

|| City of Sioux Falls Council Meeting
|| Agenda
|| Carnegie Town Hall, 235 West 10th Street
|| REGULAR MEETING OF Tuesday, March 3, 2015 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

● Becky Aegerter, Direct Line Prayer Center

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● March for Meals Month - March, 2015

● Colorectal Cancer Awareness Month - March, 2015

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, February 17, 2015, at 4:00 p.m.

● City Council Meeting of Tuesday, February 17, 2015, at 7:00 p.m.

● Joint City Council/Minnehaha County Commission Meeting of Tuesday,
February 24, 2015, at 5:00 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the February 26, 2015 memo.
2. Approval of notice of change orders on the February 26, 2015 memo.
3. Report of Requests for Quotes for Fuel dated: February 17, 2015; #2 Clear Diesel; 12,200 gallons; Howes Oil (\$2.2495); CHS, Inc., Harms Oil, Midwest Oil and Petroleum Traders Co., all no bid. Bid awarded to: Howes Oil.
4. Report of Requests for Quotes for Fuel dated: February 18, 2015; #1 & #2 Dyed Diesel Fuel; 7,500 gallons (3,750 gallons each #1 & #2); Cole's Petroleum (\$2.1555 #1 & \$2.0195 #2); Harms Oil (\$2.1684 #1 & \$2.0263 #2); Howes Oil (\$2.2300 #1 & \$2.0375 #2); CHS, Inc. (\$2.2599 #1 & \$2.0900 #2); Midwest Oil and Olson Oil, both no bid. Bid awarded to: Cole's Petroleum.
5. Report of Requests for Quotes for Fuel dated: February 23, 2015; E-10 Unleaded Ethanol / 87 Octane; 8,500 gallons; Cole's Petroleum (\$1.8579); Harms Oil (\$1.8675); Howes Oil (\$1.8967); CHS, Inc. and Olson Oil, both no bid. Bid awarded to: Cole's Petroleum.

APPLICATIONS

6. Special One-Day Liquor Licenses for Washington Pavilion Management Inc., to be operated at Washington Pavilion of Arts & Science, 301 South Main Avenue, for special events on March 20 and April 11, 2015.

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:

7. Arlene C. Suurmeier, 3405 S. 1st Avenue, for 2014 property taxes in the amount of \$546.65. Application completed on time, but accidentally missed for last month's meetings.
8. Sioux Falls School District, property at 216 N. Highland Avenue, for 2014 taxes in the amount of \$571.05. The Sioux Falls School District purchased this property on July 2, 2014.
9. The Sioux Falls School District, for property at 1802 East 8th Street, for 2014 property taxes in the amount of \$300.61. The Sioux Falls School District purchased this property on October 3, 2014.
10. Lloyd R. Schrader, 1614 S. 4th Avenue, for 2014 property taxes in the amount of \$1,477.55. The house was razed on May 7, 2014.

11. Lonnie J. Davis, 2400 N. North Drive, for 2014 property taxes in the amount of \$506.09. The storage building was razed on July 22, 2014.

12. Ross D. Wickman, 4821 S. Dunlap Avenue, for 2014 property taxes in the amount of \$339.91. The house was razed on October 21, 2014.

Items 13-19: The amount requested is the difference between the elderly freeze and the non-elderly freeze.

13. Chad J. Albers, 1200 S. Glendale Avenue, for 2014 taxes in the amount of \$108.89.

14. Mary Krejci, 2624 S. Mary Drive, for 2014 property taxes in the amount of \$593.13.

15. Donald Sundby, 701 N. Van Eps Avenue, for 2014 property taxes in the amount of \$647.40.

16. Colletta Stewart, 3000 W. 34th Street, Apt. 304, for 2014 taxes in the amount of \$379.32.

17. Marcia A. Geurts, 924 S. Holt Avenue, for 2014 property taxes \$28.53.

18. Melinda R. Moncrief, 1224 N. Dakota Avenue, for 2014 property taxes in the amount of \$515.53.

19. Patricia Klein, 3200 S. Lake Avenue, for 2014 property taxes in the amount of \$16.46.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, March 17, 2015, at 7:00 p.m. for Items 20 through 25:

20. Transfer of a 2015 Retail Liquor license, including Sunday sales, from Nutty s Inc., Boonies Bar and Bar B. Q., 805 North West Avenue, to Blue Cherry LLC, Ode to Food and Drinks, 300 North Cherapa Place, Suite 102 (full service restaurant; CUP not required).

21. New 2015 Retail Wine License for Body Sculpting Day Spa Inc., Body Sculpting Day Spa to be operated at 5026 South Marion Road (CUP not required).

22. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Brennan Rock & Roll Academy, 900 West 11th Street, for a fundraiser concert on March 27, 2015.

23. Special One-Day Malt Beverage License for Avera McKennan Hospital to be operated at the Avera McKennan Fitness Center, 3400 South Southeastern Avenue, for a Joker Run on April 1, 2015.
24. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Sioux Falls Area Community Foundation to be operated at Raven Industries, 205 East Sixth Street, for a fundraiser on May 7, 2015.
25. Special One-Day Malt Beverage and Special One-Day Wine Licenses for South Dakota Association of the Deaf (SDAD) to be operated at 3520 Gateway Lane, for a SDAD Conference/115th Birthday on June 19 and 20, 2015.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

26. New 2015 Retail Wine License for Envy Nails and Spa LLC, Envy Nails and Spa to be operated at 4521 East 26th Street (CUP not required).
27. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., to be operated at Vance Thompson Vision, 3101 West 57th Street, for the Vance Thompson Eye Ball on March 13, 2015.
28. Special One-Day Wine License for Senior Citizens Services Inc., to be operated at Active Generations, 2300 West 46th Street, for a Canvas and Cocktails Art Class on March 24, 2015.
29. Special One-Day Wine License for Senior Citizens Services Inc., to be operated at Active Generations, 2300 West 46th Street, for a Festival of Tables event on March 26, 2015.
30. Special One-Day Malt Beverage and One-Day Wine Licenses for Augustana College to be operated at the Elmen Center, 2001 South Summit Avenue, for a fundraiser auction on April 10, 2015.
31. 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 April 17, 2015.
32. Special One-Day Wine License for Senior Citizens Services Inc., to be operated at Active Generations, 2300 West 46th Street, for the Gourmet Guys

fundraiser, on April 19, 2015.

33. Special One-Day Malt Beverage License for SculptureWalk, Inc to be operated at 8th & Railroad Center, 401 East 8th Street, for a fundraiser reception on May 1, 2015.
34. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., to be operated the State Theatre, 316 South Phillips Avenue for Poet events on May 12 and 19 and June 2 and 9, 2015. Pending final inspection per Fire.

INTRODUCTION AND ADOPTION OF ORDINANCES

35. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE 2013 SHAPE PLACES ZONING ORDINANCE OF THE CITY OF SIOUX FALLS.
36. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHWEST CORNER OF N. CAREER AVE. & N. RESEARCH DR. FROM THE C-2, COMMERCIAL NEIGHBORHOOD & STREETCAR DISTRICT TO THE CN, CONSERVAITON DISTRICT, PETITION NO. 2094-2014 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 901 N. MAIN AVE. FROM THE C-2, COMMERCIAL NEIGHBORHOOD & STREETCAR DISTRICT TO THE DTPUD DOWNTOWN PLANNED UNIT DEVELOPMENT DISTRICT, PETITION NO. 2144-2015 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 AT 910 N. MAIN AVE. FROM THE C-2, COMMERCIAL NEIGHBORHOOD & STREETCAR DISTRICT TO THE DTPUD DOWNTOWN PLANNED UNIT DEVELOPMENT DISTRICT, PETITION NO. 2145-2015 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
39. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1224 AND 1226 E. RICE ST. FROM THE RD-1, TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT TO THE C-2, COMMERCIAL NEIGHBORHOOD & STREETCAR DISTRICT, PETITION NO. 2163-2015 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
40. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY EAST OF S. CLIFF AVE. & NORTH AND SOUTH OF E. 77TH ST. FROM THE AG, AGRICULTURE DISTRICT TO THE RA-3, APARTMENT RESIDENTIAL HIGH DENSITY, S-2, INSTITUTIONAL CAMPUS PLANNED UNIT DEVELOPMENT, CN, CONSERVATION DISTRICT & C-2, COMMERCIAL NEIGHBORHOOD & STREETCAR DISTRICT, PETITION NO. 2164-2015 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
41. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3405 S. CATHY AVE. FROM THE C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR

DISTRICT TO THE O, OFFICE DISTRICT, PETITION NO. 2176-2015 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

42. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY SOUTH OF E. 26TH ST. & WEST OF S. SHAFER AVE. FROM THE C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE O, OFFICE DISTRICT, PETITION NO. 2180-2015 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, March 10, 2015, at 7:00 p.m. for Item 43:

43. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, DECLARING CERTAIN PROPERTY OF THE CITY OF SIOUX FALLS SURPLUS AND APPROVING AN OFFER BY AR PROPERTIES, LLC TO PURCHASE REAL PROPERTY FROM THE CITY OF SIOUX FALLS.

Set a date of hearing and 2nd Reading for Tuesday, March 17, 2015, at 7:00 p.m. for Item 44:

44. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING CHAPTER 111, ALCOHOLIC BEVERAGES.

HEARINGS AND RESOLUTIONS

45. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. Annexation 2053-2014 - Slavic Church.

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)

46. REPORT OF THE FEBRUARY 24, 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.

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. 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.