

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, July 15, 2014 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Rex Rolwing
Council Member Kermit L. Staggers

Council Member Kenny Anderson Jr.

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Council Member Greg Jamison
Council Member Dean Karsky
Council Member Rick Kiley
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, July 8, 2014, at 4:00 p.m.

● City Council Meeting of Tuesday, July 8, 2014, at 7:00 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the July 10, 2014 memo.
2. A communication was received from Tefay Anday requesting permission to consume, but not sell, wine and malt beverages at the Multi-Cultural Center,

515 North Main Avenue, on Saturday, August 2, 2014, from 8:00 a.m. to 12:00 p.m. for a wedding reception pursuant to SDCL 35-1-5.5.

3. A communication was received from Sedia Nayou requesting permission to consume, but not sell, wine and malt beverages at the Multi-Cultural Center, 515 North Main Avenue, on Saturday, July 19, 2014, from 5:00 p.m. to midnight for a wedding reception pursuant to SDCL 35-1-5.5.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, August 5, 2014, at 7:00 p.m. on Items 4 through 10:

4. New 2014-15 Retail Malt Beverage License for GL Management, LLC, Woodlake Athletic Club, to be operated at 4600 South Tennis Lane (CUP not required; accessory alcohol).
5. New 2014 Retail Wine License for GL Management, LLC, Woodlake Athletic Club to be operated at 4600 South Tennis Lane (CUP not required; accessory alcohol).
6. Transfer of 2013-14 Retail Malt Beverage License, including video lottery terminals, from Sim & Sim Enterprises, Inc., J s Wild Casino, 904 South Cliff Avenue, to Quan Holdings, Inc., Crown Casino on Cliff, 904 South Cliff Avenue, with Conditional Use Permit (2010-02-05) being approved on March 3, 2010.
7. Renewal of 2014-15 Retail Malt Beverage License for Quan Holdings, Inc., Crown Casino on Cliff, 904 South Cliff Avenue.
8. New 2014 Retail Wine License, including video lottery terminals, for Quan Holdings, Inc., Crown Casino on Cliff, to be operated at 904 South Cliff Avenue, with Conditional Use Permit (2010-02-05) being approved on March 3, 2010.
9. Transfer of 2014 Retail Liquor License, including Sunday Sales certificate and video lottery terminals, from Shenanigan s Pub, Inc., Shenanigan s Pub, 4001 West 41st Street #502, to Shenanigan s Pub, Inc., Shenanigan s Pub, 1903 South Ellis Road, effective September 1, 2014 or upon completion of construction (CUP not required; full service restaurant).
10. Transfer of 2014 Retail Liquor License, including Sunday Sales certificate, from GMRI, Inc., Red Lobster Restaurant #305, 3901 West 41st Street, to Red Lobster Hospitality, LLC, Red Lobster #305, 3901 West 41st Street (CUP not required; full service restaurant).

Set a date of hearing for Tuesday, August 12, 2014, at 7:00 p.m. on Items 11 through 15:

11. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR REPAIR OR DEMOLITION OF REAL PROPERTY IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.
12. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR LITTER REMOVAL IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.
13. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR SNOW REMOVAL IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.
14. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR TREE TRIMMING IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.
15. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE MOWING OF WEEDS AND GRASSES IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

16. New 2014-15 Retail Malt Beverage License for Ice Sports Association, SCHEELS IcePlex, 4300 North Bobhalla Avenue (CUP not required). Pending final inspections per Fire, Health and Building Services.
17. New 2014-15 Retail Malt Beverage License for PPC Sioux Falls, Noodles & Company, 5216 East Arrowhead Parkway with Conditional Use Permit (2014-05-02) being approved on June 4, 2014. Pending final inspections per Fire, Health and Building Services.
18. New 2014 Retail Wine License for PPC Sioux Falls, Noodles & Company, 5216 East Arrowhead Parkway with Conditional Use Permit (2014-05-02) being approved on June 4, 2014.
19. New 2014-15 Retail Malt Beverage License, including video lottery terminals, for Wesley Brandis, The Brass Rail, 1213 North Cliff Avenue (CUP not required).
20. 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 on the following dates in 2014: August 9, August 23, September 6, September 13, September 20 and September 27.

21. 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 wedding on August 16, 2014.
22. Special One-Day Liquor License for TSK, Inc., Stogeez Cigar Lounge to be operated on Phillips Avenue between 10th & 11th Streets for the Stogeez Steakout on July 26, 2014.

INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Tuesday, August 5, 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 SECTION 95.071 (B) ICE RINK FEES OF CHAPTER 95: PARKS AND RECREATION OF TITLE IX: GENERAL REGULATIONS.

Set a date of hearing and 2nd Reading for Tuesday, August 5, 2014, at 7:00 p.m. for Item 24:

24. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 50 N. KNOLL DR. FROM THE AG AGRICULTURE DISTRICT TO THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 2014-06-02, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission unanimously recommends denial.

Set a date of hearing and 2nd Reading for Tuesday, August 5, 2014, at 7:00 p.m. for Item 25:

25. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY NORTH OF E. 69TH ST. AND WEST OF S. SOUTHEASTERN AVE. FROM THE RD-1, TWIN HOME/DUPLEX RESIDENTIAL & RS, SINGLE-FAMILY RESIDENTIAL DISTRICTS TO THE RA-1, APARTMENT RESIDENTIAL & RD-2, TOWNHOME RESIDENTIAL DISTRICTS, INCLUDING CONDITIONS AS ALLOWED IN SECTION 160.650 (e) PLACING LIMITATIONS ON WHICH FORM CAN BE USED WITHIN THE RD-2, TOWNHOME RESIDENTIAL DISTRICT, PETITION NO. 2014-05-20 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval with the following condition: 1) A minimum of one row of lots utilizing the AD1 form (twin home or duplex uses) are required along the entire length of the north property line.

Set a date of hearing and 2nd Reading for Tuesday, August 5, 2014, at 7:00 p.m. for Item 26:

26. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING PLANNING AND ZONING APPLICATION FEES. Planning Commission recommends approval.

Set a date of hearing and 2nd Reading for Tuesday, August 5, 2014, at 7:00 p.m. for Item 27:

27. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 160: ZONING, SUBCHAPTER FEES. Planning Commission recommends approval.

Set a date of hearing and 2nd Reading for Tuesday, August 5, 2014, at 7:00 p.m. for Item 28:

28. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHWEST CORNER OF E. 57TH ST. AND S. SYCAMORE AVE. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR AND RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICTS TO THE C-3 COMMERCIAL COMMUNITY, RA-3 APARTMENT RESIDENTIAL HIGH DENSITY, AND RD-2 TOWNHOME RESIDENTIAL SUBURBAN DISTRICTS, PETITION NO. 2014-06-07, 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, August 5, 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 SOUTHEAST CORNER OF W. 85TH ST. AND S. TALLGRASS AVE. FROM THE AG AGRICULTURE DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR, C-3 COMMERCIAL COMMUNITY, O OFFICE, RA-3 APARTMENT RESIDENTIAL HIGH DENSITY, AND RD-2 TOWNHOME RESIDENTIAL SUBURBAN DISTRICTS, PETITION NO. 2014-06-06, 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, August 5, 2014, at 7:00 p.m. for Item 30:

30. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE NORTHWEST CORNER OF S. PURDUE AVE. AND W. LOBELIA ST. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RD-1 TWIN HOME/ DUPLEX RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 2014-06-04, 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, August 5, 2014, at 7:00 p.m. for Item 31:

31. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY EAST AND WEST OF N. MARLOW AVE. AND NORTH OF E. FAIRWAY DR. FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 2014-06-03, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

HEARINGS AND RESOLUTIONS

32. A RESOLUTION APPOINTING AN AUDIT COMMITTEE MEMBER TO THE CITY COUNCIL AUDIT COMMITTEE.
33. A RESOLUTION DECLARING IT NECESSARY TO LEVY AND LEVYING A FRONTAGE ASSESSMENT AGAINST THE LOTS, TRACTS, AND PARCELS OF LAND FRONTING AND ABUTTING UPON 21ST ST. FROM PHILLIPS AVE. TO SEVENTH AVE. IN THE CITY OF SIOUX FALLS FOR THE PURPOSE OF MAINTAINING, PLANTING, AND OTHERWISE IMPROVING AND CARING FOR THE CENTER PARKWAYS AND BOULEVARD THEREON.
34. A RESOLUTION EXTENDING THE OPEN VIDEO SYSTEM LICENSE OF KNOLOGY OF THE PLAINS, INC. D/B/A WOW! INTERNET, CABLE AND PHONE.
35. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF A SCULPTURE ON PUBLIC PROPERTY.
36. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. ANNEXATION 2014-05-21 10TH ST. AND SIX MILE RD.
37. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF DAWLEY FARM ADDITION (2014-06-01). Planning Commission recommends approval.
38. A RESOLUTION AUTHORIZING USE OF CONSTRUCTION MANAGER AT RISK SERVICES FOR THE CONSTRUCTION OF THE INDOOR AQUATICS FACILITY AT SPELLERBERG PARK.
39. A RESOLUTION ESTABLISHING THE CITY OF SIOUX FALLS PROVISIONAL LEGISLATIVE PRIORITIES FOR THE 2015 STATE LEGISLATIVE SESSION.

NEW BUSINESS

40. Consideration of Travel Request for Councilor Kermit L. Staggers to attend the American Dream Coalition Conference in Denver, Colorado.

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.