

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Monday, February 2, 2015 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

● Pastor David Edge, Zion Lutheran Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● National Wear Red Day - February 6, 2015

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● City Council Meeting of Tuesday, January 20, 2015, at 7:00 p.m.

● Informational Meeting of Tuesday, January 27, 2015, at 4:00 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the January 29, 2015 memo.

2. Approval of notice of change orders on the January 29, 2015 memo.
3. A memorandum dated January 20, 2015, declaring surplus property from 2014.
4. 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 beverage at the Great Plains Zoo, 805 South Kiwanis Avenue on February 5, 12, 19 and 26, 2015, for the purpose of supporter and donor appreciation events at the Zoo, pursuant to SDCL 35-1-5.5.
5. A communication was received from Avera McKennan Hospital requesting permission to consume, but not sell, wine and malt beverages at Avera Prince of Peace at 4513 Prince of Peace Place on Friday, May 15, 2015, from 5:00 p.m. to 8:00 p.m. pursuant to SDCL 35-1-5.5.
6. Report of Requests for Quotes for Fuel dated: January 15, 2015; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Howes Oil (\$1.5090); Harms Oil (\$1.5246); CHS, Inc. and Olson Oil, both no bid. Bid awarded to: Howes Oil.
7. Report of Requests for Quotes for Fuel dated: January 15, 2015; #2 Dyed Diesel Fuel; 7,500 gallons; Howes Oil (\$1.5495); Harms Oil (\$1.5765); CHS, Inc., Midwest Oil, and Olson Oil, all no bid. Bid awarded to: Howes Oil.
8. Report of Requests for Quotes for Fuel dated: January 21, 2015; #2 Clear Diesel; 7,500 gallons; Harms Oil (\$2.028); CHS, Inc., Howes Oil, Midwest Oil, Petroleum Traders Co., all no bid. Bid awarded to: Harms Oil.
9. Report of Requests for Quotes for Fuel dated: January 22, 2015; E-10 Unleaded Ethanol / 87 Octane; 8,500 gallons; Howes Oil (\$1.4925); Harms Oil (\$1.5060); CHS, Inc. (\$1.5540); Olson Oil, no bid. Bid awarded to: Howes Oil.
10. Report of Request for Quotes for Fuel dated: January 23, 2015; #1 and #2 Dyed Diesel Fuel; 7,500 gallons (3,750 gallons each #1 and #2); Harms Oil (\$1.8350 #1 and \$1.6460 #2); Howes Oil (\$1.9100 #1 and \$1.6500 #2); CHS, Inc., Midwest Oil, Olson Oil, all no bid. Bid awarded to: Harms Oil.

APPLICATIONS

11. Special One-Day Malt Beverage License 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 9, 2015.
12. 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 to the chain link fence on the east side of Falls Park West (the street will be closed on 6th Street from Dakota to Weber Avenues), and west boundary of Dakota Avenue, for Hot Harley Nights, on July 11, 2015.

NOTICE OF HEARINGS

As your elected representatives, the City Council values your input and feedback. However, the South Dakota Supreme Court has ruled that City Councilors may not engage in private communications with persons when the City Council will act as a decision-maker on an upcoming matter involving a license or a permit. In those instances, persons are encouraged to provide written comments to the entire City Council or to provide oral comment at the public meeting on that matter when it is considered by the entire City Council. Those who provide comments should understand that their comments will become part of the official record and subject to review by all parties and the public.

Set a date of hearing for Tuesday, February 17, 2015, at 7:00 p.m. for Item 13 through Item 19:

13. New 2015 Package Liquor License for Austad s Golf Inc., Austad s Golf to be operated at 2801 East 10th Street (CUP not required).
14. New 2014-15 Retail Malt Beverage License for Kelly Midwest Ventures LP, Holiday Inn Express & Suites Southwest to be operated at 3821 West Avera Drive (CUP not required).
15. New 2015 Retail Wine License for Kelly Midwest Ventures LP, Holiday Inn Express & Suites Southwest to be operated at 3821 West Avera Drive (CUP not required).
16. New 2014-15 Retail Malt Beverage License for Kelly Midwest Ventures LP, La Quinta Inn & Suites to be operated at 4521 West 41st Street (CUP not required).
17. New 2015 Retail Wine License for Kelly Midwest Ventures LP, La Quinta Inn & Suites to be operated at 4521 West 41st Street (CUP not required).
18. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Sioux Falls Area Community Foundation to be operated at DocuTap, 101 South Phillips Avenue, Suite 300, for a fundraiser on February 27, 2015.
19. Special One-Day Wine License for Sioux Empire Safety Village to be operated at Vance Thompson Vision, 3101 West 57th Street, for a fundraiser on March 5, 2015.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

As your elected representatives, the City Council values your input and feedback. However, the South Dakota Supreme Court has ruled that City Councilors may not engage in private communications with persons when the City Council will act as a decision-maker on an upcoming matter involving a license or a permit. In those instances, persons are encouraged to provide written comments to the entire City Council or to provide oral comment at the public meeting on that matter when it is considered by the entire City Council. Those who provide comments should understand that their comments will become part of the official record and subject to review by all parties and the public.

20. New 2015 Package Liquor License for Kum & Go LLC, Kum & Go to be operated at 4721 East 26th Street (CUP not required).
21. New 2015 Package Liquor License for Kum & Go LLC, Kum & Go to be operated at 501 North Minnesota Avenue (CUP not required).
22. Transfer of 2014-15 Retail Malt Beverage License, with video lottery terminals, from Isava Inc., Sneaky s Chicken, 4211 West 12th Street to CSB Inc., The Keg, 4211 West 12th Street (Full service restaurant; CUP not required).
23. New 2015 Retail Wine License, with video lottery terminals, for CSB Inc., The Keg to be operated at 4211 West 12th Street (Full service restaurant; CUP not required).
24. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Avera McKennan Foundation to be operated at Avera Behavioral Health, 4400 West 69th Street, for the Hearts in Healing fundraiser on February 7, 2015.
25. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering, to be operated at Orthopedic Institute, 810 East 23rd Street, for a Vibra Healthcare Presentation on February 10, 2015.
26. Special One-Day Wine License for Marquette Council to be operated at Knights of Columbus, 315 North Summit Avenue, for a fundraiser on February 14, 2015.
27. Special One-Day Liquor License for Hy-Vee Inc., All Occasions by Hy-Vee to be operated at The Point is to Serve Church, 506 North Kiwanis Avenue, for a special event on February 14, 2015.
28. Special One-Day Wine License for the Democratic Forum to be operated at the History Club, 758 South Phillips Avenue, for a fundraiser on February 12, 2015.

INTRODUCTION AND ADOPTION OF ORDINANCES

29. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHWEST CORNER OF E. 26TH ST. AND S. SIX MILE RD. FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN AND CN CONSERVATION DISTRICTS, PETITION NO. 2045-2014, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
30. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 2024 S. MAIN AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT, PETITION NO. 2052-2014, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
31. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1624 S. DOODLER DR. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT, PETITION NO. 2055-2014, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
32. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1600 AND 1608 W. RUSSELL ST. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE C-3 COMMERCIAL COMMUNITY DISTRICT, PETITION NO. 2057-2014, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
33. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 4804 AND 4808 S. LOUISE AVE. FROM THE RD-2 TOWNHOME RESIDENTIAL SUBURBAN DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 2058-2014, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
34. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY EAST OF N. CLIFF AVE. AND SOUTH OF THE BURLINGTON NORTHERN RAILROAD TRACKS FROM THE I-2 HEAVY INDUSTRIAL DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL, REC RECREATION, AND RA-3 APARTMENT RESIDENTIAL HIGH DENSITY DISTRICTS, PETITION NO. 2056-2014, 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, February 10, 2015, at 7:00 p.m. for Item 35:

35. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REPEALING SECTIONS 95.085 95.091 OF THE CODE OF ORDINANCES OF SAID CITY BY REPEALING THE SIOUX FALLS ICE AND RECREATION CENTER BOARD.

Set a date of hearing and 2nd Reading for Tuesday, February 10, 2015, at 7:00 p.m. for Item 36:

36. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS AND CLARIFYING THE LIMITATIONS ON EXPENDITURE

OF FUNDS AND CONTRACTING AUTHORITY FOR CONSTRUCTION OF AN INDOOR AQUATICS FACILITY AND ASSOCIATED SITE IMPROVEMENTS (THE PROJECT).

Set a date of hearing and 2nd Reading for Tuesday, February 10, 2015, at 7:00 p.m. for Item 37:

37. 1st Reading: AN ORDINANCE APPROVING THE SURFACE AMBULANCE SERVICE FRANCHISE AGREEMENT BETWEEN PARAMEDICS PLUS, LLC AND THE CITY OF SIOUX FALLS, SOUTH DAKOTA, ALONG WITH AUTHORIZING THE MAYOR TO SIGN THE SAME.

Set a date of hearing and 2nd Reading for Tuesday, February 17, 2015, at 7:00 p.m. for Item 38:

38. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE NAMING OF A FACILITY SPACE ON PUBLIC PROPERTY.

HEARINGS AND RESOLUTIONS

39. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF A SCULPTURE ON PUBLIC PROPERTY.

40. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. (ANNEXATION 2050-2014 - USF.).

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)

41. REPORT OF THE JANUARY 27, 2015, 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 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.