

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Tuesday, August 5, 2014 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

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

Council Member Rex Rolfing

Council Member Kermit L. Staggers

Mayor Mike T. Huether

INVOCATION

● Amanda Novotny, President of Siouxland Freethinkers

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● Purple Heart Day - August 7, 2014

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, July 15, 2014, at 4:00 p.m.

● City Council Meeting of Tuesday, July 15, 2014, at 7:00 p.m.

● Informational Meeting of Tuesday, July 22, 2014, at 4:00 p.m.

● Joint City Council/Lincoln County Commission Meeting of Tuesday, July 22, 2014, at 7:00 p.m.

● Special City Council Meeting of Thursday, July 31, 2014, at 1:30 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the July 31, 2014 memo.
2. Notice of change orders on the July 31, 2014 memo.
3. Report of Requests for Quotes for Fuel dated: July 16, 2014; #2 Dyed Diesel Fuel; 7,500 gallons; Harms Oil (\$2.9800); Midwest Oil (\$3.0800); CHS. Inc., Howes Oil and Olson Oil, all no bid. Bid awarded to: Harms Oil.
4. Report of Requests for Quotes for Fuel dated: July 16, 2014; #2 Clear Diesel; 7,500 gallons; Harms Oil (\$3.42); Petroleum Traders Cor. (\$3.2378); CHS. Inc, Howes Oil and Midwest Oil, all no bid. Bid awarded to: Petroleum Traders, Cor.
5. Report of Requests for Quotes for Fuel dated: July 17, 2014; #2 Dyed Diesel Fuel; 7,500 gallons; Harms Oil (\$2.9706); CHS, Inc. (\$3.0013); Howes Oil, Midwest Oil and Olson Oil, all no bid. Bid awarded to: Harms Oil.
6. Report of Requests for Quotes for Fuel dated: July 18, 2014; #2 Dyed Diesel Fuel; 7,500 gallons; Harms Oil (\$2.9930); Howes Oil (\$3.0279); CHS, Inc., Midwest Oil, and Olson Oil, all no bid. Bid awarded to: Harms Oil.
7. Report of Requests for Quotes for Fuel dated: July 23, 2014; #2 Clear Diesel; 7,500 gallons; CHS, Inc. (\$3.2138); Petroleum Traders Cor. (\$3.2508); Howes Oil, Harms Oil, and Midwest Oil, all no bid. Bid awarded to: CHS, Inc.
8. Report of Requests for Quotes for Fuel dated July 24, 2014; Diesel (#1 and #2 blend); 1,194 gallons; Howes Oil (\$3,992.74); Palisades Oil and Midway Service, both no bid. Bid awarded to: Howe's Oil.
9. Report of Requests for Quotes for Fuel dated July 24, 2014; Unleaded; 556 Gallons; Howes Oil (\$1,786.98); Palisades Oil and Midway Service, both no bid. Bid awarded to: Howes Oil.
10. A communication was received from The Great Plains Zoo and Delbridge Museum of Natural History requesting permission to consume, but not sell, liquor, wine and/or malt beverages at 805 South Kiwanis Avenue on the dates shown for donor appreciation events at the zoo: August 14, 20, 21, and 28, 2014.

11. A communication was received from Chelsea Pickner and Colin Tracy requesting permission to consume, but not sell, liquor, wine, and beer at the Old Courthouse Museum, 200 W. 6th Street, on September 5, 2014, from 5:00 p.m. to 11:30 p.m. for the purpose of a wedding.
12. A communication was received from Ashley Kopischke and Jeffrey Knapp requesting permission to consume, but not sell liquor, wine and malt beverages at the Old Courthouse Museum, 200 W. 6th Street, on Saturday, September 20, 2014 from 4:00 p.m. to 12:00 a.m. for the purpose of a wedding reception.
13. A communication was received from Anne Marie Goraj and Andrew McDade requesting permission to consume, but not sell, wine and/or malt beverages at the Old Courthouse Museum, 200 W. 6th Street, on Saturday, October 18, 2014, from 4:00 p.m. - 9:00 p.m. for the purpose of a wedding reception.

APPLICATIONS

14. 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 August 30 and September 6, 13, 20, 26 and 27, 2014.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, August 19, 2014, at 7:00 p.m. for Items 15 through 23:

15. Rescind New 2014-15 Retail Malt Beverage License for Crickett Collins, The Bonus Round Bar, to be operated at 803 South Cliff Avenue.
16. New 2014-15 Retail Malt Beverage License for Crickett Collins and Isak Anderson, The Bonus Round, to be operated at 803 South Cliff Avenue.
17. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Commemorative Air Force Joe Foss Squadron to be operated at Maverick Air Center, 4201 North Maverick Place, for a Hangar Dance on September 13, 2014.
18. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering, to be operated at Avera Medical Group, 6215 South Cliff Avenue, for a marketing event on August 26, 2014.
19. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering, to be operated at Docutap, 101 South Phillips Avenue, Suite 300, for a ribbon cutting on August 27, 2014.

20. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering, to be operated at Vance Thompson Vision, 3101 West 57th Street for the Artisan 57 open house on September 8, 2014.
21. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering, to be operated at Avera eCare, 4500 North Lewis Avenue, for a board meeting on September 24, 2014.
22. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering, to be operated at Sanford Health, 2301 East 60th Street North, for a special dinner event on September 12, 2014.
23. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering, to be operated at The Coliseum, 515 North Main Street, for a wedding on October 18, 2014.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

24. 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). Pending permits and final inspections per Fire, Health, and Building Services.
25. 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). Pending permits and final inspections per Fire, Health, and Building Services.
26. 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. Pending permits and final inspections per Fire, Health, and Building Services.
27. Renewal of 2014-15 Retail Malt Beverage License for Quan Holdings, Inc., Crown Casino on Cliff, 904 South Cliff Avenue. Pending permits and final inspections per Fire, Health, and Building Services.

28. 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. Pending permits and final inspections per Fire, Health, and Building Services.
29. 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). Pending permits and final inspections per Fire, Health, and Building Services.
30. 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).

INTRODUCTION AND ADOPTION OF ORDINANCES

31. 2nd 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.
32. 2nd 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.
33. 2nd 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.
34. 2nd 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.
35. 2nd 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.

36. 2nd 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.

37. 2nd 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

38. 2nd 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.

Set a date of hearing and 2nd Reading for Tuesday, August 12, 2014, at 7:00 p.m. for Item 39:

39. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING FOR INTEREST RATES FOR SPECIAL ASSESSMENTS ON STREET AND UTILITY IMPROVEMENT COSTS AND ENGINEERING AND TESTING COSTS FOR A PORTION OF THE SANFORD SPORTS COMPLEX.

Set a date of hearing and 2nd Reading for Tuesday, August 12, 2014, at 7:00 p.m. for Item 40:

40. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING CHAPTER 95: PARKS & RECREATION.

HEARINGS AND RESOLUTIONS

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

42. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE NAMING OF A FACILITY SPACE ON PUBLIC PROPERTY. McNally's VIP Pub.

43. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE NAMING OF A FACILITY SPACE ON PUBLIC PROPERTY. Comfort Zone.

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 JULY 29, 2014, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

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.