

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Tuesday, April 7, 2015 at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

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

Council Member Kenny Anderson Jr.

Mayor Mike T. Huether

INVOCATION

● Pastor Fred Wilgenburg, Center of Hope

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● National Service Recognition Day - April 7, 2015

● Fair Housing Month - April, 2015

● The Big Squeeze Month - April, 2015

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

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

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

● Informational Meeting of Tuesday, March 24, 2015, at 4:00 p.m.

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

● Special City Council Meeting of Thursday, March 26, 2015, at 1:30 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the April 2, 2015 memo.
2. 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 the dates listed pursuant to SDCL 35-1-5.5 for the purpose of supporter and donor appreciation events at the Zoo. April 16, 20, 21, 22, 23, 30, and May 7, 11, 14, 21, and 28, 2015.
3. A communication was received from Paul and Pamela Tvedt, requesting permission to consume, but not sell, wine and beer at The Old Courthouse Museum, 200 West 6th Street, on Friday, November 13, 2015, from 6:00 p.m. to 10:00 p.m. pursuant to SDCL 35-1-5.5 for the purpose of a wedding rehearsal for their son, Eric Tvedt, and his fiancØ Megan Hasche.
4. Report of Requests for Quotes for Fuel dated: March 13, 2015; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons, Cole's Petroleum (\$1.8724); Howes Oil (\$1.8935); Harms Oil (\$1.8978); CHS, Inc. (\$1.9500); Olson Oil, no bid. Bid awarded to: Cole's Petroleum.
5. Report of Request for Quotes for Fuel dated March 18, 2015; #2 Clear Diesel; 7,500 gallons; CHS, Inc. (\$1.989); Howes Oil (\$1.934); Harms Oil (\$1.95); Petroleum Traders Co. (\$1.963); Midwest Oil, no bid. Bid awarded to: Howes Oil.
6. Report of Requests for Quotes for Fuel dated: March 20, 2015; Unleaded Ethanol and #2 Dyed Diesel; 2,500 gallons Unleaded/5,500 Gallons #2; Cole's Petroleum (\$1.8828 Unleaded/\$1.7571 #2 Diesel); Howes Oil (\$1.8735 Unleaded/\$1.7655 #2 Diesel); Harms Oil (\$1.8877 Unleaded/\$1.7609 #2 Diesel); CHS, Inc. (\$1.9390 Unleaded/\$1.8000 #2 Diesel); Olson Oil, no bid. Bid awarded to: Cole's Petroleum.
7. Report of Requests for Quotes for Fuel dated: March 25, 2015; E-10 Unleaded Ethanol/87 Octane; 8,500 Gallons; Harms Oil (\$1.9037); Howes Oil (\$1.9195); CHS, Inc., Cole's Petroleum and Olson Oil, all no bid. Bid awarded to: Harms Oil.

8. Report of Requests for Quotes for Fuel dated: March 25, 2015; #2 Dyed Diesel Fuel; 7,500 gallons; Howes Oil (\$1.7585); Harms Oil (\$1.7642); CHS, Inc. Cole's Petroleum, Midwest Oil, Olson Oil, all no bid. Bid awarded to: Howes Oil.
9. Report of Requests for Quotes for Fuel dated March 31, 2015; Unleaded Ethanol; 720 gallons; Howes Oil (\$2.0955); Midway Service, Stern Oil and Vollan Oil, both no bid. Bid awarded to: Howes Oil.
10. Report of Requests for Quotes for Fuel dated: March 31, 2015; Clear Diesel #1; 295 Gallons; Howes Oil (\$2.2085); Midway Service, Stern Oil, Vollan Oil, all no bid. Bid awarded to: Howes Oil.
11. Report of Requests for Quotes for Fuel dated: March 31, 2015; Clear Diesel #2; 295 gallons; Howes Oil (\$2.2078); Midway Service, Stern Oil, Vollan Oil, all no bid. Bid awarded to: Howes Oil.

APPLICATIONS

12. Special One-Day Liquor Licenses for Washington Pavilion Management Inc., to be operated at Washington Pavilion of Arts & Science, 301 South Main Avenue, for wedding receptions on April 25 and May 30, 2015.
13. Special One-Day Malt Beverage License for The Center for Equality to be operated at Terrace Park, 1100 4th Street, for a Sioux Falls Pride event on June 20, 2015.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, April 21, 2015, at 7:00 p.m. on Items 14 through 21:

14. New 2015 Retail Wine License, including video lottery terminals, for Love s Travel Stops & Country Stores Inc., Love s Travel Stop #445, to be operated in the video lottery game room only, 5301 North Cliff Avenue.
15. New 2015 Package Liquor License for Love s Travel Stops & Country Stores Inc., Love s Travel Stop #445, to be operated in the convenience store only, 5301 North Cliff Avenue.
16. New 2015 Package Liquor License for El Riad Shriners, El Riad Mosque, to be operated at 510 South Phillips Avenue.
17. Transfer of 2015 Retail Liquor License, including Sunday sales, from SRS Inc., The Other Place, 901 West 41st Street, to SHS, LLC, business name to be determined, 221 South Phillips Avenue, Suite 100 (CUP not required full service restaurant).

18. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering, to be operated at Poet, 4615 North Lewis Avenue, for a Poet mixer on April 30, 2015.
19. Special One-Day Wine License requests for Downtown Sioux Falls Inc., to be operated at the following locations: 8th & Railroad Center Lobby, 401 East 8th Street, A League of Your Own, 229 South Phillips Avenue, CH Patisserie, 309 South Phillips Avenue, Chelsea s Boutique, 321 South Phillips Avenue, Exposure Gallery & Studios, 401 North Phillips Avenue, Great Outdoor Store, 201 East Tenth Street, Lillian s, 311 South Phillips Avenue, NV Studio Salon, 106 West 11th Street, Rehfeld s Art & Framing, 210 South Phillips Avenue, Say Anything Jewelry, 225 South Phillips Avenue, Simply Perfect, 401 East 8th Street #108, Sioux Falls Design Center, 108 West 11th Street, Sioux Falls Made Market (Argus Leader), 200 South Minnesota Avenue, Sticks and Steel, 401 East 8th Street #118, Sunflower Photography, 400 North Main Avenue Young & Richard s, 222 South Phillips Avenue, and Zandbroz, 209 South Phillips Avenue, for the First Friday Wine Walk on May 1, 2015.
20. Special One-Day Liquor License for Sioux Falls Area Humane Society, to be operated at Landscape Garden Center, 7201 South Minnesota Avenue, for the Paws to Celebrate fundraiser on June 13, 2015.
21. Special One-Day Malt Beverage and Special One-Day Wine Licenses for ICON Entertainment LLC, to be operated at Cherapa Place east parking lot, 300 North Cherapa Place, for the 605 Summer Classic on June 19-20, 2015.

Set a date of hearing for Tuesday, April 21, 2015, at 7:00 p.m. on Items 22 through 24:

22. A PROPOSED RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SIDEWALK ON N. 4TH AVE., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.
23. A PROPOSED RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SIDEWALK ON W. 9TH ST., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.
24. A PROPOSED RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SIDEWALK ON E. BENSON RD., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

25. New 2014-15 Retail Malt Beverage License for JLB-SF2 Inc., JL Beers, to be operated at 3623 South Western Avenue (CUP not required). Pending final inspections per Fire, Health and Building Services.
26. New 2015 Retail Wine License for JLB-SF2, Inc., JL Beers, to be operated at 3623 South Western Avenue (CUP not required). Pending final inspections per Fire, Health and Building Services.
27. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s, to be operated at Avera Prairie Center, 1000 East 23rd Street, for a retirement social on April 9, 2015.
28. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s, to be operated at Avera eCare, 4500 North Lewis Avenue, for a social event on April 9, 2015.
29. Special One-Day Liquor License for Ovations Food Services, LP, Sioux Falls Convention Center, to be operated at Sanford Research Center, 2301 East 60th Street North, for a dinner on April 15, 2015.
30. Special One-Day Liquor License requests 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 April 18 and 25, 2015.
31. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Sioux Falls Jazz & Blues Society, to be operated at Yankton Trail Park, 3901 South Minnesota Avenue, for the Jazz Fest on July 16-18, 2015.
32. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Sioux Falls Jazz & Blues Society, to be operated at Vern Eide Acura, 4030 South Grange Avenue, for a fundraiser on September 12, 2015.

INTRODUCTION AND ADOPTION OF ORDINANCES

33. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHWEST CORNER OF W. 26TH ST. AND S. KATIE AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT, PETITION NO. 2223-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.
34. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1116 S. 4TH AVE. FROM THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT TO THE S-1 GENERAL INSTITUTIONAL DISTRICT, PETITION NO. 2243-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.
35. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY

AT 633 W. 10TH ST. FROM THE RT-2 TOWNHOME RESIDENTIAL TRADITIONAL DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT, PETITION NO. 2286-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.

36. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3204 S. WEST AVE. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT, PETITION NO. 2287-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.

37. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY NORTH OF E. 41ST ST. AND WEST OF S. SIX MILE RD. FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN, RD-2 TOWNHOME RESIDENTIAL SUBURBAN, RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY, AND C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICTS, PETITION NO. 2292-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.

38. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHWEST CORNER OF E. 41ST ST. AND S. SYCAMORE 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. 2298-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval subject to: 1) Building of no more than 30,000 square feet of gross floor area.

39. 2nd Reading: AN ORDINANCE ESTABLISHING AN INTERIM MORATORIUM ON THE INSTALLATION OF ANY BILLBOARD OR ISSUANCE OF ANY BILLBOARD PERMITS PENDING FURTHER STUDY.

Set a date of hearing and 2nd Reading for Tuesday, April 14, 2015, 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 § 30.025 CREATION OF AGENCIES, AUTHORITIES, COMMITTEES, BOARDS, COMMISSIONS, AND DISTRICTS AND § 30.026 RULES FOR BOARDS AND COMMISSIONS.

Set a date of hearing and 2nd Reading for Tuesday, April 21, 2015, at 7:00 p.m. for Item 41:

41. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT E. AND W. OF N. MARLOW AVE. AND N. OF E. PADDINGTON ST. FROM THE AG, AGRICULTURE DISTRICT TO THE RS, SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 2249-2015 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval.

HEARINGS AND RESOLUTIONS

42. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF HIDDEN MEADOWS SECOND ADDITION. The Planning Commission recommends approval.

43. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF STONE POINTE AT 57TH ADDITION. The Planning Commission recommends approval.
44. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF COPPER CREEK HEIGHTS ADDITION. The Planning Commission recommends approval.
45. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF COPPER CREEK ESTATES ADDITION. The Planning Commission recommends approval.
46. A RESOLUTION TO APPROVE A HISTORICAL MARKER ON CITY PROPERTY. Midair Collision at Veterans' Memorial Park.
47. A RESOLUTION TO APPROVE A HISTORICAL MARKER ON CITY PROPERTY. Sioux Falls Army Technical School at Veterans' Memorial Park.
48. A RESOLUTION CANCELING MAIN STREET BUSINESS IMPROVEMENT DISTRICT (BID) ASSESSMENTS.
49. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE REMOVAL OF VISUAL ART WALL ON PUBLIC PROPERTY.
50. A RESOLUTION SUPPORTING THE CANDIDACY OF MICHAEL HALL FOR A POSITION ON THE BOARD OF DIRECTORS OF THE SOUTH DAKOTA PUBLIC ASSURANCE ALLIANCE (SDPAA).
51. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF A SCULPTURE ON PUBLIC PROPERTY. "Effortlessly Buoyant" at the northwest corner of Lyon Park, located at the southeast corner of 14th St. and Phillips Avenue.

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)

52. REPORT OF THE MARCH 31, 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.