

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, June 16, 2015 at 7 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 Rolwing

Council Member Kermit L. Staggers

Council Member Kenny Anderson Jr.

Mayor Mike T. Huether

INVOCATION

● Senior Pastor Randy Gehring, Our Savior s Lutheran Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● Juneteenth 2015 -- June 19, 2015

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, June 9, 2015, at 4 p.m.

● City Council Meeting of Tuesday, June 9, 2015, at 7 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the June 11, 2015, memo.
2. Report of Requests for Quotes for Fuel dated June 10, 2015; Unleaded Ethanol, 4500 Gallons; E85, 3500 Gallons; CHS, Inc. (\$2.3143 Unleaded/\$1.7800 E85); Harms Oil (\$2.3300 Unleaded/\$2.0800 E85); Cole's Petroleum, Howes Oil, Olson Oil, no bids. Bid awarded to: CHS, Inc.
3. Report of Requests for Quotes for Fuel dated June 10, 2015; Unleaded Ethanol, 576 Gallons/Clear Diesel #2, 1,148 Gallons; Howes Oil (\$2.7225 Unleaded/\$2.2045 Diesel); Midway Service and Stern Oil, no bids. Bid awarded to: Howes Oil.

APPLICATIONS

4. Renewal of 2015-16 Retail Malt Beverage License for Chef Jeni & Company Inc., Chef Jeni s, 3638 South Southeastern Avenue.
5. Renewal of 2015-16 Retail Malt Beverage License for Dakotas Best East LLC, Dakotas Best Wine & Gifts, 4001 West 41st Street, Suite 20.
6. Renewal of 2015-16 Retail Malt Beverage License for A Taste of the Big Apple LLC, A Taste of the Big Apple, 600 North Main Avenue, Suite 110.
7. Renewal of 2015-16 Package Malt Beverage License for Cole s Petroleum Products Inc., Kota Korner, 900 North Sycamore Avenue.
8. Renewal of 2015-16 Package Malt Beverage/South Dakota Farm Winery License for Casey s Retail Company, Casey s General Store #2174, 1705 West Burnside Street.
9. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Ramkota Companies Inc., Best Western Ramkota Hotel, to be operated at Avera Prairie Center, 1000 East 23rd Street, for a Chamber event on July 8, 2015.
10. 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 July 11, 18, 24 and 25, 2015.
11. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sioux Falls Irish Club to be operated at Falls Park West, Falls Park Drive, for the Dakota Irish Fair on July 25, 2015.
12. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Special Olympics South Dakota to be operated at Yankton Trail Park, 3901 South Minnesota Avenue, for the Peach Festival on July 25 and 26, 2015.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, July 7, 2015, at 7 p.m. for Items 13 through 22:

13. New 2015-16 Retail Malt Beverage License for Hy-Vee, Inc., Hy-Vee Food Store #5, 3020 East 10th Street (full service restaurant; CUP not required).
14. New 2015-16 Retail Malt Beverage License for Hy-Vee, Inc., Hy-Vee Food Store #6, 1231 East 57th Street (full service restaurant; CUP not required).
15. New 2015-16 Retail Malt Beverage License for Hy-Vee, Inc., Hy-Vee Food Store #7, 2700 West 10th Street (full service restaurant; CUP not required).
16. New 2015-16 Retail Malt Beverage License for Sioux Falls Lodging Associates, LLC, TownePlace Suites, 6400 South Connie Avenue.
17. New 2015 Retail Wine License for Sioux Falls Lodging Associates, LLC, TownePlace Suites, 6400 South Connie Avenue.
18. New 2015-16 Package Malt Beverage License for Shopko Stores Operating Co., LLC, Shopko #76, 1601 West 41st Street.
19. New 2015-16 Package Malt Beverage License for Berenise Garcia-Navarrete, Alberto Carranza and Miguel Garcia, Mi Casa Latina Mexican Store, 809 South Marion Road.
20. New 2015 Package Liquor License for Coles Petroleum Products Inc., Kota Korner, 900 North Sycamore.
21. Transfer of 2014-15 Retail Malt Beverage License, including video lottery terminals, from Sandtrap, Inc., Bogey s Bar & Grill, 815 South Marion Road, to Sandtrap Inc., Bogey s Clubhouse Casino, 811 South Marion Road.
22. Renewal of 2015-16 Retail Malt Beverage License for Sandtrap Inc., Bogey s Clubhouse Casino, 811 South Marion Road.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

23. Transfer of 2015 Retail Wine License from Tokyo Japanese Cuisine, LLC, Tokyo Japanese Cuisine, 4825 South Louise Avenue, to New Tokyo Japanese Cuisine, LLC, New Tokyo Japanese Cuisine, 4825 South Louise Avenue (full service restaurant; CUP not required).
24. Transfer of 2014-15 Retail Malt Beverage License from Tokyo Japanese Cuisine, LLC, Tokyo Japanese Cuisine, 4825 South Louise Avenue, to New Tokyo Japanese Cuisine, LLC, New Tokyo Japanese Cuisine, 4825 South Louise Avenue (full service restaurant; CUP not required).
25. Renewal of 2015-16 Retail Malt Beverage License for New Tokyo Japanese Cuisine, LLC, New Tokyo Japanese Cuisine, 4825 South Louise Avenue.
26. Transfer of 2015 Retail Wine License from Tokyo Japanese Restaurant, LLC, Tokyo Japanese Restaurant, 109 East 10th Street, to New Tokyo Japanese Restaurant, LLC, New Tokyo Japanese Restaurant, 109 East 10th Street (full service restaurant; CUP not required).
27. Transfer of 2014-15 Retail Malt Beverage License from Tokyo Japanese Restaurant, LLC, Tokyo Japanese Restaurant, 109 East 10th Street, to New Tokyo Japanese Restaurant, LLC, New Tokyo Japanese Restaurant, 109 East 10th Street (full service restaurant; CUP not required).
28. Renewal of 2015-16 Retail Malt Beverage License for New Tokyo Japanese Restaurant, LLC, New Tokyo Japanese Restaurant, 109 East 10th Street.
29. Transfer of 2015 Retail Liquor license, including Sunday sales certificate and video lottery terminals, from Paul Saxton, Bogtrotter s Pub, Grub & Tap, 201 East 11th Street to Shaen Haven Hospitality, LLC, Bogtrotter s Irish Pub, Grub & Tap, 201 East 11th Street, with the Conditional Use Permit (2012-11-15) being approved on January 9, 2013.

INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Tuesday, July 7, 2015, at 7 p.m. for Item 30:

30. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY AMENDING THE FEES SUBCHAPTER OF CHAPTER 95 PARKS AND RECREATION.

Set a date of hearing and 2nd Reading for Tuesday, July 7, 2015, at 7 p.m. for Item 31:

31. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE

OF ORDINANCES OF THE CITY BY AMENDING PLANNING PUBLIC NOTIFICATION SIGNAGE FEES.

Set a date of hearing and 2nd Reading for Tuesday, July 7, 2015, at 7 p.m. for Item 32:

32. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY W. OF N. WEBER AVE., N. OF E. 10TH ST., AND S. OF E. 3RD ST. FROM THE I-1, LIGHT INDUSTRIAL AND C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICTS TO THE DTPUD, DOWNTOWN PLANNED UNIT DEVELOPMENT DISTRICT, PETITION NO. 2543-2015 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, July 7, 2015, at 7 p.m. for Item 33:

33. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 504 S. MCKNELLY AVE. FROM THE RD-2, TOWNHOME RESIDENTIAL SUBURBAN DISTRICT TO THE I-1, LIGHT INDUSTRIAL DISTRICT, PETITION NO. 2709-2015 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, July 7, 2015, at 7 p.m. for Item 34:

34. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY W. OF S. INFIELD AVE. AND S. OF E. 41ST ST. FROM THE AG, AGRICULTURE DISTRICT TO THE RD-1, TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 2729-2015 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, July 7, 2015, at 7 p.m. for Item 35:

35. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 504 AND 604 S. HILLVIEW RD. FROM THE RD-1, TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT TO THE C-2, COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 2341-2015 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, July 7, 2015, at 7 p.m. for Item 36:

36. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY E. AND W. OF N. PENNSYLVANIA AVE. AND S. OF W. 54TH ST. N. FROM THE RS, SINGLE-FAMILY RESIDENTIAL SUBURBAN AND RD-1, TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICTS TO THE RD-1, TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN AND RD-2, TOWNHOME RESIDENTIAL SUBURBAN DISTRICTS, PETITION NO. 2454-2015 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, July 7, 2015, at 7 p.m. for Item 37:

37. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY W. OF S. SERTOMA AVE. AND S. OF W. STONEY CREEK ST. FROM THE RS, SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RD-1, TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 2734-2015 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, July 14, 2015, at 7 p.m. for Item 38:

38. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING SECTION 41.008 REGARDING FEES FOR PUBLIC FACILITY TICKETS.

HEARINGS AND RESOLUTIONS

39. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE COMMEMORATIVE RENAMING OF A PUBLIC STREET. Renaming a portion of West 27th Street, between Center and Dakota Avenues, to "Mark Twain Lane."
40. A RESOLUTION DECLARING IT NECESSARY TO LEVY AND LEVYING A FRONTAGE ASSESSMENT AGAINST THE LOTS, TRACTS, AND PARCELS OF LAND FRONTING AND ABUTTING UPON 21ST ST. FROM PHILLIPS AVE. TO 7TH AVE. IN THE CITY OF SIOUX FALLS FOR THE PURPOSE OF MAINTAINING, PLANTING, AND OTHERWISE IMPROVING AND CARING FOR THE CENTER PARKWAYS AND BOULEVARD THEREON.
41. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, CORRECTING THE LEGAL DESCRIPTION OF ANNEXATION RESOLUTION NO. 33-15.
42. A RESOLUTION DESIGNATING THE OFFICIAL NEWSPAPER FOR THE CITY OF SIOUX FALLS, SD.
43. 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. 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.