

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, December 17, 2013 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Sue Aguilar

Council Member Kenny Anderson Jr.

Council Member Jim Entenman

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Dean Karsky

Council Member Rex Rolwing

Council Member Kermit L. Staggers

Mayor Mike T. Huether

INVOCATION

● Dr. Ron Tottingham, Empire Baptist Temple

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, December 10, 2013, at 4:00 p.m.

● City Council Meeting of Tuesday, December 10, 2013, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on December 12, 2013 memo.
Sponsor: Mayor/Finance

2. Approval of Change Orders on December 12, 2013 memo.

Sponsor: Mayor/Finance

3. Report of Requests for Quotes for Fuel dated: December 5, 2013; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Harms Oil (\$2.7841); CHS, Inc., Howes Oil and Olson Oil, all no bid. Bid awarded to: Harms Oil.
Sponsor: Mayor/Fleet
4. Report of Requests for Quotes for Fuel dated: December 6, 2013; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Howes Oil (\$2.6270); Harms Oil (\$2.7041); CHS, Inc. and Olson Oil, both no bid. Bid awarded to: Howes Oil.
Sponsor: Mayor/Fleet
5. A communication was received from Siouxland Heritage Museums requesting permission to consume, but not sell, beer/malt beverages at The Old Courthouse Museum, 200 W. Sixth St., on Thursday, January 9, 2014, from 5:00 p.m. until 7:00 p.m. for a museum gallery exhibit opening.
Sponsor: SDCL 35-1-5.5

APPLICATIONS

6. Amend new 2013 Retail Liquor License, including Sunday Sales and video lottery terminals, approved on 10-15-13, for QSL Sioux Falls, LLC, Quaker Steak and Lube, 6401 South Louise Avenue, by changing the date of the license to 2014 (full service restaurant; CUP not required).
Sponsor: Mayor/City Attorney
7. Special One-Day Liquor Licenses for Washington Pavilion Management Inc., Washington Pavilion of Arts & Science to be operated at 301 South Main Avenue for an Eide Bailey Holiday Party on January 11, 2014; and an Avera Medical-Dental Annual Meeting on January 14, 2014.
Sponsor: Mayor/City Attorney
8. Various Retail Liquor, Package Liquor, and Retail Wine License renewals for 2014 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit D.
Sponsor: Mayor/City Attorney

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, January 7, 2014, at 7:00 p.m. on Items 9 through 13:

9. New 2014 Retail Liquor License, including Sunday Sales and video lottery terminals, for Sandtrap, Inc, business name to be determined, 5213 West 12th Street, with Conditional Use Permit (2013-11-06) being approved on December 4, 2013.
Sponsor: Mayor/City Attorney

10. New 2014 Retail Wine License for Top Shelf Entertainment, Wine and Canvas to be operated at 5031 South Louise Avenue, with the Special Use Permit (2013-11-10) being approved on December 4, 2013.
Sponsor: Mayor/City Attorney
11. New 2013-14 Retail Malt Beverage License for Top Shelf Entertainment, Wine and Canvas to be operated at 5031 South Louise Avenue, with the Special Use Permit (2013-11-10) being approved on December 4, 2013.
Sponsor: Mayor/City Attorney
12. Special One-Day Liquor License for the Home Builders Association of the Sioux Empire to be operated at 6904 South Lyncrest Place, for a Membership Meeting on January 23, 2014.
Sponsor: Mayor/City Attorney
13. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Senior Citizens Services Inc., to be operated at Active Generations, 2300 West 46th Street, for the Gourmet Guys Fundraiser, on April 6, 2014.
Sponsor: Mayor/City Attorney

Set a date of hearing for Tuesday, January 7, 2014, at 7:00 p.m. on Items 14:

14. A PROPOSED RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SIDEWALK ON W. 41ST ST., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.
Sponsor: Mayor/Public Works

Set a date of hearing for Tuesday, January 7, 2014, at 7:00 p.m. on Items 15:

15. A PROPOSED RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SANITARY SEWER ON W. 41ST ST. FROM S. SERTOMA AVE. TO S. ELLIS ROAD, AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.
Sponsor: Mayor/Public Works

Set a date of hearing for Tuesday, January 7, 2014, at 7:00 p.m. on Items 16:

16. A PROPOSED RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT WATER MAIN ON W. 41ST ST. FROM S. SERTOMA AVE. TO S. ELLIS ROAD, AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.
Sponsor: Mayor/Public Works

Set a date of hearing for Tuesday, January 7, 2014, at 7:00 p.m. on Items 17:

17. A PROPOSED RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SIDEWALK ON E. 10TH ST., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.
Sponsor: Mayor/Public Works

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

18. New 2014 Package Liquor License for Grevco Inc., Shop N Cart North to be operated at 1029 North Minnesota Avenue.
Sponsor: Mayor/City Attorney

19. New 2013-14 Retail Malt Beverage/South Dakota Farm Winery License for Prairie Berry LLC, Prairie Berry Winery, 322 East 8th Street with Conditional Use Permit (2013-10-17) being approved on November 6, 2013. Pending final inspections per Fire, Health and Building Services.
Sponsor: Mayor/City Attorney

20. New 2013-14 Retail Malt Beverage License for Relic Revivals Ltd. Co., Relic Revivals Ltd. Co., 5015 South Western Avenue, Suite 260 with Special Use Permit (2013-10-07) being approved on October 1, 2013.
Sponsor: Mayor/City Attorney

21. New 2014 Retail Wine License for Relic Revivals Ltd. Co., Relic Revivals Ltd. Co., 5015 South Western Avenue, Suite 260 with Special Use Permit (2013-10-07) being approved on October 1, 2013.
Sponsor: Mayor/City Attorney

22. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s, to be operated at the Avera Prairie Center, 1000 East 23rd Street for an Avera Medical Group event on December 19, 2013.
Sponsor: Mayor/City Attorney

23. Various Retail Liquor, Package Liquor, and Retail Wine License renewals for 2014 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit E.
Sponsor: Mayor/City Attorney

24. Protest Petition Filed. (Pursuant to SDCL 11-4-5 and City Ordinance Section 160.653(c), the action already approved by the Council must be reconsidered and approved by two-thirds majority vote, or six Council members before it becomes effective.) AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2013-07-07 TO CHAPTER 160.446, PLANNED DEVELOPMENT DISTRICTS, AT NORTHWEST CORNER OF W. 85TH STREET AND S. WESTERN AVE. AMENDING THE THREE FOUNTAINS PLAZA PLANNED DEVELOPMENT DISTRICT REGULATIONS AND SUBAREA MAP. Planning Commission recommends approval. On November 5, 2013, the Council approved by a 5-2 vote, with Councilor Entenman absent.
Sponsor: Mayor/Planning and Building Services

INTRODUCTION AND ADOPTION OF ORDINANCES

25. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 223 N. FRANKLIN AVE. FROM THE RD, RESIDENTIAL DISTRICT TO THE C-2, GENERAL COMMERCIAL DISTRICT, PETITION NO. 2013-08-02 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, January 7, 2014 for Item 26:

26. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. 12TH ST. AND N. ELLIS RD. FROM THE AG, AGRICULTURAL DISTRICT TO THE C-4, PLANNED COMMERCIAL AND RA-1, MULTIFAMILY RESIDENTIAL DISTRICT, PETITION NO. 2013-10-09 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, January 7, 2014 for Item 27:

27. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3216 S. O'GORMAN DR. FROM THE RD, RESIDENTIAL DISTRICT TO THE O, OFFICE DISTRICT, PETITION NO. 2013-11-01 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, January 7, 2014 for Item 28:

28. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT SIX MILE RD. AND E. TENTH ST. FROM THE AG, AGRICULTURAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2013-11-05 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, January 7, 2014 for Item 29:

29. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE NE CORNER OF E. 41ST. AND S. SYCAMORE AVE. FROM SUBAREA C AND D OF MANIFOLD ACRES PD DISTRICT TO THE RA-1, RESIDENTIAL DISTRICT, PETITION NO. 2013-11-11 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, January 7, 2014 for Item 30:

30. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT N. REID ST. UNDER E. TENTH ST. FROM THE UNZONED AND RC, RECREATION CONSERVATION DISTRICT TO THE RC, RECREATION CONSERVATION AND C-3, CENTRAL BUSINESS DISTRICT, PETITION NO. 2013-11-13 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, January 7, 2014 for Item 31:

31. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 85TH ST. BETWEEN TALLGRASS AVE. AND LOUISE AVE. FROM THE AG, AGRICULTURAL DISTRICT TO THE RS-2, RD, RA-1, Residential and O, OFFICE DISTRICT, PETITION NO. 2013-11-14 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, January 7, 2014 for Item 32:

32. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE NW CORNER OF E. 14TH ST. AND S. SECOND AVE. FROM THE C-2, GENERAL COMMERCIAL DISTRICT TO C-3 CENTRAL BUSINESS DISTRICT, PETITION NO. 2013-11-15 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

The Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, January 7, 2014 for Item 33:

33. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 310 S. WESTERN AVE. FROM THE RS-2, RESIDENTIAL DISTRICT TO THE C-2, GENERAL COMMERCIAL DISTRICT, PETITION NO. 2013-11-16 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, January 7, 2014 for Item 34:

34. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. OF HIGHWAY 11 AND S. OF E. 26TH ST. FROM THE AG, AGRICULTURAL DISTRICT TO THE RS-2, RESIDENTIAL DISTRICT, PETITION NO. 2013-11-17 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

Set a date of hearing and 2nd Reading for Tuesday, January 7, 2014 for Item 35:

35. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY N. OF 5760 E. RED OAK DR. FROM THE RS-2, RESIDENTIAL AND DAWLEY FARM VILLAGE PLANNED DEVELOPMENT DISTRICT TO THE RA-1, MULTIFAMILY RESIDENTIAL DISTRICT, PETITION NO. 2013-11-20 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.
Sponsor: Mayor/Planning and Building Services

HEARINGS AND RESOLUTIONS

36. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE MAIN STREET BUSINESS IMPROVEMENT DISTRICT IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.
Sponsor: Mayor/Community Development

37. A RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE, AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATION, AND DESIGNATING AN AUTHORIZED REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT REQUESTS.
Sponsor: Mayor/Parks and Recreation

38. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.
Sponsor: Mayor

39. A RESOLUTION APPROVING THE 2014 AUDIT PLAN.
Sponsor: City Council/Internal Auditor's Office

40. A RESOLUTION ABATING STORM DRAINAGE FEE ASSESSMENTS AT PARCEL NO. 53472.
Sponsor: Mayor/Public Works

41. A RESOLUTION ABATING FRONT FOOT ASSESSMENTS FOR STREET MAINTENANCE FEES AT PARCEL NO. 53472.

Sponsor: Mayor/Public Works

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.

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 4:00 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 7:00 P.M. THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AIR LIVE THE FOURTH TUESDAY OF EACH MONTH AT 5:00 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 AT 1:30 A.M. AND 9:00 A.M. ON THURSDAYS, AND 6:00 P.M. ON SATURDAYS. COUNCIL COMMITTEE MEETINGS AT 12:30 A.M. AND 8:00 A.M. ON THURSDAYS, AND 5:00 P.M. ON SATURDAYS. CITY COUNCIL MEETINGS AT 2:30 AM AND 10:00 A.M. ON THURSDAYS, AND 7:00 P.M. ON SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 8:00 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1:00 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.