

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

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Curt Soehl
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
Mayor Paul TenHaken

INVOCATION

● Mr. Jerry Fogg, Yankton Sioux Tribe

PLEDGE OF ALLEGIANCE

RECOGNITION/AWARDS

● SIOUXPERHERO Citizen Recognition Awards

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, September 18, 2018, at 4 p.m.

● City Council Meeting of Tuesday, September 18, 2018, at 7 p.m.

● Informational Meeting of Tuesday, September 25, 2018, at 4 p.m.

● Joint City Council and Minnehaha County Commission Meeting of Tuesday, September 25, 2018, at 5 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the September 28, memo.
2. Sioux Area Metro. Report of Requests for Quotes for Fuel dated: September 14, 2018; 7,500 Gallons of #2 Clear Diesel; Howes Oil: (\$2.6635); CHS Inc., Harms Oil, Inc., and Midwest Oil, all no bid. Bid awarded to: Howes Oil.
3. A communication was received from Calli Lee Crawford and Bryce Carl Job requesting permission to consume, but not sell, beer, wine, and malt beverages at The Old Courthouse Museum, 200 W. 6th St. on Saturday, October 20, 2018, pursuant to SDCL 35-1-5.5 for a wedding reception.
4. A communication was received from the Siouxland Heritage Museums requesting permission to consume, but not sell, beer and wine at the Irene Hall Museum Resource Center, 4300 N. Westport Ave. on Thursday, November 8, 2018, pursuant to SDCL 35-1-5.5 for a ribbon cutting reception.
5. A communication was received from Colleen O'Conner requesting permission to consume, but not sell, liquor, wine and/or malt beverages at The Old Courthouse Museum, 200 West 6th St., on Saturday, January 5, 2019, pursuant to SDCL 35-1-5.5 for a wedding reception.

APPLICATIONS

6. Amend the Special One-Day Liquor License approved for Washington Pavilion Management Inc., Washington Pavilion of Arts & Sciences, 301 South Main Avenue, for a special event on November 2, 2018, by changing the event date to November 3, 2018.

Recommendation for approval of abatement. The following application for abatement was deemed legally sufficient by the State's Attorney's Office for Minnehaha County and the City Attorney for Sioux Falls. Based upon the reason stated below, the Director of Equalization recommends the request for abatement be approved.

7. Minnehaha County, 415 N. Dakota Avenue, Parcel #52481, for 2017 property taxes in the amount of \$1,364.10. Reason: This property is exempt from the tax.

NOTICE OF HEARINGS

Set a date of hearing for Monday, October 15, 2018, at 7 p.m. for Items 8 through 24:

8. Rescind New 2018 Retail Wine License for Elegant Nail Bar LLC, Elegant Nail Bar, 3010 West 57th Street.
9. Rescind New 2018-19 Retail Malt Beverage License for Elegant Nail Bar LLC, Elegant Nail Bar, 3010 West 57th Street.
10. New 2018 Retail Wine License for Elegant Nail Bar LLC, Elegant Nail Bar, 3028 West 57th Street, with Conditional Use Permit (6910-2017) being approved on July 5, 2017.
11. New 2018-19 Retail Malt Beverage License for Elegant Nail Bar LLC, Elegant Nail Bar, 3028 West 57th Street, with Conditional Use Permit (6910-2017) being approved on July 5, 2017.
12. Transfer of 2018-19 Retail Malt Beverage License for Top Shelf Entertainment, Wine & Canvas, 5031 South Louise Avenue, to Top Shelf Entertainment, Wine & Canvas, 5239 West 26th Street (CUP not required).
13. Transfer of 2018 Retail Wine License for Top Shelf Entertainment, Wine & Canvas, 5031 South Louise Avenue, to Top Shelf Entertainment, Wine & Canvas, 5239 West 26th Street (CUP not required).
14. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Amsale Gebrehiwa, Sheger Addis Grocery Store, 329 South Minnesota Avenue (CUP not required).
15. New 2018 Retail Wine License, requesting off-sale use only, for Amsale Gebrehiwa, Sheger Addis Grocery Store, 329 South Minnesota Avenue (CUP not required).
16. New 2018-19 Retail Malt Beverage License for Full Circle Book Co-op LLC, Full Circle Book Co-op, 123 West 10th Street (CUP not required).
17. New 2018 Retail Wine License for Full Circle Book Co-op LLC, Full Circle Book Co-op, 123 West 10th Street (CUP not required).
18. Transfer of 2018 Retail Liquor License from Sandtrap Inc., Bogey s, 811 South Marion Road, to CR Lloyd Associates Inc., 101 South Reid Street, Suite 201 (CUP not required).
19. Special One-Day Malt Beverage License for Sioux Falls Men s 12 Inch Slow Pitch Softball League Inc. to be operated at Harmodon Park (fields E, F G and H only), 5609 East 41st Street, for a fundraiser on October 20, 2018.
20. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sioux Falls Area Literacy Council to be operated at REACH, 2101 West 41st Street, Suite 23, for a special event on October 24, 2018.

21. Special One-Day Malt Beverage and Special One-Day Wine Licenses for El Riad Shriners to be operated at The History Club of Sioux Falls, 758 South Phillips Avenue, for a Shrine Ladies luncheon on November 10, 2018.
22. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America to be operated at Child s Play Toys, 233 South Phillips Avenue, for a social on November 11, 2018.
23. Special One-Day Package Off-Sale Wine license for Rotary Club of Sioux Falls West to be operated at 4712 East Alpine Circle, for a fundraiser on November 16, 2018.
24. Special One-Day Wine Licenses for Sioux Falls Area Literacy Council to be operated at REACH, 2101 West 41st Street, Suite 23, for special events on January 10, February 14, March 14, April 11, May 9, and June 13, 2019.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

25. New 2018 Retail Wine License for Daily Cafø and Coffee LLC, Daily Clean Food and Drink, 6215 South Western Avenue, with Conditional Use Permit (9042-2018) being approved on September 5, 2018. Pending final inspections per Fire, Health & Building Services.
26. New 2018-19 Retail Malt Beverage License for Daily Cafø and Coffee LLC, Daily Clean Food and Drink, 6215 South Western Avenue, with Conditional Use Permit (9042-2018) being approved on September 5, 2018. Pending final inspections per Fire, Health & Building Services.
27. New 2018-19 Retail Malt Beverage License for SRS Inc., Connexions South, 6801 South Louise Avenue, with Conditional Use Permit (9099-2018) being approved on September 5, 2018. Pending final inspections per Fire, Health & Building Services.
28. Request to include video lottery terminals with the new 2018-19 Retail Malt Beverage License for SRS Inc., Connexions South, 6801 South Louise Avenue, with Conditional Use Permit (9099-2018) being approved on September 5, 2018. Pending final inspections per Fire, Health & Building Services.
29. Transfer of 2018 Retail Liquor License from Ted J. Thoms, 400 North Main Avenue, Suite 201, to Kelly Inns Ltd., Hotel Phillips, 100 North Phillips Avenue (CUP not required). Pending final inspections per Fire, Health &

Building Services.

30. Transfer of 2018 Package Liquor License from Double B LLC, Food-N-Fuel, 4701 West 12th Street, to Arsiya Inc., Food-N-Fuel, 4701 West 12th Street.
31. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America to be operated at Raven Industries, 205 East Sixth Street, for a social on October 3, 2018.
32. Special One-Day Malt Beverage and Special One-Day Wine Licenses for The Canton Barn LLC to be operated at Ellie Stone Bride, 6205 South Old Village Place, for a grand opening on October 3, 2018.
33. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Icon Entertainment LLC to be operated at Sioux Falls State Theatre Company, 316 South Phillips Avenue, for a fundraiser on October 4, 2018.
34. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Muscular Dystrophy Association to be operated at the Old Courthouse Museum, 200 West Sixth Street for a fundraiser on October 12, 2018.
35. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America to be operated at Sanford Imagenetics, 1321 West 22nd Street, for a social on October 24, 2018.

INTRODUCTION AND ADOPTION OF ORDINANCES

36. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE 2008 SUBDIVISION REGULATIONS OF THE CITY OF SIOUX FALLS BY AMENDING CHAPTER 157: SUBDIVISIONS. The Planning Commission recommends approval (5-0).
37. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 3800 W. TICKMAN ST. FROM THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT TO THE I-1 LIGHT INDUSTRIAL DISTRICT, NO. 9122-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).
38. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 5702 S. MARION RD. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT, NO. 9062-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).
39. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 133 N. TRAPP AVE. FROM THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT TO THE RT-2 TOWNHOME RESIDENTIAL TRADITIONAL DISTRICT, NO. 9040-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

40. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE NORTHWEST CORNER OF E. 57TH ST. AND S. DUBUQUE AVE. FROM THE LW LIVE-WORK AND C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICTS TO THE O OFFICE DISTRICT, NO. 8944-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

41. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT FOR CITY OF SIOUX FALLS RAVEN INDUSTRIES, INC. PARKING FACILITY BETWEEN THE CITY OF SIOUX FALLS AND RAVEN INDUSTRIES, INC.

Set a date of hearing and 2nd Reading for Monday, October 15, 2018, at 7 p.m. for Item 42:

42. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, DECLARING CERTAIN PROPERTY OF THE CITY OF SIOUX FALLS SURPLUS AND APPROVING GRATUITOUS TRANSFER OF REAL PROPERTY.

HEARINGS AND RESOLUTIONS

43. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. ANNEXATION 8958-2018 Pump Station 243 and I-29/I-90 ROW.

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)

44. REPORT OF THE SEPTEMBER 17, 2018, 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: PUBLIC INPUT IS ALLOWED FOR ANY ITEM ON THE REGULAR AGENDA. NOTWITHSTANDING THE PRECEDING SENTENCE, THE PUBLIC INPUT PORTION AT THE START OF A CITY COUNCIL MEETING SHALL LAST NO MORE THAN 30 MINUTES AND WILL BE LIMITED TO TOPICS WHICH DO NOT INVOLVE THOSE REGULAR AGENDA ITEMS APPEARING LATER IN THE AGENDA AS PUBLIC INPUT WILL BE RECEIVED WHEN THAT ITEM IS UP FOR DISCUSSION. PERSONS ADDRESSING THE COUNCIL SHALL USE THE MICROPHONE AT THE PODIUM. PLEASE STATE YOUR NAME AND UNLESS FURTHER TIME IS GRANTED BY THE COUNCIL, SHALL BE LIMITED TO THREE 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.