

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Tuesday, April 21, 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. Stagers

Council Member Kenny Anderson Jr.

Council Member Christine M. Erickson

Council Member Michelle Erpenbach  
Mayor Mike T. Huether

INVOCATION

&#9679; Pastor Brian Narcomey, Center of Hope

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

&#9679; Medical Laboratory Professionals Week - April 19-25, 2015

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Tuesday, April 14, 2015, at 4:00 p.m.

&#9679; City Council Meeting of Tuesday, April 14, 2015, at 7:00 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the April 17, 2015 memo.

2. A communication was received from Alexander L. Axiotis requesting permission to consume, but not sell, wine and malt beverages at The Old Courthouse Museum, 200 West Sixth Street, on Sunday, May 24, 2015 from 4:00 p.m. to 1:00 a.m. pursuant to SDCL 35-1-5.5. The purpose is for a wedding reception.
3. Report of Requests for Quotes for Fuel dated April 14, 2015; #2 Clear Diesel; 8,500 gallons; CHS, Inc. (\$2.129) Harms Oil (\$2.115); Howes Oil, Midwest Oil, Petroleum Traders Co. all no bid. Bid awarded to: Harms Oil.
4. Report of Requests for Quotes for Fuel dated April 14, 2015; Clear Diesel #1 and Clear Diesel #2; 339 gallons each; Howes Oil (\$2.171 for #1; \$2.2115 for #2); Midway Service, Stern Oil, Vollan Oil, all no bid. Bids awarded to: Howes Oil.

#### APPLICATIONS

5. 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 May 2, June 6, June 20, and June 27, 2015.
6. Special One-Day Liquor License for Hy-Vee Inc., All Occasions by Hy-Vee, to be operated at the Great Plains Zoo and Delbridge Museum, 805 South Kiwanis Avenue, for a wedding on May 15, 2015.
7. Special One-Day Liquor License for Hy-Vee Inc., All Occasions by Hy-Vee, to be operated at the Old Courthouse Museum, 200 West 6th Street, for special events on July 17 and 18, 2015.
8. 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 Great Plains Zoo and Delbridge Museum, 805 South Kiwanis Avenue, for the Jungle Jubilee fundraiser on July 23, 2015.
9. Special One-Day Liquor License for BSF, Inc, Borrowed Bucks Roadhouse, to be operated at Multi-Cultural Center, 501 North Main Avenue, for a wedding on June 6, 2015.
10. Special One-Day Wine License for Daughters of the American Revolution to be operated at the Old Courthouse Museum, 200 West 6th Street, for a centennial celebration on June 17, 2015.
11. Special One-Day Liquor License for Ovations Food Services, LP, Sioux Falls Convention Center, to be operated at Orpheum Theater, 315 North Phillips Avenue, for a reception on September 18, 2015.
12. Various Retail Malt Beverage, Retail Malt Beverage/South Dakota Farm Winery, Package Malt Beverage, and Package Malt Beverage/South Dakota Farm

Winery License renewals for 2015-16 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit A.

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, May 5, 2015, at 7:00 p.m. for Items 13 through 17:

13. New 2015 Package Liquor License for GF Buche Company, Buche s Bargain Butcher to be operated at 200 South Kiwanis Avenue (CUP not required).
14. Transfer of 2015 Retail Liquor License, including Sunday sales and video lottery terminals, from Martini s Inc., Martini s Casino & Lounge, 4823 South Louise Avenue, to Dave Kulish, Martini s Casino & Lounge, 4823 South Louise Avenue (CUP not required).
15. 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 May 16, June 20, and July 11, 2015.
16. 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 South Dakota Chiropractors social on May 8, 2015.
17. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Sioux Falls Area Community Foundation to be operated at Sioux Falls Area Community Foundation, 200 North Cherapa Place for a Science Fest social on June 12, 2015.

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

#### PUBLIC INPUT

#### UNFINISHED BUSINESS

18. 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.
19. 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.

20. New 2015 Package Liquor License for El Riad Shriners, El Riad Mosque, to be operated at 510 South Phillips Avenue.
21. 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).
22. 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.
23. 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.
24. 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.
25. 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.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

26. 2nd 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. Planning Commission recommends approval.
27. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA, ESTABLISHING THE TAX INCREMENT REVENUES TO BE COLLECTED AND AUTHORIZING THE PAYMENT OF TAX INCREMENT REVENUES TO THE DEVELOPER IN ACCORDANCE WITH THE DEVELOPMENT AGREEMENT FOR TAX INCREMENTAL DISTRICT NO. SIXTEEN, CITY OF SIOUX FALLS.

Set a date of hearing and 2nd Reading for Tuesday, May 5, 2015, at 7:00 p.m. for Item 28:

28. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3205 S. SIX MILE RD. FROM THE AG, AGRICULTURE DISTRICT TO THE RS, SINGLE FAMILY RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 2054-2015 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, May 5, 2015, at 7:00 p.m. for Item 29:

29. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 7901 E. 57TH ST. FROM THE AG, AGRICULTURE DISTRICT TO THE O, OFFICE AND C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 2275 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, May 5, 2015, at 7:00 p.m. for Item 30:

30. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY N. OF E. MADISON ST. AND E. AND W. OF PROPOSED HIGHWAY 100 FROM THE RS, SINGLE-FAMILY RESIDENTIAL SUBURBAN, CN, CONSERVATION, POPUD, PEDESTRIAN ORIENTATED PLANNED UNIT DEVELOPMENT, RD-1, TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN, RA-2, APARTMENT RESIDENTIAL MODERATE DENSITY, LW, LIVE-WORK AND C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE RS, SINGLE-FAMILY RESIDENTIAL SUBURBAN, RD-2, TOWNHOME RESIDENTIAL SUBURBAN, RA-3, APARTMENT RESIDENTIAL HIGH DENSITY, LW, LIVE-WORK, O, OFFICE AND C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 2353-2015 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, May 5, 2015, at 7:00 p.m. for Item 31:

31. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY S. OF W. 57TH ST. AND E. OF S. MARION RD. FROM THE O, OFFICE DISTRICT TO THE RA-2, APARTMENT RESIDENTIAL MODERATE DENSITY AND C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 2361 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, May 5, 2015, at 7:00 p.m. for Item 32:

32. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 216 S. BLAUVELT AVE. FROM THE RD-1, TWIN HOME/DUPLEX RESIDENTIAL-SUBURBAN DISTRICT TO THE C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 2360-2015 AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

33. A RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SIDEWALK ON N.4TH AVE., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.
34. A RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SIDEWALK ON W.9TH ST., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.
35. A RESOLUTION DECLARING THE NECESSITY TO CONSTRUCT SIDEWALK ON E.BENSON RD., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.
36. A RESOLUTION AMENDING THE PROJECT PLAN FOR TAX INCREMENTAL DISTRICT NUMBER SIXTEEN, CITY OF SIOUX FALLS.
37. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.

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](http://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.