

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, June 17, 2014 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Greg Jamison
Council Member Dean Karsky
Council Member Rick Kiley
Council Member Rex Roling
Council Member Kermit L. Staggers

Council Member Kenny Anderson Jr.

Council Member Christine M. Erickson

Council Member Michelle Erpenbach
Mayor Mike T. Huether

INVOCATION

● Pastoral Intern David Lusk, Abiding Savior Free Lutheran Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

- World Refugee Day, June 20, 2014

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, June 10, 2014, at 4:00 p.m.

● City Council Meeting of Tuesday, June 10, 2014, at 7:00 p.m.

COMMUNICATIONS

1. Approval of Contracts/Agreements on the June 12, 2014 memo.
2. Notice of Change Orders on the June 12, 2014 memo.

3. Report of Requests for Quotes for Fuel dated: June 9, 2014; E-10 Unleaded Ethanol/87 octane; 8,500 gallons; Howes Oil (\$3.0900); Harms Oil (\$3.0950); CHS, Inc. and Olson Oil, no bid. Bid awarded to: Howes Oil.

APPLICATIONS

4. Special One-Day Liquor License requests for Washington Pavilion Management Inc., Washington Pavilion of Arts & Science to be operated at 301 South Main Avenue for weddings on July 12, 19 and 26, 2014.
5. Special One-Day Malt Beverage and Special One-Day Wine Licenses for TNT Entertainment to be operated at Yankton Trail Park, 3901 South Minnesota Avenue, for the Electric Glow Run on August 16, 2014.
6. Special One-Day Liquor License request for Washington Pavilion Management Inc., Washington Pavilion of Arts & Science to be operated at 301 South Main Avenue for class reunion on June 28, 2014.
7. Various Retail Malt Beverage License renewals for 2014-15 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 the State's Attorney's Office for Minnehaha County; and the City Attorney for Sioux Falls:

8. Minnehaha County, Parcel #29189, W 49 1/2' E 96' 10 & 11 Block 29 Covell's 2nd Addn to City of Sioux Falls, for 2013 property taxes in the amount of \$1,121.42, for property sold on a tax deed sale held on 11/23/13; 2013 taxes payable in 2014 are asked to be abated as the purchaser did not own the property on 11/1/12.
9. Minnehaha County Auditor on behalf of Anthony Matala, Parcel #68415, 1999 Schult--16x76 Serial No. M291261 Cactus Hills Mobile Home Court Sioux Falls City, for 2012 property taxes in the amount of \$341.29. Mobile home was sold to Nationwide in August 2011 and then moved to Yankton, SD, in October 2011. The title was never transferred. No taxes should have been placed for 2012 payable 2013 since the mobile home was no longer in Minnehaha County.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, July 1, 2014, at 7:00 p.m. on Items 10 and 11:

10. New 2014-15 Retail Malt Beverage License for Crickett Collins, The Bonus Round Bar, to be operated at 803 South Cliff Avenue.

11. Special One-Day Malt Beverage License for Special Olympics South Dakota to be operated at Yankton Trail Park, 3901 South Minnesota Avenue, for the Peach Festival on July 26, 2014.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

12. DEFERRED ACTION (from City Council Meeting of 6/03/14): New 2014 Retail Wine License for JLB-SF2, Inc., JL Beers, to be operated at 2530 South Louise Avenue. Pending final inspections by Fire, Health and Building Services.
13. DEFERRED ACTION (from City Council Meeting of 6/03/14): New 2014-15 Retail Malt Beverage License for JLB-SF2 Inc., JL Beers, to be operated at 2530 South Louise Avenue. Pending final inspections by Fire, Health and Building Services.
14. New 2014 Package Liquor License for Bauer Enterprises, LLC, BP to be operated at 5108 North Cliff Avenue.
15. New 2014-15 Retail Malt Beverage License for Commonwealth Gaming & Holding, Deuces Casino IIA, to be operated at 1912 West 41st Street, Suite A.
16. Special One-Day Malt Beverage License for Holy Spirit Knights of Columbus to be operated at Holy Spirit Catholic Church, 3601 East Dudley Lane, for a fundraiser on June 28, 2014.
17. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sioux Falls Irish Club to be operated at Falls Park West, Falls Park Drive for the Dakota Irish Fair to be held on July 26, 2014.
18. Various Retail Malt Beverage, Retail Malt Beverage/South Dakota Farm Winery, Package Malt Beverage, and Package Malt Beverage/South Dakota Farm Winery License renewals for 2014-15 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit E.

INTRODUCTION AND ADOPTION OF ORDINANCES

19. DEFERRED ACTION (from City Council Meeting of 6/03/14): 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY NORTH OF W. 69TH ST. AND WEST OF S. SOUTHEASTERN AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN AND CN CONSERVATION DISTRICTS TO THE RA-3 APARTMENT RESIDENTIAL HIGH DENSITY DISTRICT, PETITION NO. 2014-04-06, AND AMENDING

THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

20. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 57: GARBAGE AND RECYCLING TO INCREASE RATES AT THE LANDFILL IN SECTION 57.047.

21. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 51: UTILITY RATES AND CHARGES, SUBCHAPTER STORM DRAINAGE AND SUBCHAPTER STORM WATER DRAINAGE SYSTEM IMPROVEMENT COST RECOVERY.

22. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 51: UTILITY RATES AND CHARGES, SUBCHAPTER GENERAL PROVISIONS AND SUBCHAPTER SEWER.

Set a date of hearing and 2nd Reading for Tuesday, July 1, 2014, at 7:00 p.m. for Item 23:

23. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING SUBSECTIONS 110.033 110.035 OF CHAPTER 110: LICENSES OF TITLE XI: BUSINESS REGULATIONS BY REVISING ANNUAL FEES FOR LICENSES AND PERMITS AND FIRE DEPARTMENT INSPECTIONS FOR LICENSES ISSUED BY OTHER CITY DEPARTMENTS.

Set a date of hearing and 2nd Reading for Tuesday, July 1, 2014, at 7:00 p.m. for Item 24:

24. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 9000 W. 26TH ST. FROM THE AG AGRICULTURE DISTRICT TO THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT, PETITION NO. 2014-04-01, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Set a date of hearing and 2nd Reading for Tuesday, July 1, 2014, at 7:00 p.m. for Item 25:

25. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHEAST CORNER OF W. 81ST ST. AND S. AUDIE AVE. FROM THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY, CN CONSERVATION, AND LW LIVE-WORK DISTRICTS TO THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY, CN CONSERVATION, AND LW LIVE-WORK DISTRICTS, PETITION NO. 2014-05-03, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Set a date of hearing and 2nd Reading for Tuesday, July 1, 2014, at 7:00 p.m. for Item 26:

26. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING

PROPERTY AT THE NORTHWEST CORNER OF E. 26TH ST. AND S. SIX MILE RD. FROM THE AG AGRICULTURE DISTRICT TO THE CN CONSERVATION, RA-3 APARTMENT RESIDENTIAL HIGH DENSITY, RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY, RD-2 TOWNHOME RESIDENTIAL SUBURBAN, RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN, AND C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICTS, PETITION NO. 2014-05-06, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Set a date of hearing and 2nd Reading for Tuesday, July 1, 2014, at 7:00 p.m. for Item 27:

27. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE NORTHEAST AND SOUTHEAST CORNERS OF SD HWY. 42 AND S. SIX MILE RD. FROM THE AG AGRICULTURE DISTRICT TO THE CN CONSERVATION, RA-3 APARTMENT RESIDENTIAL HIGH DENSITY, C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR, AND C-3 COMMERCIAL COMMUNITY DISTRICTS, PETITION NO. 2014-05-07, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Set a date of hearing and 2nd Reading for Tuesday, July 1, 2014, at 7:00 p.m. for Item 28:

28. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY WEST OF S. DISCOVERY AVE. AND SOUTH OF W. 12TH ST. FROM THE AG AGRICULTURE DISTRICT TO THE I-1 LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2014-05-08, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Set a date of hearing and 2nd Reading for Tuesday, July 1, 2014, at 7:00 p.m. for Item 29:

29. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHWEST CORNER OF E. 26TH ST. AND S. POWDER HOUSE RD. FROM THE C-2 AND C-4 COMMERCIAL, CN OPEN SPACE, O OFFICE/INSTITUTIONAL, RA-2 AND RA-1 APARTMENT RESIDENTIAL, AND RS SINGLE-FAMILY RESIDENTIAL DISTRICTS TO THE C-2, C-3, AND C-4 COMMERCIAL, CN OPEN SPACE, O OFFICE/INSTITUTIONAL, RA-3, RA-2, AND RA-1 APARTMENT RESIDENTIAL, LW LIVE-WORK, RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN, AND RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICTS, PETITION NO. 2014-05-10, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Set a date of hearing and 2nd Reading for Tuesday, July 1, 2014, at 7:00 p.m. for Item 30:

30. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. BAHNSON AVE. AND E. 11TH ST. FROM THE C-3 COMMERCIAL COMMUNITY DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT, PETITION NO. 2014-05-13, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Set a date of hearing and 2nd Reading for Tuesday, July 1, 2014, at 7:00 p.m.
for Item 31:

31. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT SD HWY. 42 AND E. SIX MILE RD. FROM THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT TO THE RA-3 APARTMENT RESIDENTIAL HIGH DENSITY DISTRICT, PETITION NO. 2014-05-14, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Set a date of hearing and 2nd Reading for Tuesday, July 1, 2014, at 7:00 p.m.
for Item 32:

32. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT S. HANSON AVE. AND W. BRIDGER ST. FROM THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY AND LW LIVE-WORK DISTRICTS TO THE RD-2 TOWNHOME RESIDENTIAL SUBURBAN AND THE CN CONSERVATION DISTRICTS, PETITION NO. 2014-05-15, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Set a date of hearing and 2nd Reading for Tuesday, July 1, 2014, at 7:00 p.m.
for Item 33:

33. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE NORTHWEST CORNER OF 69TH ST. AND S. SOUTHEASTERN AVE. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE S-1 GENERAL INSTITUTIONAL DISTRICT, PETITION NO. 2014-05-16, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

Set a date of hearing and 2nd Reading for Tuesday, July 1, 2014, at 7:00 p.m.
for Item 34:

34. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE NORTHEAST CORNER OF 69TH ST. AND CLIFF AVE. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE C-3 COMMERCIAL COMMUNITY DISTRICT, INCLUDING CONDITIONS AS ALLOWED IN SECTION 160.650 (e) PLACING LIMITATIONS ON REGULATIONS WITHIN THE RE4 FORM, PETITION NO. 2014-05-17, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval with the following condition: 1) Building of no more than 50,000 square feet of gross floor area.

Set a date of hearing and 2nd Reading for Tuesday, July 1, 2014, at 7:00 p.m.
for Item 35:

35. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHWEST CORNER OF GRAND SLAM AVE. AND 45TH ST. FROM THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT TO THE RD-2 TOWNHOME RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 2014-05-19, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

HEARINGS AND RESOLUTIONS

36. A RESOLUTION DECLARING IT NECESSARY TO LEVY AND LEVYING A SPECIAL FRONT FOOT ASSESSMENT FEE FOR STREET MAINTENANCE AND REPAIR.
37. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA (ANNEXATION 2013-07-20 SE CORNER: W. 85TH ST. AND S. MINNESOTA AVE.).
38. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA (ANNEXATION 2014-01-22 69TH ST. AND SUNDOWNER AVE.).
39. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA (ANNEXATION 2014-04-08 69TH ST. AND SYCAMORE AVE.).
40. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF CANTERBURY HEIGHTS NORTH ADDITION. Petition No. 2014-02-04. Planning Commission recommends approval.
41. A RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPER FOR THE CITY OF SIOUX FALLS, SD.

NEW BUSINESS

42. A motion to approve the temporary road diet pilot project for Main Avenue between Sixth Street and Fourteenth Street where the eastern most lane of Main Avenue will be temporarily repurposed for alternative uses that include angled parking and extended furniture zones, and will be concluded by October 31, 2014.

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 MEETINGSAT 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.