

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, July 17, 2018 at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Pat Starr
Council Member Theresa Stehly
Council Member Janet Brekke
Council Member Christine M. Erickson
Council Member Rick Kiley
Council Member Greg Neitzert
Council Member Marshall Selberg
Council Member Curt Soehl
Mayor Paul TenHaken

INVOCATION

● Rev. Dr. John Christopherson, Senior Pastor, First Lutheran Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, July 10, 2018, at 4 p.m.

● City Council Meeting of Tuesday, July 10, 2018, at 7 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the July 13, 2018, memo.
2. Approval of the notice of change orders on the July 13, 2018, memo.
3. Sioux Area Metro Report of Requests for Quotes for Fuel dated: June 28, 2018; #2 Clear Diesel; 9,000 Gallons; Harms Oil (\$2.5537); Howes Oil, CHS, Inc., and Midwest Oil, all no bid. Bid awarded to: Harms Oil.

4. Sioux Area Metro Report of Requests for Quotes for Fuel dated: July 6, 2018; #2 Clear Diesel; 9,000 Gallons; Harms Oil (\$2.626); Howes Oil (\$2.647); CHS, Inc. and Midwest Oil, both no bid. Bid awarded to: Harms Oil.
5. Report of Requests for Quotes for Fuel dated: July 10, 2018; Unleaded Ethanol (8,500 Gallons); #2 Dyed Diesel (7,500 Gallons); Midway Service (\$2.3489 Unleaded & \$2.3020 Diesel); Cole s Petroleum (\$2.3872 Unleaded & \$2.3381 Diesel); Stern Oil (\$2.4325 Unleaded & \$2.3796 Diesel); Harms Oil, Howes Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Midway Service.
6. Statement of Claim for Mechanic's and/or Materialman's Lien relating to a Public Improvement Project from Carl V. Carlson Company for work and materials furnished to Merryman Excavation, Inc. regarding the Brandon Road Pump Station.

APPLICATIONS

7. Renewal of 2018-19 Retail Malt Beverage Licenses for Big 19 Inc., Stubbies Bar & Grill, 5024 South Cliff Avenue.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, August 7, 2018, at 7 p.m. for Items 8 through 12:

8. Transfer of 2018 Retail Wine License from Envy Nails and Spa LLC, Envy Nails and Spa, 4521 East 26th Street, to Jada Le, Lux Nails and Spa, 4521 East 26th Street.
9. Transfer of 2018-19 Retail Malt Beverage License from Mali Abukku, Erik Futigu, 1122 North Weber Avenue, to Erik Futigu LLC, Erik Futigu, 1122 North Weber Avenue.
10. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls to be operated at 417 South 2nd Avenue (northwest parking lot at the corner of 13th Street and 2nd Avenue), for an outdoor movie on August 30, 2018.
11. Special One-Day Malt Beverage and Special One-Day Wine License for Downtown Sioux Falls to be operated at the State Theatre, 316 South Phillips Avenue, for a fundraiser on October 12, 2018.
12. Special One-Day Liquor License for K & P Enterprises, The Nickel Spot to be operated in the parking lot at 2918 South Minnesota Avenue, for a special event on August 18, 2018.

Set a date of hearing for Tuesday, August 14, 2018, at 7 p.m. for Items 13

through 17:

13. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR REPAIR OR DEMOLITION OF REAL PROPERTY IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.
14. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR LITTER REMOVAL IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.
15. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR SNOW REMOVAL IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.
16. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR TREE TRIMMING IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.
17. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE MOWING OF WEEDS AND GRASSES IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

18. New 2018 Retail Wine License for Crystal Investments Inc., Black Diamond Casino, 5113 West 41st Street (CUP not required).
19. New 2018 Retail Wine License for Hoffberger Escape LLC, Escape 605, 119 West 10th Street (CUP not required). Pending plan review, permit issuance and final inspections per Building Services.
20. New 2018-19 Retail Malt Beverage License for Hoffberger Escape LLC, Escape 605, 119 West 10th Street (CUP not required). Pending plan review, permit issuance and final inspections per Building Services.
21. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Sioux Falls Grocery 1, LLC, Pomegranate Market, 4815 South Louise Avenue (CUP not required).
22. New 2018 Retail Wine License, requesting off-sale use only, for Sioux Falls Grocery 1, LLC, Pomegranate Market, 4815 South Louise Avenue (CUP not required).

23. Special One-Day Malt Beverage License for El Riad Shriners to be operated at Nyberg s Ace, 200 East 12th Street parking lot, First Avenue between 11th Street & 14th Streets, East 12th Street & East 13th Street between First and Second Avenue, for a special event on August 11, 2018.
24. Special One-Day Liquor License for IJK Inc., Stogeez Cigar Lounge to be operated in the Avera Health IT parking lot, 212 East 11th Street, for Stogeez Steakout on July 28, 2018.
25. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America to be operated at Avera Research Institute, 6001 South Sharon Avenue, for a ribbon cutting on August 7, 2018.
26. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Multi-Cultural Center of Sioux Falls, 515 North Main Avenue, for a fundraiser on December 8, 2018.

INTRODUCTION AND ADOPTION OF ORDINANCES

27. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED SOUTH OF W. 26TH ST. AND WEST OF S. ELMWOOD AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE S-1 GENERAL INSTITUTIONAL DISTRICT, PETITION NO. 8534-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).
28. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. (Highways and Streets, \$900,000; Parks, \$800,000)
29. 2nd Reading: AN ORDINANCE APPROVING THE ANNUAL RATE INCREASE PURSUANT TO THE FRANCHISE AGREEMENT FOR GROUND AMBULANCE SERVICE FOR THE CITY OF SIOUX FALLS WITH PARAMEDICS LOGISTICS SOUTH DAKOTA, LLC.

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

30. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 1240 & 1246 E. 21ST ST. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT, NO. 8743-2018, 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, August 7, 2018, at 7 p.m. for Item 31:

31. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY

LOCATED AT 7201 S. CLIFF AVE. FROM THE C-2 COMMERCIAL NEIGHBORHOOD STREETCAR DISTRICT TO THE C-3 COMMERCIAL COMMUNITY DISTRICT PETITION NO. 8731-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0) with the following condition: maximum building size of 35,000 sqft.

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

32. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED WEST OF N. MARION RD. AND SOUTH OF W. 54TH ST. N. FROM THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT TO THE RS SINGLE FAMILY RESIDENTIAL SUBURBAN AND RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICTS, NO. 8720-2018, 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, August 7, 2018, at 7 p.m. for Item 33:

33. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED NORTH OF E. 69TH ST. AND WEST OF S. GRAYSTONE AVE. FROM THE CN CONSERVATION DISTRICT TO THE REC RECREATION DISTRICT, NO. 8691-2018, 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, August 7, 2018, at 7 p.m. for Item 34:

34. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE NORTHWEST CORNER OF S. HIGHLINE AVE. AND E. ARROWHEAD PKWY. FROM THE MH MANUFACTURED RESIDENTIAL HOUSING AND C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICTS TO THE CN CONSERVATION DISTRICT NO. 8690-2018, 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, August 7, 2018, at 7 p.m. for Item 35:

35. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SOUTHEAST CORNER OF E. BROKEN ARROW ST. AND N. BAHNSON AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE CN CONSERVATION DISTRICT NO. 8689-2018, 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, August 7, 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 NORTHWEST CORNER OF S. WESTPORT AVE. AND W. 10TH ST. FROM THE C-3 COMMERCIAL COMMUNITY DISTRICT TO THE CN CONSERVATION DISTRICT NO.

8687-2018, 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, August 7, 2018, at 7 p.m.
for Item 37:

37. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SOUTHWEST CORNER OF E. 41ST ST. AND S. SOUTHEASTERN AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE CN CONSERVATION DISTRICT NO. 8686-2018, 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, August 7, 2018, at 7 p.m.
for Item 38:

38. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SOUTHEAST CORNER OF E. 6TH ST. AND N. CLEVELAND AVE. FROM THE RA-2, APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT TO THE CN CONSERVATION DISTRICT NO. 8685-2018, 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, August 7, 2018, at 7 p.m.
for Item 39:

39. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 401 S. JOLIET AVE. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE S-1 GENERAL INSTITUTIONAL DISTRICT NO. 8684-2018, 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, August 7, 2018, at 7 p.m.
for Item 40:

40. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SOUTHEAST CORNER OF S. LOUISE AVE. AND W. 95TH ST. FROM THE AG AGRICULTURAL DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT NO. 8749-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

HEARINGS AND RESOLUTIONS

41. A RESOLUTION VACATING THE S. ELMWOOD AVE. RIGHT-OF-WAY FROM THE S. RIGHT-OF-WAY LINE OF W. 26TH ST. TO THE N. RIGHT-OF-WAY LINE OF W. 28TH ST.

42. A RESOLUTION AMENDING THE 2018-2022 CAPITAL PROGRAM. (Public Works-Highways & Streets, \$900,000; Parks, \$800,000)

43. A RESOLUTION AUTHORIZING THE CITY OF SIOUX FALLS TO GIFT FOUR STOCKYARD

STREET SIGNS TO STOCKYARDS PLAZA, INC. D/B/A STOCKYARDS AG EXPERIENCE.

44. A RESOLUTION APPROVING THE RELEASE OF PERMANENT EASEMENTS LOCATED IN THAT PART OF VACATED DAKOTA AVE. LYING ADJACENT TO LOTS 14 THRU 18, BLOCK 20 AND LOTS 1 THRU 5, BLOCK 29, BROOKINGS & EDMUNDS ADDITION TO SIOUX FALLS, MINNEHAHA COUNTY, SD.
45. A RESOLUTION APPROVING THE RELEASE OF PART OF A DECLARATION OF RIGHT-OF-WAY EASEMENT LOCATED IN LOT 6, BLOCK 10 OF SILVER VALLEY ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SD.
46. A RESOLUTION DECLARING CERTAIN REAL PROPERTY OF THE CITY SURPLUS AND AUTHORIZING THE LISTING THEREOF.
47. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AMENDMENT NO. 1 TO AGREEMENT REGARDING LEVITT SHELL AT FALLS PARK WEST.
48. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.

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)

49. REPORT OF THE JUNE 30, 2018, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

NEW BUSINESS

50. A MOTION APPROVING TRAVEL FOR THREE COUNCIL MEMBERS AND ONE COUNCIL STAFF MEMBER TO THE NATIONAL LEAGUE OF CITIES ANNUAL CONFERENCE IN NOVEMBER, 2018.
51. A MOTION APPROVING TRAVEL FOR FOUR COUNCIL MEMBERS AND ONE COUNCIL STAFF MEMBER TO THE NATIONAL LEAGUE OF CITIES ANNUAL CONFERENCE IN NOVEMBER, 2018.

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.