

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

REGULAR MEETING OF Tuesday, June 5, 2018, at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Christine M. Erickson

Council Member Greg Neitzert

Council Member Rick Kiley

Council Member Marshall Selberg

Council Member Curt Soehl

Council Member Pat Starr

Council Member Theresa Stehly

Council Member Janet Brekke

Mayor Paul TenHaken

INVOCATION

Reverend Randall Gehring, Our Savior's Lutheran Church

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PLEDGE OF ALLEGIANCE

RECOGNITION/AWARDS

SIOUXPERHERO Citizen Recognition Awards

*

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rick Kiley to approve the Regular Agenda.

Vote to approve: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, 8. Noes, 0.

Motion Passed.

MINUTES

Informational Meeting of Tuesday, May 15, 2018, at 4 p.m.

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City Council Meeting of Tuesday, May 15, 2018, at 7 p.m.

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Informational Meeting of Tuesday, May 22, 2018, at 4 p.m.

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COMMUNICATIONS

1. Approval of contracts/agreements on the June 1, 2018, memo.

2. Approval of the notice of change orders on the June 1, 2018, memo.

Report of Requests for Quotes for Fuel dated: May 14, 2018; 7,500 Gallons of Unleaded Ethanol & 500 Gallons of #2 Dyed Diesel; Midway Services (\$2.3622 for unleaded & \$2.3566 for Dyed Diesel); Cole's Petroleum

3. (\$2.3665 for Unleaded & \$2.3575 for Dyed Diesel); Stern Oil (\$2.3861 for Unleaded & \$2.4830 for Dyed Diesel); Harms Oil, Howes Oil, CHS, Inc. and Olson Oil, all no bid. Bid awarded to: Midway Service.

Sioux Area Metro Report of Requests for Quotes for Fuel dated: May 17,

4. 2018; 9,000 Gallons #2 Clear Diesel; Harms Oil (\$2.6877); Howes Oil, CHS, Inc., and Midwest Oil, all no bid. Bid awarded to: Harms Oil, Inc.

Report of Requests for Quotes for Fuel dated: May 17, 2018; 2,000 Gallons of Unleaded Ethanol & 6,000 Gallons of #2 Dyed Diesel; Cole's Petroleum

5. (\$2.4488 for Unleaded & \$2.4230 for Diesel); Harms Oil (\$2.44 for Unleaded & \$2.42 for Diesel); Stern Oil (\$2.4448 for Unleaded & \$2.4030 for Diesel); Midway Service, Howes Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Stern Oil.

Report of Requests for Quotes for Fuel dated: May 25, 2018; 7,500 Gallons of

6. #2 Dyed Diesel; Cole's Petroleum (\$2.3870); Stern Oil (\$2.3876); Midway Service, Harms Oil, Howes Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Cole's Petroleum.

Report of Requests for Quotes for Fuel dated: May 29, 2018; 8,500 Gallons of

7. Unleaded Ethanol; Midway Service (\$2.3639); Stern Oil (\$2.3868); Cole's Petroleum, Harms Oil, Howes Oil, CHS, Inc. and Olson Oil, all no bid. Bid awarded to: Midway Services.

A communication was received from the Great Plains Zoo and Delbridge Museum of Natural History requesting permission to consume, but not sell liquor,

8. wine and/or malt beverages at the Great Plains Zoo and Delbridge Museum of Natural History, 805 South Kiwanis Avenue, on June 20, 2018, pursuant to SDCL 35-1-5.5, for a donor appreciation event at the Zoo.

A communication was received from the Butterfly House & Aquarium requesting

9. permission to consume, but not sell, wine and malt beverages at the Butterfly House & Aquarium, 4320 S. Oxbow Avenue on June 28, 2018, pursuant to SDCL 35-1-5.5 for a Donor Appreciation Night.

- A communication was received from Samar Gogoi and Archana Chatterjee
10. requesting permission to consume, but not sell, wine at the Old Courthouse Museum, 200 W. 6th Street on August 11, 2018, pursuant to SDCL 35-1-5.5, for a 25th wedding anniversary celebration.

APPLICATIONS

- Special One-Day Liquor License for T Slat Inc., JJ's Wine, Spirits & Cigars
- to
11. be operated at the Multi-Cultural Center, 515 North Main Avenue, for a special event on September 8, 2018.

- Special One-Day Liquor License for Ovations Food Services LP to be operated
12. at The Sioux Falls Orpheum Theater, 315 North Phillips Avenue, for a wedding reception on March 9, 2019.

13. Various Retail Malt Beverage License renewals for 2018-19 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit D.

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:

- Rhyan R. Rausis, 1305 S. Hyannis Port Lane, Abatement Number 2018-0070 for
14. Parcel # 85588, for 2016 property taxes in the amount of \$1,749.29. Owner occupied reduced tax rate not applied for 2016 for payment in 2017.

- Rhyan R. Rausis, 1305 S. Hyannis Port Lane, Abatement Number 2018-0071 for
15. Parcel # 85588, for 2017 property taxes in the amount of \$1,588.96. Owner occupied reduced tax rate not applied for 2017 for payment in 2018.

- Tommy Lee Austin, 3008 S. Holbrook Avenue, Abatement Number 2018-0072 for
16. Parcel # 31295, for 2017 taxes in the amount of \$775.20. Property is exempt from the tax.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, June 19, 2018, at 7 p.m. for Items 17 through 94:

- Transfer of 2018 Retail Wine License from Thurston Inc., Botski's, 1914 South
- h
17. Sycamore Avenue, Suite 104, to BKB Inc., Botski's, 1914 South Sycamore Avenue, Suite 104.

- Transfer of 2017-18 Retail Malt Beverage License from Thurston Inc., Botski's,
18. 1914 South Sycamore Avenue, Suite 104, to BKB Inc., Botski's, 1914 South Sycamore Avenue, Suite 104.

19. Renewal of 2018-19 Retail Malt Beverage License for BKB Inc., Botski's 1914 South Sycamore Avenue, Suite 104.

- New 2018-19 Retail Malt Beverage License for Fasika Ethiopian Restaurant
20. LLC, 301 South Garfield Avenue, Suite 10, with Conditional Use Permit (8149-2018) being approved on April 4, 2018.

21. New 2018-19 Retail Malt Beverage License for Hari Har Inc., Hampton Inn of Sioux Falls, 2417 South Carolyn Avenue (CUP not required).
22. New 2018-19 Retail Malt Beverage License, for WAM LLC, All Day Caf - TapHouse 41, 2101 West 41st Street, Suite 24 (CUP not required).

New 2018-19 Retail Malt Beverage License for Woodgrain Brewing Company LLC,
23. Woodgrain Brewing Company LLC, 101 South Phillips Avenue, Suite 100 (CUP not required).
24. New 2018 Retail Wine License for Prairie Berry LLC, Prairie Berry Winery/ Miner Brewing Company, 2101 West 41st Street, Suite 25 (CUP not required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
25. Aashna LLC, Aashna Asian Mart, 4713 East Arrowhead Parkway (CUP not required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
26. Andy's Affiliated Foods Inc., Andy's Affiliated Foods, 1025 South Cleveland Avenue (CUP not required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
27. B & D Group Investments LLC, BB's Pub N Grill, 3400 West 49th Street (CUP not required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
28. Scott Bowar, Park Ridge Gas N Grub, 1801 South Western Avenue (CUP not required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
29. Casey's Retail Company, Casey's General Store, 3236 South Sycamore Avenue (CUP not required).
30. Casey's Retail Company, Casey's General Store, 1901 East 10th Street (CUP not required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
31. Casey's Retail Company, Casey's General Store, 901 East Benson Road (CUP not required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
32. Casey's Retail Company, Casey's General Store, 701 South Sycamore Avenue (CUP not required).
33. Casey's Retail Company, Casey's General Store, 1705 West Burnside (CUP not required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
34. Casey's Retail Company, Casey's General Store, 1809 East Rice Street (CUP not required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
35. Casey's Retail Company, Casey's General Store, 500 North Kiwanis Avenue (CUP
not
required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
36. Casey's Retail Company, Casey's General Store, 8400 West 26th Street (CUP no
t
required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
37. CC&F Retail Inc., Friendly's Fuel Stop, 3700 North Potsdam Avenue, Suite 100

(CUP not required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
38. Moses Cole & Cynthia Yeanay, Glo Mini Market, 1300 West 12th Street (CUP
not required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
39. Crystal Investment Corporation, Black Diamond Casino, 5113 West 41st Street
(CUP not required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
40. Dakota Seafood Sioux Falls LLC, Dakota Seafood Fresh Market, 5009 South
Western Avenue, Suite 200, with Conditional Use Permit (7688-2017) being
approved on December 6, 2017.

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
41. Dolgen Midwest LLC, Dollar General Store, 6705 West 12th Street (CUP not
required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
42. Dolgen Midwest LLC, Dollar General Store, 316 South Kiwanis Avenue (CUP not
required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
43. Dolgen Midwest LLC, Dollar General Store, 7214 West 41st Street (CUP not
required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
44. Dolgen Midwest LLC, Dollar General Store, 1609 East Rice Street (CUP not
required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
45. Jon Faulds, Jon Faulds Shell, 1301 South Minnesota Avenue (CUP not
required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
46. Jon Faulds, Faulds BP, 3308 West Russell Street (CUP not required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
47. G & W Inc., Gary Cones Amoco Hilltop, 1027 South Cleveland Avenue (CUP not
required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
48. Luis Giron, Tienda El Quetzal, 2319 West 12th Street (CUP not required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
49. Hagggar Investment Company, Franklin Food Market, 711 North Cliff Avenue

(CUP not required).

50. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for HyVee Inc., HyVee Gas #1, 1521 South Sycamore Avenue (CUP not required).
51. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for HyVee Inc., HyVee Gas #2, 4103 South Louise Avenue (CUP not required).
52. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for HyVee Inc., HyVee Gas #3, 3010 South Minnesota Avenue (CUP not required).
53. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for HyVee Inc., HyVee Gas #4, 5201 West 26th Street (CUP not required).
54. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for HyVee Inc., HyVee Gas #5, 3100 East 10th Street (CUP not required).
55. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for HyVee Inc., HyVee Gas #6, 1229 East 57th Street (CUP not required).
56. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for I90 Fuel Services Inc., Kiwanis Gas Stop, 515 North Kiwanis Avenue (CUP not required).
57. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for I90 Fuel Services Inc., The Gas Stop, 1927 West 57th Street (CUP not required).
58. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for I90 Fuel Services Inc., The Gas Stop, 3900 North Cliff Avenue (CUP not required).
59. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Jay Ambe-2, LLC, Freedom Valu Centers, 1601 South Minnesota Avenue (CUP not required).
60. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for La Tapatia Mexican Store, LLC, La Tapatia Mexican Store, 615 West 11th Street (CUP not required).
61. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Love's Travel Stops & Country Stores Inc., Love's Travel Stop, 5301 North Cliff Avenue (CUP not required).
62. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for MCA Market LLC, MCA Market LLC, 1038 North Minnesota Avenue (CUP not required).
63. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Meat Lodge LLC, Meat Lodge, 3505 North Cliff Avenue (CUP not required).
64. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Mi Casa Latina Mexican Store LLP, Mi Casa Latina Mexican Store, 809 South Marion Road (CUP not required).
65. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Northern Tier Retail LLC, Superamerica, 2911 West 41st Street (CUP not required).
66. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for

Olson Oil Co., Get N Go #2, 1500 West 12th Street (CUP not required).

67. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Olson Oil Co., Get N Go #5, 611 South Cliff Avenue (CUP not required).
68. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Olson Oil Co., Get N Go #6, 600 North Cliff Avenue (CUP not required).
69. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Olson Oil Co., Get N Go #7, 600 South Minnesota Avenue (CUP not required).
70. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Olson Oil Co., Get N Go #8, 2217 East 10th Street (CUP not required).
71. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Olson Oil Co., Get N Go #10, 951 South Marion Road (CUP not required).
72. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Olson Oil Co., Get N Go #11, 6201 West 12th Street (CUP not required).
73. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Olson Oil Co., Get N Go #12, 1224 East 57th Street (CUP not required).
74. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Olson Oil Co., Get N Go #14, 5100 South Louise Avenue (CUP not required).
75. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Olson Oil Co., Get N Go #15, 6729 West 41st Street (CUP not required).
76. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Olson Oil Co., Get N Go #16, 2401 South Louise Avenue (CUP not required).
77. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Olson Oil Co., Get N Go #18, 5304 West 57th Street (CUP not required).
78. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Olson Oil Co., Get N Go #19, 3401 South Cliff Avenue (CUP not required).
79. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Olson Oil Co., Get N Go #20, 2421 South Minnesota Avenue (CUP not required).
80. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Olson Oil Co., Get N Go #21, 5400 East Arrowhead Parkway (CUP not required).
81. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Olson Oil Co., Get N Go #22, 4915 North Cliff Avenue (CUP not required).
82. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Pilot Travel Centers LLC, Pilot Travel Center, 5201 North Granite Lane (CUP not required).
83. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Quick N EZ LLC, Quick N EZ LLC, 2500 West Madison Street (CUP not required).
84. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for Shopko Stores Operating Company LLC, Shopko, 1601 West 41st Street (CUP not required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
85. Shopko Stores Operating Company LLC, Shopko, 4501 East Arrowhead Parkway
(CUP not required).

86. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
Target Corporation, Target, 1021 South Highline Place (CUP not required).

87. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
Target Corporation, Target, 3600 South Louise Avenue (CUP not required).

88. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
Walgreen Corporation, Walgreens, 7120 West 41st Street (CUP not required).

89. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
Walgreen Corporation, Walgreens, 3620 West 41st Street (CUP not required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
90. Walgreen Corporation, Walgreens, 1806 South Minnesota Avenue (CUP not
required).

91. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
Walgreen Corporation, Walgreens, 2605 West 12th Street (CUP not required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
92. Walgreen Corporation, Walgreens, 4900 South Cliff Avenue (CUP not
required).

New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for
93. Walgreen Corporation, Walgreens, 1720 South Sycamore Avenue (CUP not
required).

Special One-Day Liquor License for T Slat Inc., JJ's Wine, Spirits & Cigars
to
94. be operated at Vern Eide Acura, 4030 South Grange Avenue, for a special even
t on
June 30, 2018.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Christine M. Erickson and seconded by
Council Member Marshall Selberg to approve the Regular Agenda.

A motion was made by Council Member Christine M. Erickson and seconded by
Council Member Greg Neitzert to amend the Regular Agenda by moving Item 111
before Item 110.

Vote to amend: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg
Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet
Brekke, 8. Noes, 0.

Motion Passed.

Vote to approve, as amended: Roll Call: Yeses, Christine M. Erickson, Rick
Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly,
Janet Brekke, 8. Noes, 0.

Motion Passed.

PUBLIC INPUT

Heather Pastor spoke about discrimination and her need for legal assistance.

James Reed spoke about assisting others in financial need.

Sierra Broussard spoke about a possible hotel purchase; crime in Sioux Falls; and the need for additional police officers.

David Zokaites spoke about the Sioux Falls bike trails.

UNFINISHED BUSINESS

New 2018-19 Retail Malt Beverage License for Trivedi Oil LLC, Kota Korner, 900 North Sycamore Avenue, with Conditional Use Permit (8325-2018) being
95. approved on May 3, 2018. Pending permit issuance and final inspections per Fire, Health and Building Services. This item will be withdrawn per the applicant's request. The Conditional Use Permit application was also withdrawn by the applicant.

Request to include video lottery terminals with the new 2018-19 Retail Malt Beverage License for Trivedi Oil LLC, Kota Korner, 900 North Sycamore Avenue, with Conditional Use Permit (8325-2018) being approved on May 3,
96. 2018.

Pending permit issuance and final inspections per Fire, Health and Building Services. This item will be withdrawn per the applicant's request. The Conditional Use Permit application was also withdrawn by the applicant.

New 2018 Retail Liquor License for Harrisburg Crossing LLC, Harrisburg Crossing LLC, 5801 East 41st Street, with Conditional Use Permit (8202-
97. 2018) being approved on April 4, 2018.

Pending permit issuance and final inspections per Fire, Health and Building Services.

98. New 2018 Package Liquor Delivery License for B & L Group Investments LLC, Fogies Liquor Gallery, 5020 South Marion Road.

Transfer of 2018 Retail Liquor License, including Sunday sales and video lottery terminals, from Pave LLC, Pave, 130 South Phillips Avenue, to Pave LLC, Pave, 130 South Phillips Ave and Level 2 of 136 South Phillips
99. Ave.

Pending permit issuance and final inspections per Fire, Health and Building Services.

Special One-Day Malt Beverage and Special One-Day Wine License for Catering
100. America, Chef Dominique's Catering to be operated at Reliabank, 608 West 86th Street, for an open house on September 6, 2018.

Special One-Day Malt Beverage License for The Banquet to be operated at
101. Cliff Avenue Greenhouse & Garden Center, 2101 East 26th Street, for a fundraiser on October 4, 2018.

Special One-Day Malt Beverage License for Panacea Brewing Company LLC,
102. Remedy Brewing Company to be operated in the 8th & Railroad Center parking

lot, 401 East 8th Street, for a Feeding South Dakota fundraiser on July 8 & 9, 2018.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rick Kiley to withdraw Items 95 and 96.

Vote to withdraw: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, 8. Noes, 0.

Motion Passed.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Theresa Stehly to approve Items 97-102.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rick Kiley to amend Item 100 by replacing September 6, 2018, with September 13, 2018.

Vote to amend: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, 8. Noes, 0.

Motion Passed.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Greg Neitzert to amend Item 102 by replacing July 8 and 9, 2018, with June 8 and 9, 2018.

Vote to amend: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, 8. Noes, 0.

Motion Passed.

Vote to approve, as amended: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, 8. Noes, 0.

Motion Passed.

INTRODUCTION AND ADOPTION OF ORDINANCES

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 117 S. GARFIELD AVE. FROM THE RD-2 TOWNHOME 103. RESIDENTIAL-SUBURBAN DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL-TRADITIONAL DISTRICT PETITION NO. 8302-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).

A motion was made by Council Member Marshall Selberg and seconded by Council Member Theresa Stehly to adopt said Ordinance No. 46-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, 8. Noes, 0.

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY

LOCATED NORTH OF W. BENSON RD. AND WEST OF N. WESTPORT AVE. FROM THE OFFICE
104. DISTRICT TO THE C-4 COMMERCIAL-REGIONAL, I-1 LIGHT INDUSTRIAL, AND CN CONSERVATION DISTRICTS PETITION NO. 8312-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rick Kiley to adopt said Ordinance No. 47-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, 8. Noes, 0.

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 2122 AND 2124 S. DULUTH AVE. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL-SUBURBAN DISTRICT TO THE RT-1 SINGLE FAMILY RESIDENTIAL-TRADITIONAL DISTRICT PETITION NO. 8313-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).

A motion was made by Council Member Greg Neitzert and seconded by Council Member Rick Kiley to adopt said Ordinance No. 48-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, 8. Noes, 0.

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED WEST OF N. SIX MILE RD. AND NORTH OF E. 10TH ST. FROM THE RS
106. SINGLE-FAMILY RESIDENTIAL-SUBURBAN DISTRICT TO THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL-SUBURBAN DISTRICT PETITION NO. 8324-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).

A motion was made by Council Member Rick Kiley and seconded by Council Member Curt Soehl to adopt said Ordinance No. 49-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, 8. Noes, 0.

Motion Passed.

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 6220 AND 6224 S. CIMARRON PL. FROM THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN DISTRICT TO THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL-SUBURBAN DISTRICT PETITION NO. 8364-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0) with the following condition: required front yard of 20 feet.

A motion was made by Council Member Greg Neitzert and seconded by Council

Member Christine M. Erickson to adopt said Ordinance No. 50-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, 8. Noes, 0.

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING 108. THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 160: ZONING, SUBCHAPTER: PUD PLANNED UNIT DEVELOPMENT REGULATIONS. Planning Commission recommends approval (6-0).

A motion was made by Council Member Theresa Stehly and seconded by Council Member Marshall Selberg to adopt said Ordinance No. 51-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, 8. Noes, 0.

Motion Passed.

109. 2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS.

A motion was made by Council Member Marshall Selberg and seconded by Council Member Rick Kiley to adopt said Ordinance No. 52-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, 8. Noes, 0.

Motion Passed.

Item 111 was heard at this time.

111. A RESOLUTION AMENDING THE 2018-2022 CAPITAL PROGRAM. Entertainment Venues-Convention Center; \$500,000.

A motion was made by Council Member Theresa Stehly and seconded by Council Member Curt Soehl to adopt said Resolution No. 49-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 49-18

A RESOLUTION AMENDING THE 2018-2022 CAPITAL PROGRAM.

BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD.

That the 2018-2022 Capital Program shall be amended as follows:

Entertainment Venues-Convention Center

Amend the Other Capital Expenditures Program by adding AV equipment upgrade in 2018. The estimated cost is \$500,000 and will require an increase in

appropriations that will be funded by the Entertainment Tax Fund using funds contributed by SMG.

Date adopted: 06/05/18 .

Paul TenHaken

Mayor

ATTEST:

Thomas M. Greco

City Clerk

Set a date of hearing and 2nd Reading for Tuesday, June 19, at 7 p.m. for Item 110:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING
110. THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 111: ALCOHOLIC
BEVERAGES.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rick Kiley to set a date of hearing and 2nd Reading for Tuesday, June 19, 2018, at 7 p.m. for Item 110.

Vote to set a date: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, 8. Noes, 0.

Motion Passed.

HEARINGS AND RESOLUTIONS

AREOLUTION TO APPROVE A ROAD DISTRICT PETITION WITHIN THE CITY OF
112. SIOUX FALLS AND LINCOLN COUNTY JOINT ZONING AND SUBDIVISION
JURISDICTION. NORTH END ROAD DISTRICT PETITION.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Greg Neitzert to adopt said Resolution No. 50-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 50-18

NORTH END ROAD DISTRICT PETITION

A RESOLUTION TO APPROVE A ROAD DISTRICT PETITION WITHIN THE CITY OF SIOUX FALLS AND LINCOLN COUNTY JOINT ZONING AND SUBDIVISION JURISDICTION.

WHEREAS, there has been presented to the City Council of the City of Sioux Falls and filed with the City Clerk, a Petition in writing signed by the owners and otherwise in compliance with the provisions of SDCL31-12A-3, requesting that the territory described in the petition be included within the North End Road District; and

WHEREAS, the property described within the North End Road District petition is within the City of Sioux Falls and Lincoln County Joint Zoning and Subdivision Jurisdictional area; and

WHEREAS, SDCL 31-12A-5.1 requires that the road district petition within the Joint Subdivision area of a city must first be submitted to the municipality's governing body for approval at its discretion, and upon approval shall be presented to the county board of commissioners;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That the North End District petition is approved and shall be forwarded to the Lincoln County Commission for their consideration.

Date adopted: 06/05/18 .

Paul TenHaken

Mayor

ATTEST:

Thomas M. Greco

City Clerk

A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS
113. OF THE CITY OF SIOUX FALLS, SD. ANNEXATION 8194-2018-95th St. and Louise Ave.

A motion was made by Council Member Janet Brekke and seconded by Council Member Rick Kiley to adopt said Resolution No. 51-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 51-18

ANNEXATION 8194-2018-95th St. and Louise Ave.

A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SD.

WHEREAS, there has been presented to the City Council of the City of Sioux Falls and filed with the City Clerk, a Petition in writing signed by the owners and otherwise in compliance with the provisions of SDCL Chapter 9-4, requesting that the territory hereinafter described be included within the municipality;

WHEREAS, there has been an analysis completed in regard to the territory hereinafter described and it has been found that:

1. The property has been properly described and is contiguous to the current city limits.
2. The proposed land uses and densities are generally consistent with the Shape Sioux Falls 2040 Comprehensive Plan.

3. There is access to the major street network along S. Louise Ave.
4. Sewer is available to the site immediately.
5. Water service is available to the site immediately.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That the following described properties are and the same hereby are included within the corporate limits of the city of Sioux Falls, Lincoln County, and the boundary of the city is hereby extended to include such territory.

Tract 2 of Tronson Addition, Except Lot H-1, in the west 1/2 of the south 1/4 of Section 21, Township 100 North, Range 50 West of the 5 P.M. in Lincoln County, SD

And that the City Clerk shall cause to be filed with the Register of Deeds, Lincoln County, SD, a duly certified transcript of this resolution.

Date adopted: 06/05/18 .

Paul TenHaken

Mayor

ATTEST:

Thomas M. Greco

City Clerk

A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO 114. THE SOUTH EASTERN COUNCIL OF GOVERNMENTS (SECOG) BOARD OF DIRECTORS AND URBANIZED DEVELOPMENT COMMISSION (UDC).

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rick Kiley to adopt said Resolution No. 52-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 52-18

A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO THE SOUTH EASTERN COUNCIL OF GOVERNMENTS (SECOG) BOARD OF DIRECTORS AND URBANIZED DEVELOPMENT COMMISSION (UDC).

BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That it gives its advice and consent to the following City Council appointments:

Name	Board Term
Pat Starr	SECOG Appointed for a term from July 2018 until June 2019.

Theresa Stehly	SECOG	Appointed for a term from July 2018 until June 2019.
Jim David	SECOG	Appointed for a term from July 2018 until June 2019, as an alternate.
Janet Brekke	UDC	Appointed for a term from July 2018 until June 2019.
Greg Neitzert	UDC	Appointed for a term from July 2018 until June 2019.
Rick Kiley	UDC	Appointed for a term from July 2018 until June 2019.
Pat Starr	UDC	Appointed for a term from July 2018 until June 2019.
David Bixler and JimDavid	UDC	Appointed for a term from July 2018 until June 2019, as alternates.

Date adopted: 06/05/18 .

Paul TenHaken

Mayor

ATTEST:

Thomas M. Greco

City Clerk

115. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO THE CITY COUNCIL AUDIT COMMITTEE.

A motion was made by Council Member Rick Kiley and seconded by Council Member Marshall Selberg to adopt said Resolution No. 53-18.

Vote to adopt: Roll Call: Yeses, Christine M. Erickson, Rick Kiley, Greg Neitzert, Marshall Selberg, Curt Soehl, Pat Starr, Theresa Stehly, Janet Brekke, 8. Noes, 0.

Motion Passed.

RESOLUTION NO. 53-18

A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO THE CITY COUNCIL AUDIT COMMITTEE.

BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That it gives its advice and consent to the following members to serve on the Audit Committee pursuant to Section 32.017 of the Code of Ordinances of Sioux Falls, SD:

Name	Committee	Term
Greg Neitzert	Audit Committee	Appointed for a term from July 2018 to June 2019.

Rick Kiley Audit Committee Appointed for a term from July 2018 to June 2019.

Curt Soehl Audit Committee Appointed for a term from July 2018 to June 2019.

Theresa Stehly Audit Committee Appointed for a term from July 2018 to June 2019.

Date adopted: 06/05/18 .

Paul TenHaken

Mayor

ATTEST:

Thomas M. Greco

City Clerk

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)

116. REPORT OF THE MAY 16, 2018, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

ADJOURNMENT

A motion was made by Council Member Rick Kiley and seconded by Council Member Marshall Selberg to adjourn the meeting at 8:22 p.m.

Mayor TenHaken called for a voice vote. All Members voted yes.

Motion Passed.

Tamara Jorgensen, MMC

Assistant City Clerk

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.