

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Tuesday, September 15, 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 Rolfing

Council Member Kermit L. Staggers

Council Member Kenny Anderson Jr.

Mayor Mike T. Huether

INVOCATION

&#9679; Pastor Kirk Flaa, Abiding Savior Free Lutheran Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

&#9679; National Disability Employment Awareness Month - October 2015

&#9679; Mental Illness Week - October 4-10, 2015

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting on Tuesday, September 8, 2015, at 4 p.m.

&#9679; City Council Meeting on Tuesday, September 8, 2015, at 7 p.m.

## COMMUNICATIONS

1. Approval of contracts/agreements on the September 10, 2015, memo.
2. Notice of change orders on the September 10, 2015, memo.

## APPLICATIONS

3. Special One-Day Liquor License for Great Bear Recreation Park Inc., to be operated at Great Bear Recreation Park, 5901 East Rice Street, for special event on September 25, 2015.
4. Special One-Day Liquor License for Washington Pavilion Management Inc., to be operated at Washington Pavilion of Arts & Science, 301 South Main Avenue, for a wedding reception on September 25, 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:

5. Victoria Raidmae, 916 North Leadale Avenue, for 2014 taxes in the amount of \$734.07. The amount requested is the difference between the elderly freeze and the nonelderly freeze.
6. Diocese of Sioux Falls, 523 North Duluth Avenue, for 2014 taxes in the amount of \$11,283.19. The property is exempt from the tax.

## NOTICE OF HEARINGS

Set a date of hearing for Tuesday, October 6, 2015, at 7 p.m. for Items 7 through 12:

7. Transfer of 2015-16 Retail Malt Beverage License, including video lottery terminals, from Homefield Gaming Inc., Royal Casino, 4601 East Arrowhead Parkway, Suite 109, to MG Oil Company, Happy Jack s 5, 4601 East Arrowhead Parkway, Suite 109 (CUP not required).
8. Transfer of 2015-16 Package Malt Beverage License from Melinda Koppien, Park Ridge Gas N Pak, 1801 South Western Avenue, to Scott Bowar, Park Ridge Gas N Grub, 1801 South Western Avenue (CUP not required).
9. New 2015-16 Retail Malt Beverage License for Bold Behavior, LLC, Bold Behavior, 4805 South Louise Avenue (CUP not required).
10. New 2015 Retail Wine License for Bold Behavior, LLC, Bold Behavior, 4805 South Louise Avenue (CUP not required).

11. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering, to be operated at Vance Thompson Vision, 3101 West 57th Street, for customer appreciation on October 8, 2015.
12. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., Chef Dominique s Catering, to be operated at 2601 Latigo Circle, for a private social on October 30, 2015.

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

#### PUBLIC INPUT

#### UNFINISHED BUSINESS

13. Transfer of 2015-16 Retail Malt Beverage License from The Little Cellar Wine Company LLC, The Little Cellar Wine Company, 2316-2318 South Louise Avenue, to The Little Cellar, Inc., The Little Cellar Wine Company, 2316-2318 South Louise Avenue (CUP not required).
14. Transfer of 2015 Retail Wine License from The Little Cellar Wine Company LLC, The Little Cellar Wine Company, 2316-2318 South Louise Avenue, to The Little Cellar, Inc., The Little Cellar Wine Company, 2316-2318 South Louise Avenue (CUP not required).
15. Transfer of 2015 Package Liquor License from The Little Cellar Wine Company LLC, The Little Cellar Wine Company, 2316-2318 South Louise Avenue, to The Little Cellar, Inc., The Little Cellar Wine Company, 2316-2318 South Louise Avenue (CUP not required).
16. Transfer of 2015-16 Retail Malt Beverage License from LFK Holdings Inc., Old Skoolz Winehouse & Pub, 921 East 8th Street, to Red Sea Pub LLC, Red Sea Pub, 921 East 8th Street (CUP not required).
17. Transfer of 2015 Retail Wine License from LFK Holdings Inc., Old Skoolz Winehouse & Pub, 921 East 8th Street, to Red Sea Pub LLC, Red Sea Pub, 921 East 8th Street (CUP not required).
18. Special One-Day Malt Beverage and Special One-Day Wine licenses for Kilian Community College to be operated at 300 East 6th Street, for a Chamber Mixer on September 22, 2015.
19. Special One-Day Wine Licenses 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, Atoley Salon, 317

South Phillips Avenue, Bead Co., 319 South Phillips Avenue, CH Patisserie, 309 South Phillips Avenue, Chelsea s Boutique, 321 South Phillips Avenue, Exposure Gallery & Studios, 401 N. Phillips Avenue, Great Outdoor Store, 201 East Tenth Street, Half Baked, 120 South Phillips Avenue, Lillians, 311 South Phillips Avenue, NV Salon Studio, 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, Sticks and Steel, 401 East 8th Street Suite 118, Urban Archeology, 126 North Phillips Avenue, Young & Richard s, 222 South Phillips Avenue, and Zandbroz, 209 South Phillips Avenue, for the First Friday Wine Walk on October 2, 2015.

20. Special One-Day Package Off-Sale Wine license for Downtown Sioux Falls, Inc. to be operated at Exposure Gallery & Studios, 401 North Phillips Avenue, for the First Friday Wine Walk on October 2, 2015.
21. 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 weddings on September 26 and October 3, 2015.
22. Special One-Day Liquor License for Hy-Vee Inc., All Occasions by Hy-Vee to be operated at the Sanford Research Center, 2301 East 60th Street North, for the Roosevelt Hall of Fame event on October 3, 2015.
23. Special One-Day Malt Beverage License for The Banquet to be operated at Cliff Avenue Greenhouse & Garden Center, 2101 East 26th Street, for a Supply Our Students fundraiser on October 1, 2015, and authorize publication of notice on September 5, 2015.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

24. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE NAMING OF THE INDOOR AQUATIC CENTER AT SPELLERBERG PARK TO MIDCOfi AQUATIC CENTER, AND AUTHORIZING THE MAYOR TO ENTER INTO A TITLE SPONSORSHIP AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND MIDCONTINENT COMMUNICATIONS.
25. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING APPROPRIATIONS AUTHORIZING AN INCREASE IN PROPERTY TAX REVENUE PURSUANT TO SDCL 10-13-35 AND THE MEANS OF FINANCING FOR THE FISCAL YEAR ENDING DECEMBER 31, 2016.

Set a date of hearing and 2nd Reading for Tuesday, October 6, 2015, at 7 p.m. for Item 26:

26. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY BETWEEN S. NORTON AVE. AND VACATED S. DULUTH AVE. AND W. 39TH ST. AND W. 41ST ST. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT AND C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE C-4 COMMERCIAL REGIONAL DISTRICT, INCLUDING CONDITIONS AS ALLOWED IN SECTION 160.650 (e) PLACING LIMITATIONS ON REGULATIONS AND ADDING ADDITIONAL TRANSITIONAL REQUIREMENTS WITHIN THE RE5 FORM, PETITION NO. 2541-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval with the following stipulations which have

been added to the ordinance: 1) An alternative site plan including detailed buffer yard plans be approved by the Planning Commission; 2) The proposed 113 employee parking spaces (61 within the new parking lot and 52 behind the existing Billion Auto-Kia building) will be permanently marked and reserved for Billion employees only; and 3) Uses will be limited to outdoor motor vehicle sales and display and associated employee parking areas.

Set a date of hearing and 2nd Reading for Tuesday, October 6, 2015, at 7 p.m. for Item 27:

27. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 4605 S. LOUISE AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE O OFFICE DISTRICT, PETITION NO. 3236-2015, 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, October 6, 2015, at 7 p.m. for Item 28:

28. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY SOUTHWEST OF GREAT BEAR RECREATION AREA FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 3271-2015, 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, October 6, 2015, at 7 p.m. for Item 29:

29. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 4800 S. LOUISE AVE. FROM THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 3285-2015, 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, October 6, 2015, at 7 p.m. for Item 30:

30. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE SOUTHWEST CORNER OF W. 12TH ST. AND S. DISCOVERY AVE. FROM THE CN CONSERVATION DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT, INCLUDING CONDITIONS AS ALLOWED IN SECTION 160.650 (e) PLACING LIMITATIONS ON REGULATIONS WITHIN THE MD1 FORM, PETITION NO. 3238-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (4-2) with the following stipulation which has been added to the ordinance: 1) Buildings shall be no more than one story in height.

#### HEARINGS AND RESOLUTIONS

31. A RESOLUTION ADOPTING THE BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2016, AND THE 2016-2020 CAPITAL PROGRAM.

32. A RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE MAIN STREET BUSINESS IMPROVEMENT DISTRICT IN THE CITY OF SIOUX FALLS, SD.

33. A RESOLUTION AMENDING RESOLUTION NO. 128-14 THAT ESTABLISHED A PAY-FOR-

PERFORMANCE PROGRAM FOR THE CITY COUNCIL APPOINTED POSITIONS.

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. WHEN THE CITY COUNCIL WILL ACT AS A DECISION-MAKER ON AN UPCOMING MATTER INVOLVING A LICENSE OR A PERMIT, PERSONS ARE ENCOURAGED TO PROVIDE WRITTEN COMMENTS TO THE ENTIRE CITY COUNCIL OR TO PROVIDE ORAL COMMENT AT THE PUBLIC MEETING WHEN THAT ITEM IS CONSIDERED BY THE ENTIRE CITY COUNCIL. THOSE WHO PROVIDE COMMENTS IN ANY MANNER SHOULD UNDERSTAND THAT THEIR COMMENTS MAY 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 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 P.M. THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AIR LIVE THE FOURTH TUESDAY OF EACH MONTH AT 5 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 A.M. ON THURSDAYS, AND 6 P.M. ON SATURDAYS. COUNCIL COMMITTEE MEETINGS AT 12:30 A.M. AND 8 A.M. ON THURSDAYS, AND 5 P.M. ON SATURDAYS. CITY COUNCIL MEETINGS AT 2:30 AM AND 10 A.M. ON THURSDAYS, AND 7 P.M. ON SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 8 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.