

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Monday, February 1, 2016 at 7 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. Staggers

Council Member Kenny Anderson Jr.

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Mayor Mike T. Huether

INVOCATION

● Rev. David Edge, Zion Lutheran Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, January 19, 2016, at 4 p.m.

● City Council Meeting of Tuesday, January 19, 2016, at 7 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the January 28, 2016, memo.
2. Approval of the notice of surplus property on the December 31, 2015, memo.

3. Request for Quotes for Fuel dated January 15, 2016; Unleaded Ethanol & #1 Dyed Diesel & #2 Dyed Diesel; 4,000 Gallons Unleaded/2,000 Gallons Each #1 & #2 Diesel; Harms Oil (\$1.2817 Unleaded/\$1.2146 #1 Diesel/\$1.0346 #2 Diesel); Stern Oil (\$1.2954 Unleaded/\$1.2129 #1 Diesel/\$1.0392 #2 Diesel); Howes Oil (\$1.2840 Unleaded/\$1.2440 #1 Diesel/\$1.0440 #2 Diesel); Cole's Petroleum (\$1.3160 Unleaded/\$1.3070 #1 Diesel/\$1.0650 #2 Diesel); CHS, Inc., Olson Oil, and Midway (Vollan), all no bid. Bid awarded to: Harms Oil.
4. Request for Quotes for Fuel dated January 19, 2016; #1 & #2 Dyed Diesel Fuel; 3,750 Gallons Each (Total 7,500 Gallons); Harms Oil (\$1.1080 #1 DM & \$0.9699 #2 DM); Cole's Petroleum (\$1.1885 #1 DM & \$1.0065 #2 DM); Howes Oil (\$1.2250 #1 DM & \$0.9720 #2 DM); CHS, Inc., Midwest Oil, Olson Oil, Midway Service (Vollan), and Stern Oil, all no bid. Bid awarded to: Harms Oil.
5. Report of Requests for Quotes for Fuel dated January 19, 2016; #2 Clear Diesel; 7,500 Gallons; CHS, Inc. (\$1.295); Howes Oil (\$1.258); Harms Oil (\$1.2738); Midwest Oil and Petroleum Traders Co., both no bid. Bid awarded to: Howes Oil.
6. Report of Requests for Quotes of Fuel dated January 21, 2016; E-10 Unleaded Ethanol/87 Octane; 8,500 Gallons; Cole's Petroleum (\$1.2222); Howes Oil (\$1.2225); Harms Oil (\$1.2300); Midway (Vollan) (\$1.2423); CHS, Inc. (\$1.2779); Olson Oil and Stern Oil, both no bid. Bid awarded to: Cole's Petroleum.
7. Request for Quotes for Fuel dated January 22, 2016; #1 & #2 Dyed Diesel Fuel; 3,750 Gallons Each (Total 7,500 Gallons); Stern Oil (\$1.1679 #1 DM & \$0.9379 #2 DM); Harms Oil (\$1.2674 #1 DM & \$1.0497 #2 DM); Howes Oil, CHS, Inc., Midwest Oil, Olson Oil, Midway Service (Vollan), and Cole's Petroleum, all no bid. Bid awarded to: Stern Oil.
8. A communication was received from Charis Poppens requesting permission to consume, but not sell, liquor, wine and malt beverage at the Old Courthouse Museum, 200 W. Sixth St., on Saturday, April 23, 2016, from 3 p.m. until 11 p.m., for a wedding reception.
9. A communication was received from Sen. Tim and Barbara Johnson requesting permission to consume, but not sell, wine and liquor at the Old Courthouse Museum, 200 W. Sixth St., on Sunday, September 18, 2016, from 11 a.m. until 4 p.m., for a wedding reception.

APPLICATIONS

10. Special One-Day Liquor License requests for Washington Pavilion Management Inc., Washington Pavilion, 301 South Main Avenue, for special events on the following dates in 2016: April 16, May 7, June 17, July 30, August 6 and September 24.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, February 16, 2016, at 7 p.m. on Items 11 through 17:

11. Transfer of 2015-16 Retail Malt Beverage License from Cobra Ventures LLC, Knights of Columbus, 315 North Summit Avenue, to Summit Events Hall Inc., Summit Events Hall, 315 North Summit Avenue.
12. New 2016 Retail Wine License for Summit Events Hall Inc., Summit Events Hall, 315 North Summit Avenue.
13. Transfer of 2016 Package Liquor License from Freedom Valu Centers Inc., Erickson Valu Center, 2601 West 12th Street, to Jay AMBE-3 LLC, Erickson Valu Center, 2601 West 12th Street.
14. Transfer of 2015-16 Package Malt Beverage License from Freedom Valu Centers Inc., Erickson Valu Center, 2601 West 12th Street, to Jay AMBE-3 LLC, Erickson Valu Center, 2601 West 12th Street.
15. Transfer of 2015-16 Retail Malt Beverage License from Kathy Elenkiwich, Backyard Grill, 3705 South Western Avenue, to BYG-SF, LLC, Backyard Grill, 3705 South Western Avenue.
16. Special One-Day Wine License for Sioux Empire Safety Village to be operated at Vance Thompson Vision, 3101 West 57th Street, for a fundraiser on March 3, 2016.
17. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sioux Falls Jazz and Blues Society to be operated at Yankton Trail Park, 3901 South Minnesota Avenue, for the Jazz Fest on July 14-16, 2016.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

18. New 2016 Package Liquor License for ICON Entertainment LLC, ICON Lounge, 402 North Main Avenue.
19. New 2016 Retail Wine License for Oh My Word, LLC, Oh My Word Luxury Paperie, 328 South Phillips Avenue. Pending final inspection per Building Services.

20. New 2016 Retail Liquor License, including Sunday sales certificate and video lottery terminals, for Badlands Gaming Subsidiary, LLC, Badlands Gaming Subsidiary LLC, 1600 West Russell Street (CUP not required).
21. Rescind 2016 Retail Wine License for Badlands Gaming LLC, Badlands Gaming LLC to be operated at 1600 West Russell Street.
22. Rescind 2015-16 Retail Malt Beverage License for Badlands Gaming LLC, Badlands Gaming LLC to be operated at 1600 West Russell Street.
23. Special One-Day Liquor License for Realtors for Kids to be operated at Avera Prairie Center, 1000 East 23rd Street, for a fundraiser on February 5, 2016.
24. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Lutheran Social Services of South Dakota to be operated at TSP, 1112 North West Avenue, for a special event on February 9, 2016.
25. Special One-Day Liquor License for Ramkota Companies Inc., Best Western Ramkota Hotel, to be operated at Avera Prairie Center, 1000 East 23rd Street, for a Chamber Mixer on March 15, 2016.
26. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Lifescape, to be operated at Lifescape, 4100 South Western Avenue, for a Chamber Mixer on September 13, 2016.

INTRODUCTION AND ADOPTION OF ORDINANCES

27. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING SECTION 38.003 PERTAINING TO ELECTION PRECINCTS.
28. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, SETTING THE REGULAR CITY ELECTION DATE FOR TUESDAY, APRIL 12, 2016, AND AUTHORIZING A JOINT ELECTION WITH THE SIOUX FALLS SCHOOL DISTRICT NO. 49-5.
29. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 30; CITY COUNCIL.
30. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE NAMING OF THE OUTDOOR AMPHITHEATER TO BE LOCATED AT FALLS PARK WEST TO LEVITT SHELL SIOUX FALLS, AND AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF SIOUX FALLS, FRIENDS OF LEVITT SHELL SIOUX FALLS INC. AND MORTIMER & MIMI LEVITT FOUNDATION REGARDING THE LEVITT SHELL AT FALLS PARK WEST.
31. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY NORTH OF W. 41ST ST. AND WEST OF S. ELLIS RD. FROM THE AG AGRICULTURE AND RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICTS TO THE CN CONSERVATION, RS SINGLE-FAMILY RESIDENTIAL SUBURBAN, AND RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICTS, PETITION NO. 2358-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning

Commission recommends approval.

32. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT THE NORTHEAST CORNER OF S. HOSTA AVE. AND E. 57TH ST. FROM THE LW LIVE-WORK DISTRICT TO THE O OFFICE DISTRICT, PETITION NO. 3867-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
33. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED WEST OF N. MARION RD., EAST OF W. YUKON TRL., AND NORTH OF W. BENSON RD. FROM THE POPUD PEDESTRIAN-ORIENTED PLANNED UNIT DEVELOPMENT DISTRICT TO THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 3898-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
34. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED WEST OF S. SYCAMORE AVE. AND BETWEEN E. 61ST ST. AND E. 65TH ST. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN AND RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICTS TO THE RD-2 TOWNHOME RESIDENTIAL SUBURBAN, LW LIVE-WORK, AND CN CONSERVATION DISTRICTS, PETITION NO. 3938-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.
35. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, ESTABLISHING THE CAR RENTAL CUSTOMER USE CHARGE AND AUTHORIZING THE USE OF THE PROCEEDS THEREOF FOR ECONOMIC DEVELOPMENT PROJECTS. This is a second reading of an ordinance that is expected to be withdrawn by the City Council.

Set a date of hearing and 2nd Reading for Monday, February 16, 2016, for Item 36:

36. Deferred from the City Council Meeting on Tuesday, January 19, 2016: 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE 2013 SHAPE PLACES ZONING ORDINANCE OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

HEARINGS AND RESOLUTIONS

37. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF WESTWOOD VALLEY II ADDITION. Planning Commission recommends approval.
38. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SD, PURSUANT TO AN ANNEXATION AGREEMENT.
39. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING DIAGONAL PARKING ON N. GRADUATE AVE.

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)

40. CHARTER REVISION COMMISSION SUMMARY REPORT.

41. REPORT OF THE JANUARY 28, 2016, 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. 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. 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.