

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
REGULAR MEETING OF Tuesday, January 7, 2014 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

&#9679; Reed DeVries, Adult Ministry Team Leader, Celebrate Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; City Council Meeting of Tuesday, December 17, 2013, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on January 2, 2014 memo.

Sponsor: Mayor/Finance

2. Notice of change orders on January 2, 2014 memo.

Sponsor: Mayor/Finance

3. A memorandum dated December 18, 2013, declaring surplus capital items that were demolished as part of infrastructure upgrades.  
Sponsor: Mayor/Finance
4. A memorandum dated December 27, 2013, declaring surplus a capital item that will be used for parts.  
Sponsor: Mayor/Finance
5. Report of Requests for Quotes for Fuel dated: December 12, 2013; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Howes Oil (\$2.5655); Harms Oil, CHS, Inc. and Olson Oil, all no bid. Bid awarded to: Howes Oil.  
Sponsor: Mayor/Public Works
6. Report of Requests for Quotes for Fuel dated: December 13, 2013; Diesel (#1 and #2 blend); 1,130 gallons; Howes Oil (\$4,104.73); Palisades Oil and Midway Service, both no bid. Bid awarded to: Howes Oil.  
Sponsor: Mayor/Fire Rescue
7. Report of Requests for Quotes for Fuel dated: December 13, 2013; Unleaded; 578 gallons; Howes Oil (\$1,576.5); Palisades Oil and Midway Service, both no bid. Bid awarded to: Howes Oil.  
Sponsor: Mayor/Fire Rescue
8. Report of Requests for Quotes for Fuel dated: December 19, 2013; Unleaded Ethanol & E85; 7,500 gallons Unleaded/1,000 gallons E85; Harms Oil (\$2.7010 unleaded/\$2.5610 E85); CHS, Inc., Howes Oil and Olson Oil, all no bid. Bid awarded to: Harms Oil.  
Sponsor: Mayor/Public Works
9. Report of Request for Quotes For Fuel dated: December 31, 2013; e-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Howes Oil (\$2.8575); Harms Oil, CHS, Inc. and Olson Oil, all no bid. Bid awarded to: Howes Oil.  
Sponsor: Mayor/Public Works

#### APPLICATIONS

10. Special One-Day Liquor License for Washington Pavilion Management Inc., Washington Pavilion of Arts & Science to be operated at 301 South Main Avenue for the Toulouse Lautrec opening reception on January 24, 2014.  
Sponsor: Mayor/City Attorney
11. Special One-Day Liquor License for Philanthropy Promotions Inc., J&L Harley Davidson, to be operated at Falls Park West (park area north of the Sioux Falls Park and Recreation Office leading to Falls Park along Phillips Avenue) with a north boundary of Falls Park Drive, south boundary to 8th Street, east boundary is to the chain link fence on the east side of the park (the street will be closed on 6th Street from Dakota to Weber Avenues), and the west boundary of Dakota Avenue, for Hot Harley Nights, on July 12, 2014.  
Sponsor: Mayor/City Attorney

The following abatements were recommended for approval by the Director of Equalization and the State's Attorney's Office for Minnehaha County; and the City Attorney for Sioux Falls:

12. Augustana College Association, 2001 South Summit Avenue, for 2012 taxes in the amount of \$1,290.28.  
Sponsor: SDCL 10-18-1
13. South Dakota Department of Transportation, 700 East Broadway Avenue, for 2012 taxes in the amount of \$21.89.  
Sponsor: SDCL 10-18-1

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, January 21, 2014, at 7:00 p.m. for Items 14 through 21:

14. New 2014 Retail Liquor License, including Sunday Sales and video lottery terminals, for W&P of Sioux Falls LLC, business name to be determined, to be operated on Lot 9A, Block 17, Dawley Farm Village Addition (general location 600 South Highline Place), (full service restaurant, CUP not required).  
Sponsor: Mayor/City Attorney
15. Transfer of 2014 Retail Liquor License from JD Holdings Inc., Billy Frogs, 5002 South Marion Road to SD Billy Frogs Inc., Billy Frogs to be operated at 5002 South Marion Road.  
Sponsor: Mayor/City Attorney
16. New 2014 Retail Wine License for Lyutsiya Anderson, Day of Indulgence, to be operated at 5400 West 26th Street with Conditional Use Permit (2013-10-18) being approved on December 4, 2013.  
Sponsor: Mayor/City Attorney
17. New 2014 Retail Wine License for Munce Spa Inc., Spa 2000, to be operated at 224 North Phillips Avenue, Suite 110, with Conditional Use Permit (2013-11-03) being approved on December 4, 2013.  
Sponsor: Mayor/City Attorney
18. New 2014 Retail Wine License for Cheese World, LLC, Cheese World, to be operated at 2210 West 69th Street, Suite 130, with Major Amendment (2013-09-04) being approved on October 2, 2013.  
Sponsor: Mayor/City Attorney
19. New 2013-14 Retail Malt Beverage License for Cheese World, LLC, Cheese World, to be operated at 2210 West 69th Street, Suite 130, with Major Amendment (2013-09-04) being approved on October 2, 2013.  
Sponsor: Mayor/City Attorney
20. Special One-Day Malt Beverage License request for the Sioux Falls Roller

Dollz to be operated at the Multicultural Center, 515 North Main Avenue, for a charity fundraising event on January 25, 2014.

Sponsor: Mayor/City Attorney

21. Special One-Day Malt Beverage, Special One-Day Wine and Special One-Day Off-Sale Package Farm Wine Dealer Licenses for the Multi-Cultural Center of Sioux Falls to be operated at 515 North Main Avenue for a Decadence in Chocolate event on February 1, 2014.

Sponsor: Mayor/City Attorney

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

#### PUBLIC INPUT

#### UNFINISHED BUSINESS

22. Review of the Security Management Plan for the 2014 Package Liquor license renewal for Maketh Gak, Sudanese General Store to be operated at 623 West 11th Street which was approved on December 17, 2013.

Sponsor: Mayor/City Attorney

23. 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. Pending final inspections per Fire, Health and Building Services.

Sponsor: Mayor/City Attorney

24. 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. Pending final inspections per Fire, Health and Building Services.

Sponsor: Mayor/City Attorney

25. 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. Pending final inspections per Fire, Health and Building Services.

Sponsor: Mayor/City Attorney

26. 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

27. 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

#### INTRODUCTION AND ADOPTION OF ORDINANCES

28. 2nd 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
29. 2nd 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
30. 2nd 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
31. 2nd 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
32. 2nd 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
33. 2nd 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
34. 2nd 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

35. 2nd 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

36. 2nd 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

37. 2nd 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

38. A 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

39. A 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

40. A 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

41. A 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

42. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF COPPER CREEK SECOND ADDITION.

Sponsor: Mayor/Planning and Building Services

43. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.

Sponsor: Mayor

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 JANUARY 2, 2014, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

Sponsor: Mayor/Finance

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.