the amount of \$2,666.36.
Reason: the applicant qualifies for property exemption under SDCL 10-4-40.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, March 6, 2018, at 7 p.m. for Items 13 through 29:

13. Transfer of 2018 Retail Wine License from Max Nguyen, Nails Art, 5012 South Cliff Avenue, to Nails Art LLC, Nails Art, 5012 South Cliff Avenue, with Conditional Use Permit (2014-09-03) being approved on October 1, 2014.
14. Transfer of 2017-18 Retail Malt Beverage License, with video lottery terminals, from Nelson Operating Company, Friday s Hero, 1004 West 18th Street, to Nelson Operating Company, Northstar Grill & Pub, 4305 West 61st Street North (full service restaurant; CUP not required).
15. New 2018 Retail Wine License for Nelson Operating Company, Northstar Grill & Pub, 4305 West 61st Street North (full services restaurant; CUP not required).
16. New 2018 Retail Wine License for Shop Dog LLC, Shop Dog, 5015 South Western Avenue, Suite 130 (CUP not required).
17. New 2017-18 Retail Malt Beverage License for Myers LLC, Myers Deli, 221 South Phillips Avenue (CUP not required).
18. New 2018 Retail Wine License for Myers LLC, Myers Deli, 221 South Phillips Avenue (CUP not required).
19. New 2018 Package Liquor License for Shenanigan s Pub Inc., Shenanigan s Sports Bar & Grill, 1903 South Ellis Road (CUP not required; this is an addition to an existing license).
20. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Stockyards Ag Experience, 300 East Falls Park Drive, for a Young Professionals Network event on March 8, 2018.
21. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America, Chef Dominique s Catering to be operated at Dakota Dental, 208 West 37th Street, for a retirement open house on March 22, 2018.
22. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Senior Citizens Services to be operated at Active Generations, 2300 West 46th Street, for fundraiser events on March 22 and April 29, 2018.

23. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Westward Ho Country Club Inc., The Country Club of Sioux Falls to be operated at Great Western Bank, 225 South Main Avenue, for a Chamber Mixer on April 10, 2018.
24. Special One-Day Liquor License for Butterfly House & Aquarium, 4320 South Oxbow Avenue, for a fundraiser on April 20, 2018.
25. Special One-Day Wine License for Siouxland Heritage Museums to be operated at Pettigrew Home & Museum, 131 North Duluth Avenue, for History Happy Hour on April 26 and August 30, 2018.
26. Special One-Day Malt Beverage License for Sisters of the Presentation of the Blessed Virgin Mary to be operated at Falls Park, 305 East Falls Park Drive, for a fundraiser on May 12, 2018.
27. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sioux Falls Area Community Foundation to be operated at Sanford Imagenetics, 1321 West 22nd Street, for a fundraiser on May 3, 2018.
28. Special One-Day Malt Beverage License for Siouxland Heritage Museums to be operated at Pettigrew Home & Museum, 131 North Duluth Avenue, for History Happy Hour on May 24, 2018.
29. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sioux Falls Jazz & Blues Society to be operated at Yankton Trail Park, 3901 South Minnesota Avenue, for JazzFest on July 20 and 21, 2018.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

30. Special One-Day Malt Beverage License for Siouxland Heritage Museums to be operated at Pettigrew Home & Museum, 131 North Duluth Avenue, for History Happy Hour on February 22, 2018.

INTRODUCTION AND ADOPTION OF ORDINANCES

31. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 36 TO REQUIRE PROPOSED MANAGEMENT CONTRACTS FOR THE CITY S PUBLIC FACILITIES OR PROPERTIES BE

PRESENTED AT EITHER AN INFORMATIONAL MEETING, WORKING SESSION, OR STANDING COMMITTEE OF THE CITY COUNCIL SEVEN DAYS PRIOR TO ITS CONSIDERATION.

Set a date of hearing and 2nd Reading for Tuesday, March 6, 2018, at 7 p.m. for Item 32:

32. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SOUTHEAST CORNER OF W. BENSON RD. AND I-29 FROM THE I-1 LIGHT INDUSTRIAL DISTRICT TO THE C-4 COMMERCIAL REGIONAL DISTRICT, PETITION NO. 7972-2018, 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, March 6, 2018, at 7 p.m. for Item 33:

33. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SOUTHWEST CORNER OF E. 18TH ST. AND S. DARRYL PL. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE C-3 COMMERCIAL COMMUNITY DISTRICT, PETITION NO. 7973-2018, 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, March 6, 2018, at 7 p.m. for Item 34:

34. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 5600 W. UNIVERSITY TRL. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT TO THE PEDESTRIAN-ORIENTED PLANNED UNIT DEVELOPMENT DISTRICT, PETITION NO. 7975-2018, 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, March 6, 2018, at 7 p.m. for Item 35:

35. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 3015 S. MINNESOTA AVE. FROM THE C-3 COMMERCIAL COMMUNITY DISTRICT TO THE C-4 COMMERCIAL REGIONAL DISTRICT, PETITION NO. 7978-2018, 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, March 6, 2018, at 7 p.m. for Item 36:

36. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE NORTHEAST CORNER OF W. 12TH ST. AND S. MARION RD. FROM THE I-1 LIGHT INDUSTRIAL AND C-3 COMMERCIAL COMMUNITY DISTRICTS TO THE I-1 LIGHT INDUSTRIAL AND C-3 COMMERCIAL COMMUNITY DISTRICTS, PETITION NO. 7980-2018, 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, March 6, 2018, at 7 p.m. for Item 37:

37. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED EAST OF N. WESTPORT AVE AND SOUTH OF W. 54TH ST. N. FROM THE AG AGRICULTURE DISTRICT TO THE S-2 INSTITUTIONAL CAMPUS PLANNED UNIT DEVELOPMENT DISTRICT, PETITION NO. 7981-2018, 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, March 6, 2018, at 7 p.m. for Item 38:

38. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 30: CITY COUNCIL, SUBCHAPTER ORGANIZATION AND PROCEDURE, BY ADDING SUBSECTION (b) TO SECTION 30.029 TO REQUIRE DELIVERY OF ANY NOTICES OF INTENT TO SUE TO THE CITY COUNCIL.

HEARINGS AND RESOLUTIONS

39. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF SCULPTURES ON PUBLIC PROPERTY FOR AN INTERNATIONALLY RECOGNIZED VISUAL ARTS PROGRAM KNOWN AS SCULPTUREWALK SIOUX FALLS 2018.
40. A RESOLUTION APPROVING THE RELEASE OF A PERMANENT EASEMENT LOCATED IN LOT 1, BLOCK 1A BROWN DRUG ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SD, AND THAT PART OF VACATED MALL AVE. LYING ADJACENT THERETO.
41. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING DIAGONAL PARKING ON SEVENTH ST.
42. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING DIAGONAL PARKING ON PHILLIPS AVE.
43. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING DIAGONAL PARKING ON DAKOTA AVE.
44. A RESOLUTION APPROVING THE 2018 AUDIT PLAN.
45. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, PROVIDING THE CITY COUNCIL S DIRECTION REGARDING THE USE OF AVAILABLE CASH ON HAND TO BE USED TOWARD REFUNDING THE 2007B SALES TAX REVENUE BONDS.

NOTICE OF HEARINGS FOR STREET VACATIONS

Set a hearing date for Tuesday, March 13, 2018, at 7 p.m. for Items 46 and 47:

46. A PROPOSED RESOLUTION VACATING A PORTION OF THE 66' SECTION LINE RIGHT-OF-WAY NORTH AND SOUTH OF THE EAST/WEST 1/4 LINE OF SECTIONS 2 AND 3, TOWNSHIP 101 NORTH, RANGE 49 WEST OF THE 5TH P.M., MINNEHAHA COUNTY, SD.
47. A PROPOSED RESOLUTION VACATING THE E. 34TH ST. N. RIGHT-OF-WAY FROM THE WEST RIGHT-OF-WAY LINE OF N BAHNSON AVE. TO THE WEST, A DISTANCE OF 1,037.90 FEET.

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.