

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, April 15, 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

● Care Pastor Mike Peterson, Celebrate Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● Purple Up! For Military Kids Day - April 15, 2014

● Congenital Diaphragmatic Hernia Awareness Day - April 19, 2014

● Volunteers of America, Dakotas' Day - May 1, 2014

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, April 1, 2014, at 4:00 p.m.

● Regular City Council Meeting of Tuesday, April 1, 2014 at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on the April 10, 2014 memo.
2. Notice of change orders on the April 10, 2014 memo.
3. A communication was received from Michelle Henderson requesting permission to consume, but not sell, liquor, beer and wine at The History Club of Sioux Falls, 758 S. Phillips Avenue, on Saturday, August 9, 2014, from 12:00 p.m. to 5:00 p.m. for a family reunion.
4. Report of Requests for Quotes for Fuel dated: March 31, 2014; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Howes Oil (\$3.1090); Harms Oil (\$3.1230); CHS, Inc. (\$3.1317); Olson Oil, no bid. Bid awarded to: Howes Oil.
5. Report of Requests for Quotes for Fuel dated: April 1, 2014; #2 Clear Diesel; 7,500 gallons; CHS, Inc. (\$3.399); Howes Oil (\$3.3460 - bid received after deadline); Harms Oil (\$3.6059); Petroleum Traders Cor. and Midwest Oil, both no bid. Bid awarded to: CHS, Inc.
6. Report of Requests for Quotes for Fuel dated: April 3, 2014; Unleaded; 690 gallons; Howes Oil (\$2,265.62); Midway Service (\$2,292.53); and Palisades Oil, no bid. Bid awarded to: Howes.

APPLICATIONS

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:

Items 7-11: The amount requested is the difference between the elderly freeze and the Non-elderly freeze.

7. Junice E. Herschberger, 1509 E. 33rd St., for 2013 taxes in the amount of \$15.14.
8. Della Pulford, 943 S. Cloudas Ave., for 2013 taxes in the amount of \$727.75.
9. Theresa Takhar, 6900 W. 9th St., for 2013 taxes in the amount of \$1,097.71.
10. Emily K. Ramirez, 521 N. Franklin Ave., for 2013 taxes in the amount of \$17.47.

11. Hermine Csordacsics, 1006 W. 6th St., for 2013 taxes in the amount of \$726.80.
12. John R. Schultze, 3200 S. 1st Ave., for 2013 taxes in the amount of \$1,030.18. The abatement is difference between owner occupied and non-owner occupied taxes.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, May 6, 2014, at 7:00 p.m. for Items 13 through 19:

13. New 2014 Package Liquor License for Wal-Mart Stores, Inc., Walmart, to be operated at 5200 West 60th Street North.
14. New 2014 Retail Wine License for Pure Bliss, LLC, A Perfect 10 Nail & Beauty Bar, 2312 West 69th Street, Suite 140, with Conditional Use Permit (2014-03-03) being approved on April 2, 2014.
15. New 2014-15 Retail Malt Beverage License for Pure Bliss, LLC, A Perfect 10 Nail & Beauty Bar, 2312 West 69th Street, Suite 140, with Conditional Use Permit (2014-03-03) being approved on April 2, 2014.
16. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering, to be operated at 2300 East 54th Street North, Suite 3, for a Chamber Mixer on May 13, 2014.
17. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Almost Home Canine Rescue to be operated in the east parking lot of 300 North Cherapa Place, for the 605 Summer Classic on June 20 & 21, 2014.
18. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Almost Home Canine Rescue to be operated at the Multi-Cultural Center, 515 North Main Avenue, to be used as an alternate location in the event of inclement weather, for the 605 Summer Classic on June 20 & 21, 2014.
19. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sioux Falls Sister Cities to be operated at Falls Park West, Falls Park Drive, for the Germanfest to be held on September 6, 2014.

Set a date of hearing for Tuesday, May 6, 2014, at 7:00 p.m. for Item 20:

20. A PROPOSED RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SIDEWALK ON S. SOLBERG AVE., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

Set a date of hearing for Tuesday, May 6, 2014, at 7:00 p.m. for Item 21:

21. A PROPOSED RESOLUTION DECLARING THE NECESSITY TO GRADE, GRAVEL, CONSTRUCT CURB AND GUTTER WITH DRIVEWAY APPROACHES, STORM SEWER, ASPHALT SURFACING,

STREETLIGHTS, SANITARY SEWER, AND WATER MAIN ON N. VALLEY VIEW RD. AND ON N. EAGLES NEST AVE., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

22. Transfer of a 2014 Retail Liquor License, including Sunday Sales, from Lone Star Steakhouse & Saloon of SD Inc., Lone Star Steakhouse & Saloon, 1801 West 41st Street to LSF5 Cowboy Holdings, LLC, Lone Star Steakhouse & Saloon, 1801 West 41st Street (full service restaurant; CUP not required).
23. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sioux Falls Arts Council to be operated at TSP, 1112 North West Avenue for a fundraiser on April 24, 2014.
24. Special One-Day Malt Beverage License for Sioux Falls Roller Dollz to be operated at the Multicultural Center, 515 North Main Avenue for a Baconfest fundraiser on April 26, 2014.
25. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sertoma Butterfly House and Marine Cove, 4320 South Oxbow Avenue, for a fundraiser on May 1, 2014.
26. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Sioux Falls Area Community Foundation to be operated at Vance Thompson Vision, 3101 West 57th Street, for a fundraiser on May 1, 2014.
27. Special One-Day Liquor License for Museum of Visual Materials, 500 North Main Avenue, for a special event on May 2, 2014.
28. Special One-Day Wine License requests for Downtown Sioux Falls Inc., to be operated at the following locations: 8th & Railroad Center Lobby, 401 East 8th Street, Bead Co., 319 South Phillips Avenue, CH Patisserie, 309 South Phillips Avenue, Chelsea s Boutique, 321 South Phillips Avenue, Cliff Hangers Gallery, 126 South Phillips Avenue, Cookie Jar, 230 South Phillips Ave, Great Outdoor Store, 201 East Tenth Street, Home Porch, 217 South Phillips Avenue, Lillians, 311 South Phillips Avenue, NV Salon Studio, 106 West 11th Street, Rehfeld s Art & Framing, 210 South Phillips Avenue, Say Anything Jewelry, 524 N. Main Avenue, #104, Simply Perfect, 401 East 8th Street #108, Sioux Falls Design Center, 108 West 11th Street, Sticks and Steel, 401 East 8th Street Suite 118, Young & Richard s, 222 South Phillips Avenue, Zandbroz, 209 South Phillips Avenue, and Zing 301 South Minnesota Avenue, for the First Friday Wine Walk on May 2, 2014.

29. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls Inc., to be operated at 8th & Railroad Parking Lot, 401 East 8th Street, for Downtown Block Parties on the East Bank in 2014 on June 6, July 11, August 1, and September 5.
30. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls, Inc., to be operated on Phillips Avenue from 9th to 14th Streets; Main Avenue from 10th to 13th Streets, 13th Street from Main to 1st Avenue, 12th Street from Main to Phillips Avenues, 11th Street from Dakota to Mall Avenues, 10th Street from Main to Mall Avenues, Parking Ramp by Main & 12th, Surface lot behind Diner, and Plaza by 12th & Phillips for Hot Summer Nites on July 16, 2014.
31. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls Inc., to be operated within Phases 1 and 2 of Downtown Riverfront (from 6th Street to South of 8th Street) including Raven Industries riverfront and parking lot located at 205 East 6th Street for Downtown Riverfest on August 16, 2014.
32. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sisters of the Presentation of the Blessed Virgin Mary to be operated at Falls Park, 305 East Falls Park Drive, for the Cinco de Mayo Fiesta, on May 10, 2014.
33. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s, to be operated at Avera Prairie Center, 1000 East 23rd Street for a Chamber event on May 15, 2014.
34. Special One-Day Wine License for the Democratic Forum of Sioux Falls to be operated at The History Club, 758 South Phillips Avenue for a fundraiser on May 17, 2014.
35. Special One-Day Liquor Licenses for Hy-Vee Inc., All Occasions by Hy-Vee to be operated at The Point is to Serve Church, 506 North Kiwanis Avenue for weddings in 2014 on May 3, June 7, June 14, June 28 and July 26.
36. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Hy-Vee Inc., All Occasions by Hy-Vee to be operated at The Point is to Serve Church, 506 North Kiwanis Avenue for weddings in 2014 on June 21 and July 12.
37. Special One-Day Malt Beverage and Special One-Day Wine Licenses for South Dakota Achieve, 4100 South Western Avenue for a Chamber event on September 9, 2014.

INTRODUCTION AND ADOPTION OF ORDINANCES

38. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE

OF ORDINANCES OF THE CITY BY REVISING THE MAXIMUM NUMBER OF OFF-SALE DEALERS.

39. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING CHAPTER 124: VEHICLES FOR HIRE.

Set a date of hearing and 2nd Reading for Tuesday, May 6, 2014, at 7:00 p.m. for Item 40:

40. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 4800 S. TENNIS LANE FROM THE RA-1, RESIDENTIAL DISTRICT TO THE C-4, PLANNED COMMERCIAL DISTRICT, PETITION NO. 2014-03-09 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. (The Planning Commission recommends approval).

Set a date of hearing and 2nd Reading for Tuesday, May 6, 2014, at 7:00 p.m. for Item 41:

41. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, A MAJOR AMENDMENT, PETITION NO. 2014-03-07 TO CHAPTER 160.446, PLANNED DEVELOPMENT DISTRICTS, AT 196 E. 6TH STREET, AMENDING THE RAVEN INDUSTRIES PLANNED DEVELOPMENT DISTRICT REGULATIONS. (The Planning Commission recommends approval).

Set a date of hearing and 2nd Reading for Tuesday, May 13, 2014, at 7:00 p.m. for Item 42:

42. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING CHAPTER 50: UTILITIES GENERALLY.

Set a date of hearing and 2nd Reading for Tuesday, May 13, 2014, at 7:00 p.m. for Item 43:

43. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, CONVEYING TRACT A OF LOT 1 OF CARLSEN S ADDITION TO THE CITY OF SIOUX FALLS, LINCOLN COUNTY, SOUTH DAKOTA, EXCEPT LOT H1 CONTAINED THEREIN.

HEARINGS AND RESOLUTIONS

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

45. A RESOLUTION APPROVING THE RELEASE OF PERMANENT WATER MAIN EASEMENT LOCATED IN TRACT 3 OF LUNDSTROM S SECOND ADDITION IN THE CITY OF SIOUX FALLS, LINCOLN COUNTY, SD.

46. A RESOLUTION APPROVING THE RELEASE OF PERMANENT EASEMENTS LOCATED IN LOT 1A, BLOCK 2 OF THELIN BUSINESS CENTER ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SOUTH DAKOTA.

47. A RESOLUTION ADOPTING THE CITY COUNCIL TRAVEL POLICY AS AMENDED.

48. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF BRANDE PARK ADDITION. (The Planning Commission recommends approval).

49. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF LAKE LORRAINE ADDITION. (The Planning Commission recommends approval).
50. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. ANNEXATION 2014-02-14 - CANTERBURY HEIGHTS.
51. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. ANNEXATION 2014-02-13 - CACTUS HEIGHTS.

NOTICE OF HEARINGS FOR STREET VACATIONS

Set a hearing date for Tuesday, May 13, 2014, at 7:00 p.m., for Item 52:

52. A PROPOSED RESOLUTION VACATING THE PUBLIC RIGHT-OF-WAY ON W. 19TH ST. FROM S. MENLO AVE. TO S. WALTS AVE. AS SHOWN ON EXHIBIT A.

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)

NEW BUSINESS

53. MOTION TO CANVASS THE APRIL 8, 2014, ELECTION RETURNS PURSUANT TO SDCL 9-13-24, DECLARE THE RESULT, AND ENTER THE RESULT IN THE JOURNAL (MINUTES).

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.