

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, March 20, 2018 at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Rick Kiley

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

Mayor Mike T. Huether

INVOCATION

● Pastor JR Worley, Celebrate Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, March 13, 2018, at 4 p.m.

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

COMMUNICATIONS

1. Approval of contracts/agreements on the March 16, 2018, memo.
2. A communication was received from Royal Sonsalla requesting permission to consume, but not sell, beer and wine at the Old Courthouse Museum, 200 W. 6th St., on Saturday, May 12, 2018, for a wedding.
3. Sioux Area Metro Report of Requests for Quotes for Fuel dated: March 8,

2018; 50/50 Blend #1 and #2 Clear Diesel; 7,500 Gallons; CHS, Inc. (#1 Clear diesel \$2.485 and #2 Clear Diesel \$2.305); Midwest Oil, Harms Oil, Howes Oil, all no bid. Bid awarded to: CHS, Inc.

4. Report of Requests for Quotes for Fuel dated: March 9, 2018; Dyed Diesel # 1 and 3,750 Dyed Diesel # 2; 3,750 Gallons; Midway Service (\$2.0410 #1 & \$1.9765 #2); Cole s Petroleum (\$2.0380 #1 & \$1.9760 #2); CHS, Inc. (\$2.1800 #1 & \$2.0200 #2); Harms Oil, Howes Oil, Stern Oil, and Olson Oil, all 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: Joel Cook and Dave Lokke.
6. Appoint 66 Precinct Superintendents and 165 Precinct Deputies for the April 10, 2018, and May 1, 2018 Elections.

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:

7. Crusher Investment Company, Parcel # 54496, for 2017 property taxes in the amount of \$232.24. Reason: record was voided; is on another parcel.
8. Sam Nastase, 601 S. Bahnson Ave., for 2017 property taxes in the amount of \$942.62. The amount requested is the difference between the elderly freeze and the non-elderly freeze.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, April 3, 2018, at 7 p.m. for Items 9 through 35:

9. New 2017-18 Retail Malt Beverage License for West Mall Theatres Inc., West Mall 7, 2101 West 41st Street, #33 (CUP not required).
10. New 2018 Retail Wine License for West Mall Theatres Inc., West Mall 7, 2101 West 41st Street, #33 (CUP not required).
11. New 2018 Retail Wine License for Corner Pub & Casino Inc., Corner Pub and Casino, 2408 East 6th Street (CUP not required, this is an addition to an existing license which predates the ordinance).
12. Transfer of 2018 Retail Liquor License, including Sunday sales and video lottery terminals, from Liebrary Holdings, Inc., Liebrary Bar, 5108 South

Marion Road, to MG Oil Company, Liebrary Bar, 5108 South Marion Road.

13. Transfer of 2018 Retail Liquor License, including Sunday sales and video lottery terminals, from SD Billy Frogs, Inc., Billy Frogs Bar and Grill, 5002 South Marion Road, to MG Oil Company, Billy Frogs, 5002 South Marion Road.
14. Transfer of 2018 Retail Liquor License, including Sunday sales and video lottery terminals, from Red Eye Holdings, Inc., Red Eye Bar, 5013 North Cliff Avenue, to MG Oil Company, Red Eye Bar, 5013 North Cliff Avenue.
15. Transfer of 2018 Retail Liquor License, including Sunday sales and video lottery terminals, from Taylor Ventures, Inc., Bubba J s, 114 North Indiana Avenue, to MG Oil Company, Bubba J s, 114 North Indiana Avenue.
16. Transfer of 2018 Retail Liquor License, including Sunday sales and video lottery terminals, from Our Ventures, Inc., The 18th Amendment, 1301 West 41st Street, to MG Oil Company, The 18th Amendment, 1301 West 41st Street.
17. Transfer of 2017-18 Retail Malt Beverage License, including video lottery terminals, from Pinball Inc., Jokerz 5, 2220 South Minnesota Avenue, Suite 100, to MG Oil Company, Jokerz 5, 2220 South Minnesota Avenue, Suite 100.
18. Transfer of 2017-18 Retail Malt Beverage License, including video lottery terminals, from Pinball Inc., Jokerz 6, 2220 South Minnesota Avenue, Suite 102, to MG Oil Company, Jokerz 6, 2220 South Minnesota Avenue, Suite 102.
19. Transfer of 2017-18 Retail Malt Beverage License, including video lottery terminals, from TJT Inc., Jokerz Too Casino, 2401 West 12th Street, to MG Oil Company, Jokerz Too Casino, 2401 West 12th Street.
20. Transfer of 2018 Retail Wine License, including video lottery terminals, from TJT Inc., Jokerz Too Casino, 2401 West 12th Street, to MG Oil Company, Jokerz Too Casino, 2401 West 12th Street.
21. Transfer of 2017-18 Retail Malt Beverage License, including video lottery terminals, from TJT Inc., Jokerz 3, 5005 West 12th Street, to MG Oil Company, Jokerz 3, 5005 West 12th Street.
22. Transfer of 2018 Retail Wine License, including video lottery terminals, from TJT Inc., Jokerz 3, 5005 West 12th Street, to MG Oil Company, Jokerz 3, 5005 West 12th Street.
23. Transfer of 2017-18 Retail Malt Beverage License, including video lottery terminals, from TJT Inc., Jokerz 4, 2218 South Minnesota Avenue, to MG Oil Company, Jokerz 4, 2218 South Minnesota Avenue.
24. Transfer of 2018 Retail Wine License, including video lottery terminals,

from TJT Inc., Jokerz 4, 2218 South Minnesota Avenue, to MG Oil Company, Jokerz 4, 2218 South Minnesota Avenue.

25. Transfer of 2017-18 Retail Malt Beverage License, including video lottery terminals, from Stanton Inc., Chubby s, 2309 West Madison Street, to Osmina Halilovic, Emina Sports Coffee Bar, 2309 West Madison Street, with Conditional Use Permit (8110-2018) being approved on March 7, 2018.
26. Transfer of 2018 Retail Liquor License, including Sunday sales and video lottery terminals, from CPAG LLC, The Rush, 2701 West 41st Street, to CPAG LLC, The Rush, 2701 West 41st Street, to include the fenced outdoor patio area located on the east side of the building.
27. Transfer of 2017-18 Retail Malt Beverage License, including video lottery terminals, from Neon Corporation, Neon Diner and Casino, 4101 East 10th Street, to Neon Properties, Neon Casino, 4101 East 10th Street.
28. Transfer of 2018 Retail Liquor License, including Sunday sales, from Bracco Limited Partnership, Bracco, 5001 South Western Avenue, to Vanguard Hospitality, Turks & Caicos Cabana Grille, 5001 South Western Avenue.
29. Transfer of 2018 Retail Liquor License, including Sunday sales, from Elmwood Hospitality, Crooked Pint Ale House, 2020 West Russell Street, to Elmwood Hospitality, Crooked Pint Ale House/Holiday Inn Hotel & Suites, 2020-2040 West Russell Street (CUP not required).
30. Transfer of 2018 Retail Liquor License, including Sunday sales, from Porter Apple Company Inc., Applebee s Neighborhood Grill & Bar, 3221 East 10th street, to Apple SF2 LLC, Applebee s Neighborhood Grill & Bar, 3221 East 10th Street, with an effective date of April 16, 2018.
31. Transfer of 2018 Retail Liquor License, including Sunday sales, from Porter Apple Company Inc., Applebee s Neighborhood Grill & Bar, 4001 West 41st Street, Suite 932, to Apple SXF LLC, Applebee s Neighborhood Grill & Bar, 4001 West 41st Street, Suite 932, with an effective date of April 16, 2018.
32. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Augustana University, 2001 South Summit Avenue, for a special event on April 13, 2018.
33. 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 Sioux Falls Ford, 4901 West 26th Street, for a social event on April 18, 2018.
34. Special One-day Malt Beverage License for Falls Area Single Track to be operated at the Great Outdoor Store, 201 East 10th Street, for a fundraiser on April 21, 2018.

35. Special One-Day Liquor License request for TNT Entertainment, Wiley s Tavern to be operated at 337 North Phillips Avenue (Albert House parking lot), for an outdoor concert on July 13, 2018.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

36. New 2017-18 Package Malt Beverage License for Bwengbugal Matembera & Cynthia Yeanay, Glo Mini Market, 1300 West 12th Street (CUP not required). Pending final inspections per Building Services.
37. Transfer of 2017-18 Package Malt Beverage License from Berenise Garcia-Navarett & Alberto Carranza, Mi Casa Latina Mexican Store, 809 South Marion Road, to Mi Casa Latina Mexican Store LLP, Mi Casa Mexican Store, 809 South Marion Road (CUP not required).
38. Special One-Day Malt Beverage License for Sioux Falls Cyclones Inc., to be operated at Riverdale Park, 2000 East 24th Street, for a fundraiser run on April 7, 2018.

INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Tuesday, April 3, 2018, at 7 p.m. for Item 39:

39. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES FOR CHAPTER 156: FLOODPLAIN MANAGMENT.

Set a date of hearing and 2nd Reading for Tuesday, April 3, 2018, at 7 p.m. for Item 40:

40. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 160: ZONING, SUBCHAPTER: ON-PREMISES SIGN REGULATIONS.

Set a date of hearing and 2nd Reading for Tuesday, April 3, 2018, at 7 p.m. for Item 41:

41. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 160: ZONING, SUBCHAPTER: PARKING REGULATIONS.

Set a date of hearing and 2nd Reading for Tuesday, April 3, 2018, at 7 p.m. for Item 42:

42. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED SOUTH OF W. BENSON RD. AND EAST AND WEST OF N. WESTPORT AVE, FROM THE I-1, LIGHT INDUSTRIAL DISTRICT TO THE S-2, INSTITUTIONAL CAMPUS PLANNED UNIT DEVELOPMENT DISTRICT PETITION NO. 7983-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

Set a date of hearing and 2nd Reading for Tuesday, April 3, 2018, at 7 p.m. for Item 43:

43. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SW CORNER OF E. 26TH ST. AND S. VETERANS PARKWAY FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN, RD 1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN, RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY, RA-3 APARTMENT RESIDENTIAL HIGH DENSITY, O OFFICE, LW LIVE/WORK, C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR, C-3 COMMERCIAL COMMUNITY, AND CN CONSERVATION DISTRICTS PETITION NO. 8039 2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

Set a date of hearing and 2nd Reading for Tuesday, April 3, 2018, at 7 p.m. for Item 44:

44. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED NORTH OF E. MADISON ST. AND EAST/WEST OF N. VETERANS PARKWAY FROM THE LW LIVE/WORK AND C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICTS TO THE CN CONSERVATION DISTRICT PETITION NO. 8092-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

Set a date of hearing and 2nd Reading for Tuesday, April 3, 2018, at 7 p.m. for Item 45:

45. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED SOUTH OF E. 57TH ST. AND WEST OF S. GRAYSTONE AVE. FROM THE LW LIVE/WORK DISTRICT TO THE CN CONSERVATION DISTRICT NO. 8093-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

Set a date of hearing and 2nd Reading for Tuesday, April 3, 2018, at 7 p.m. for Item 46:

46. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED SOUTH OF E. 69TH ST. AND WEST OF S. SOUTHEASTERN AVE. FROM THE AG AGRICULTURE & RS, SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICTS TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN & RD-2 TOWNHOME RESIDENTIAL SUBURBAN

DISTRICTS PETITION NO. 8102-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

Set a date of hearing and 2nd Reading for Tuesday, April 3, 2018, at 7 p.m. for Item 47:

47. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 617 S. MAIN AVE. FROM THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT PETITION NO. 8107-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

HEARINGS AND RESOLUTIONS

48. A RESOLUTION OF THE CITY OF SIOUX FALLS SUPPORTING A MORE INCLUSIVE COMMUNITY.

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.