

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, April 17, 2018 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

● Major Thomas Riggs, Corps Officer, The Salvation Army

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● Soroptimist Days - April 27-29, 2018

● National Volunteer Week - April 15-22, 2018

● Sonja Swenson Day - April 17, 2018

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Wednesday, April 11, 2018, at 4 p.m.

● City Council Meeting of Wednesday, April 11, 2018, at 7 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the April 13, 2018, memo.
2. Deferred from the meeting of Wednesday, April 11, 2018: Approve the following items from Agenda Item 1: Water Reclamation, 23001, Sanitary Sewer Other Mains - 2018 Sanitary Sewer Repairs for Overlay Area; to award a bid; First Rate Excavate, Inc., \$524,444; and Water, 22056, City Wide Water Main Replacement - Garfield Avenue from 15th Street to 18th Street; to award a bid, Asphalt Surfacing Company, \$530,665.
3. Report of Requests for Quotes for Fuel dated: April 6, 2018; 8,500 gal of Unleaded; Cole s Petroleum (\$2.1222); Howes Oil (\$2.1205); Stern Oil (\$2.1751); Midway Service, CHS, Inc., Harms Oil, and Olson Oil, all no bid. Bid awarded to: Howes Oil.
4. Sioux Area Metro Report of Requests for Quotes for Fuel dated: April 4, 2018; 7,500 gal 25/75 Blend #1 and #2 Clear Diesel; Harms Oil (#1 Clear Diesel \$2.4601 and #2 Clear Diesel \$2.3766); Howes Oil (#1 Clear Diesel \$2.5095 and #2 Clear Diesel \$2.3895); CHS, Inc. (#1 Clear Diesel \$2.565 and #2 Clear Diesel \$2.415); Midwest Oil, no bid. Bid awarded to: Harms Oil.
5. A communication was received from Brienne Maner requesting permission to consume, but not sell beer and wine at the Sioux Falls State Theatre, 316 S. Phillips Ave., on Thursday, May 10, 2018, for a DTSF mixer.
6. A communication was received from John F. Nordlie requesting permission to consume, but not sell wine and malt beverage at the Messiah New Hope Lutheran Church, 5001 E. Madison St., on Sunday, June 3, 2018, for a fellowship event.
7. A communication was received from Dakota Jordan and Daniel Card requesting permission to consume, but not sell liquor, wine, and malt beverage at the Old Courthouse Museum, 200 W. 6th St., on Saturday, September 22, 2018, for a wedding reception.
8. Approval of the SIOUXPERHERO Committee's recommendation that the City Council award the following individuals the SIOUXPERHERO citizen recognition award: Gary & Lynne Wurgler, Susan Randall, Mark Sanderson.

APPLICATIONS

9. Various Retail Malt Beverage/South Dakota Farm Winery License renewals for 2018-19 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit A.

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:

10. City of Sioux Falls, 224 W. 9th St., for 2017 property taxes in the amount of \$441.50. The City purchased the property March 2, 2017, and is tax exempt.
11. City of Sioux Falls, 224 W. 9th St., for 2017 property taxes in the amount of \$1,405.85. The City purchased the property May 5, 2017, and is tax exempt.
12. City of Sioux Falls, 224 W. 9th St., for 2017 property taxes in the amount of \$1,668.78. The City purchased the property May 1, 2017, and is tax exempt.
13. City of Sioux Falls, 224 W. 9th St., for 2017 property taxes in the amount of \$2,872.04. The City purchased the property June 2, 2017, and is tax exempt.
14. George Haag, 1111 S. Bridgeport Pl., for 2017 property taxes in the amount of \$102.36. The amount requested is the difference between the elderly freeze and the non-elderly freeze.

The following abatement was recommended for and denied at the City Council Meeting of Tuesday, March 6, 2018. Reason: The Equalization Department did not receive an owner-occupied application for this taxpayer. This item was then approved by the Minnehaha County Commission and now comes before the City Council for reconsideration for approval.

15. Charlene Roth, 709 N. Blue Bell Ln., for 2017 property taxes in the amount of \$2,335.49. The County Commission did not agree with the recommendation of denial and approved this abatement. Since it is in City limits it must be addressed again by the City Council. The Commission meeting date was April 3, 2018.

The following abatement was recommended for denial by the Director of Equalization and the State's Attorney's Office for Lincoln County:

16. Laurie Reed, 7123 S. Bridger Pl., for 2017 property taxes in the amount of \$666.44.

NOTICE OF HEARINGS

Set a date of hearing for Wednesday, May 2, 2018, at 7 p.m. for Items 17 through 30:

17. New 2017-18 Retail Malt Beverage License for Aashna LLC, Xtra Time Sports Bar, 4719 East Arrowhead Parkway, with Conditional Use Permit (8209-2018) being approved on April 4, 2018.
18. New 2018 Retail Wine License for Aashna LLC, Xtra Time Sports Bar, 4719 East Arrowhead Parkway, with Conditional Use Permit (8209-2018) being approved on April 4, 2018.
19. New 2018-19 Retail Malt Beverage License for Urban Chislic LLC, Urban Chislic, 441 West 85th Street (full service restaurant; CUP not required).
20. New 2018 Retail Wine License for Urban Chislic LLC, Urban Chislic, 441 West 85th Street (full service restaurant; CUP not required).
21. New 2017-18 Retail Malt Beverage License for Lalibela Restaurant LLC, Lalibela Restaurant, 200 South Kiwanis Avenue (full service restaurant; CUP not required).
22. Renewal of 2018-19 Retail Malt Beverage License for Lalibela Restaurant LLC, Lalibela Restaurant, 200 South Kiwanis Avenue.
23. New 2018 Retail Wine License for Lalibela Restaurant LLC, Lalibela Restaurant, 200 South Kiwanis Avenue.
24. New 2018 Retail Wine License for Heineman Hospitality Corp, Looks Meat Market, 6213 Old Village Place (CUP not required; this is an addition to an existing license).
25. New 2018 Retail Wine License for Winetime on Main LLC, Winetime on Main, 330 South Main Avenue (CUP not required).
26. New 2018-19 Retail Malt Beverage License for Granite City Restaurant Operations Inc., Granite City Food & Brewery, 2620 South Louise Avenue (CUP not required; this is an addition to an existing license).
27. Transfer of 2018 Retail Liquor License from Speak E-Z, LLC, Speak E-Z LLC, 130 South Phillips Avenue, to T Slat Inc., JJ s Wine, Spirits & Cigars, 3000 West 57th Street, with Conditional Use Permit (6910-2017) being approved on July 5, 2017, with the effective date of the transfer being June 1, 2018, or upon completion of building construction.
28. Transfer of 2018 Package Liquor License, from T Slat Inc., JJ s Wine, Spirits & Cigars, 4810 South Western Avenue, to T Slat Inc., JJ s Wine, Spirits & Cigars, 3000 West 57th Street, with Conditional Use Permit (6910-2017) being approved on July 5, 2017, and with the effective date of the transfer being June 1, 2018, or upon completion of building construction.

29. Special One-Day Malt Beverage License for Zoological Society of Sioux Falls, Great Plains Zoo & Delbridge Museum of National History, 805 South Kiwanis Avenue, for a special event on May 21, 2018.
30. Special One-Day Liquor Licenses for Great Bear Recreation Park Inc., Great Bear Recreation Park, 5901 East Rice Street, for wedding receptions on May 19, June 2, July 28 and October 12, 2018.

Set a date of hearing for Tuesday, May 8, 2018, at 7 p.m. for Items 31 and 32:

31. New 2017-18 Retail Malt Beverage License for Julie Foltz, Log Cabin, 1515 West Burnside Avenue, pending Conditional Use Permit (8315-2018) approval on May 3, 2018.
32. Request to include video lottery terminals with the new 2017-18 Retail Malt Beverage License for Julia Foltz, Log Cabin, 1515 West Burnside Avenue. pending Conditional Use Permit (8315-2018) approval on May 3, 2018.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

33. Transfer of 2018 Retail Liquor License, with Sunday sales, from BOB LLC, Will s Training Table, 4021 North Bobhalla Drive, to Sanford Health, Sanford Foundation House, 2335 East 60th Street North (CUP not required). Pending Plan Review, a change in use permit and final inspections per Building Services.
34. Transfer of 2018 Retail Liquor License, with Sunday sales and video lottery terminals, from The Brady Brunch Inc., Beef O Brady s, 2210 West 69th Street, to BOB LLC, Will s Training Table, 4021 North Bobhalla Drive (Full services restaurant, CUP not required).
35. New 2018 Package Liquor License for Robert Wentz, Booze Boys, 502 South Cleveland Avenue (CUP not required).
36. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Stockyards Ag Experience, Stockyards Ag Experience Barn, 301 East Falls Park Drive, for a special event on May 1, 2018.
37. Special One-Day Liquor License for Ramkota Companies Inc., Best Western Ramkota Hotel, to be operated at Avera Prairie Center, 1000 East 23rd Street, for a Chamber Mixer on May 8, 2018.

38. Special One-Day Wine Licenses for Downtown Sioux Falls Inc. to be operated at the following locations: 605 Made Market, 100 South Phillips Avenue, 8th & Railroad Center Lobby, 401 East 8th Street #200A, Atoley Salon, 317 South Phillips Avenue, Bead Co./Acorn 19, 319 South Phillips Avenue, CH Patisserie, 309 South Phillips Avenue #1, Chelsea s Boutique, 220 South Phillips Avenue, Conversation Piece, 301 South Minnesota Avenue, Creative Spirits, 224 South Main Avenue, Great Outdoor Store, 201 East Tenth Street, Half Baked, 120 South Phillips Avenue, JLG Architects, 232 South Main Avenue, Luca s Boutique, 401 East 8th Street, #122, Nyberg Ace, 200 East 12th Street, Parlour Ice Cream House, 340 South Main Avenue, Rehfeld s Art & Framing, 210 South Phillips Avenue, Rug & Relic, 401 East 8th Street #114, Say Anything Jewelry, 225 South Phillips Avenue, Scratchpad Tees, 218 South Phillips Avenue, Sioux Falls Design Center, 108 West 11th Street, Simply Perfect, 401 East 8th Street #108, State Theatre, 316 South Phillips Avenue, Sticks and Steel, 401 East 8th Street #118, Stockyards Ag Experience, 301 East Falls Park Drive, TH Grey & Shop Dog Boutique, 330 South Phillips Avenue, and Young & Richard s, 222 South Phillips Avenue, for a Wine Walk on May 4, 2018.
39. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls Inc., to be operated at 8th & Railroad Center Parking Lot, 401 East 8th Street, for Eastbank Block Parties on June 1, July 6, August 3 and September 7, 2018.
40. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls Inc., to be operated at 8th & Railroad Center Parking Lot, 401 East 8th Street, for Eastbank Block Parties on June 1, July 6, August 3 and September 7, 2018.
41. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls Inc., to be operated on Phillips Avenue from 10th Street to 14th Street; Main Avenue from 10th Street to 14th Street; 11th Street from Dakota Avenue to Mall Avenue, 12th Street from Main Avenue to Phillips Avenue, 13th Street from Main Avenue to 1st Avenue, for Hot Summer Nites on July 18, 2018.
42. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls Inc., to be operated on the River Greenway from 6th Street to South of 8th Street including Raven Industries riverfront and parking lot located at 205 East 6th Street, to include the prairie area between Phase 1 River Greenway and the Cherapa Place parking lot, north to 6th Street and south to Cherapa Place, for Downtown Riverfest on August 18, 2018.
43. Special One-Day Malt Beverage and Special One-Day Wine Licenses for The Center of Equality to be operated at Terrace Park, 1100 West 4th Street, for a special event on June 16, 2018.
44. Special One-Day Malt Beverage License for Jam Art & Supply to be operated at Cherapa Place east parking lot, 300 North Cherapa Place, for 605 Summer Classic on June 22-23, 2018.

INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading

45. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE MAYOR TO EXECUTE AND RECORD QUITCLAIM DEEDS OF VACATED RIGHT-OF-WAY.

46. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING CHAPTER 51 OF THE CODE OF ORDINANCES OF THE CITY PERTAINING TO NEW AND EXPANDING INDUSTRIAL ELECTRIC CUSTOMERS.

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

47. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED EAST OF N. CLIFF AVE., NORTH OF E. 29TH ST. N., AND SOUTH OF E. 34TH ST. N. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN AND RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICTS TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT, NO. 8170-2018, 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 Wednesday, May 2, 2018, at 7 p.m. for Item 48:

48. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED NORTH OF W. 12TH ST. AND WEST OF S. ELLIS RD. FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT, NO. 8173-2018, 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 Wednesday, May 2, 2018, at 7 p.m. for Item 49:

49. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED NORTH OF E. 77TH ST. AND EAST OF S. CLIFF AVE. FROM THE S-2 INSTITUTIONAL CAMPUS PLANNED UNIT DEVELOPMENT DISTRICT TO THE RA-3 APARTMENT RESIDENTIAL HIGH DENSITY DISTRICT, NO. 8186-2018, 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 Wednesday, May 2, 2018, at 7 p.m. for Item 50:

50. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED SOUTH OF W. 69TH ST. AND WEST OF S. TALLGRASS AVE. FROM THE S-2 INSTITUTIONAL CAMPUS PLANNED UNIT DEVELOPMENT AND C-4 COMMERCIAL REGIONAL DISTRICTS TO THE S-1 GENERAL INSTITUTIONAL, S-2 INSTITUTIONAL CAMPUS

PLANNED UNIT DEVELOPMENT, C-4 COMMERCIAL REGIONAL, CN CONSERVATION, AND REC RECREATION DISTRICTS, NO. 8201-2018, 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 Wednesday, May 2, 2018, at 7 p.m. for Item 51:

51. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 309 S. JOLIET AVE. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE S-1 GENERAL INSTITUTIONAL DISTRICT, NO. 8206-2018, 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 Wednesday, May 2, 2018, at 7 p.m. for Item 52:

52. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED SOUTH OF W. 69TH ST. AND WEST OF S. SUNDOWNER AVE. FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN, RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN, AND CN CONSERVATION DISTRICTS, NO. 8212-2018, 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 Wednesday, May 2, 2018, at 7 p.m. for Item 53:

53. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 196 1/2 E. 6TH ST. FROM THE I-2 HEAVY INDUSTRIAL DISTRICT TO THE DTPUD DOWNTOWN PLANNED UNIT DEVELOPMENT AND REC RECREATION DISTRICTS, NO. 8213-2018, 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 Wednesday, May 2, 2018, at 7 p.m. for Item 54:

54. 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. Planning Commission recommends approval (5-0).

HEARINGS AND RESOLUTIONS

55. A RESOLUTION AMENDING THE 2018 2022 CAPITAL PROGRAM.

56. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, TO ESTABLISH A PREANNEXATION AGREEMENT WITH THE PLEASANT VIEW ACRES ADDITION.

57. A RESOLUTION DECLARING THE RESULTS OF THE CITY OF SIOUX FALLS MUNICIPAL/ SCHOOL DISTRICT ELECTION HELD IN THE CITY OF SIOUX FALLS, SD, ON TUESDAY,

THE 10TH DAY OF APRIL, 2018.

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.