

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Tuesday, March 1, 2016 at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Rex Roling
Council Member Kermit L. Staggers

Council Member Kenny Anderson Jr.

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Council Member Greg Jamison
Council Member Dean Karsky
Council Member Rick Kiley
Mayor Mike T. Huether

INVOCATION

● Chaplain JoAnn Lemme, Veterans Administration Hospital

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● Sioux Empire Water Festival Days - March 9 and 10, 2016

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, February 16, 2016, at 4 p.m.

● City Council Meeting of Tuesday, February 16, 2016, at 7 p.m.

● Informational Meeting of Tuesday, February 23, 2016, at 4 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the February 25, 2016, memo.
2. Rescind the amendment to Agreement #116-12 with the Sioux Falls School District No. 49-5 approved on October 3, 2013, naming the vote center locations.
3. A communication was received from Jack Pinney and Kelli Davis requesting permission to consume, but not sell, liquor, wine, and beer at The Old Courthouse Museum, 200 West 6th Street on Saturday, June 18, 2016, from 5:00 p.m. to 11:30 p.m. pursuant to SDCL 35-1-5.5 for the purpose of a wedding reception.
4. Report of Requests for Quotes for Fuel dated: February 16, 2016; #1 and #2 Dyed Diesel Fuel; 7,500 Gallons each (Total 15,000 Gallons); Harms Oil (\$1.2360 #1 DM & \$1.1419 #2 DM); Howes Oil (\$1.2425 #1 DM & \$1.1485 #2 DM); Cole's Petroleum (\$1.2405 #1 DM & \$1.1440 #2 DM); Stern Oil (\$1.3998 #1 DM & \$1.1400 #2 DM); CHS, Inc. (\$1.3350 #1 DM & \$1.1800 #2 DM); Midwest Oil, Midway Service (Vollan), and Olson Oil, all no bid. Bid awarded to: Harms Oil.
5. Report of Requests for Quotes for Fuel dated February 16, 2016; E-10 Unleaded Ethanol/87 Octane; 8,500 Gallons; Stern Oil (\$1.1664); Cole's Petroleum (\$1.1912); Harms Oil (\$1.1798); Howes Oil (\$1.1925); CHS, Inc. (\$1.2500); Vollan Oil and Olson Oil, both no bid. Bid awarded to: Stern Oil.
6. Report of Requests for Quotes for Fuel dated: February 16, 2016; #1 and #2 Clear Diesel; 3,750 Gallons; Each 50/50 Blend; CHS, Inc. (\$1.605 #1 Clear and \$1.46 #2 Clear); Howes Oil (\$1.526 #1 Clear and \$1.4205 #2 Clear); Harms Oil (\$1.517 #1 Clear and \$1.4279 #2 Clear); Midwest Oil and Petroleum Traders Co., both no bid. Bid awarded to: Harms Oil.
7. Report of Requests for Quotes for Fuel dated: February 17, 2016; Unleaded Ethanol & #1 Dyed Diesel & #2 Dyed Diesel; 2,000 Gallons Unleaded/3,000 Gallons Each #1 and #2 Diesel; Harms Oil (\$1.1488 Unleaded/\$1.1764 #1 Diesel/\$1.0873 #2 Diesel); Cole's Petroleum (\$1.1832 Unleaded/\$1.1952 #1 Diesel/\$1.1018 #2 Diesel); Howes Oil (\$1.1790 Unleaded/\$1.2030 #1 Diesel/\$1.1040 #2 Diesel); Stern Oil (\$1.2084 Unleaded/\$1.2700 #1 Diesel/\$1.1294 #2 Diesel); Midway (Vollan) (\$1.2618 Unleaded/\$1.2685 #1 Diesel/\$1.1335 #2 Diesel); CHS, Inc. and Olson Oil, both no bid. Bid awarded to: Harms Oil.

APPLICATIONS

8. Special One-Day Liquor License for Ovations Food Services, LP, to be operated at the Multi-Cultural Center, 515 North Main Avenue, for a wedding on March 19, 2016.
9. 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 a wedding on April 2, 2016.

10. Special One-Day Liquor License for Philanthropy Promotions Inc., J&L Harley Davidson, to be operated at Falls Park West (park area north of the Sioux Falls Park and Recreation Office leading to Falls Park along Phillips Avenue) with a north boundary of Falls Park Drive, south boundary to 8th Street, east boundary to the chain link fence on the east side of Falls Park West (the street will be closed on 6th Street from Dakota to Weber Avenues), and west boundary of Dakota Avenue, for Hot Harley Nights, on July 9, 2016.
11. Special One-Day Liquor License for Ovations Food Services, LP, to be operated at the Orpheum Theater, 315 North Phillips Avenue, for a wedding on August 12, 2016.
12. 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 August 13, 2016.

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:

Items 13-17 are for the difference between the Elderly Freeze and the Non-Elderly Freeze.

13. William J. Bernard, 1428 S. Olive Drive, for 2015 taxes in the amount of \$650.64.
14. Janet Winkelman, 2413 S. Duluth Avenue, for 2015 taxes in the amount of \$240.04.
15. Barbara E. Decker, 4313 S. London Drive, for 2015 taxes in the amount of \$792.03.
16. Alice J. Hager, 3608 S. Gateway Boulevard, #203, for taxes in the amount of \$70.74.
17. Luella Browen, 3000 W. 34th Street, Apt. 204, for 2015 taxes in the amount of \$636.95.

The following abatement was recommended for approval by the Director of Equalization and the State's Attorney's Office for Lincoln County; and the City Attorney for Sioux Falls:

18. Broadband Data LLC, 101 S. Reid Street, Suite 201, for 2015 taxes in the amount of \$4,062.20. The wrong percentage of discretionary was applied for the 2015 taxes.

Set a date of hearing for Tuesday, March 15, 2016, at 7 p.m. for Items 19-28:

19. Transfer of 2015-16 Retail Malt Beverage License, with video lottery terminals, from Suburban Lanes Inc., Players Pub, 2621 South Spring Avenue, to GL Management LLC, Great Life at Suburban Lanes, 2621 South Spring Avenue.
20. New 2015-16 Retail Malt Beverage License for BYG-SF, LLC, Backyard Grill, 323 South Phillips Avenue (CUP not required).
21. New 2015-16 Retail Malt Beverage License for Kahli s Kuts LLC, Bryant Salon & Spa, 3101 West 41st Street (CUP not required).
22. New 2016 Retail Wine License for Kahli s Kuts LLC, Bryant Salon & Spa, 3101 West 41st Street (CUP not required).
23. New 2016 Package Liquor License for Walmart Stores Inc., Walmart, 7821 South Minnesota Avenue (CUP not required).
24. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Augustana University to be operated at the Elmen Center, 2001 South Summit Avenue, for a fundraiser on April 1, 2016.
25. Special One-Day Package Off-Sale Wine license for Avera Mckennan Foundation to be operated at Avera Prairie Center, 1000 East 23rd Street, for a fundraiser on April 8, 2016.
26. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., to be operated at Sioux Falls State Theatre, 316 South Phillips Avenue, for a retirement social on April 9, 2016.
27. Special One-Day Liquor License for Ovations Food Services, LP to be operated at Sanford Research Center, 2301 East 60th Street North, for a dinner on April 13, 2016.
28. Special One-Day Liquor License for Sertoma Butterfly House & Marine Cove, 4320 South Oxbow Avenue, for a fundraiser on April 15, 2016.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

29. New 2016 Full-Service Restaurant On-Sale Liquor License, including Sunday sales certificate, for Red Robin International Inc., Red Robin Gourmet Burgers and Brews, 4001 West 41st Street, Suite 502B. Pending final inspections per Fire, Health and Building Services.

INTRODUCTION AND ADOPTION OF ORDINANCES

30. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY NORTH OF E. 69TH ST., WEST OF S. SOUTHEASTERN AVE., AND EAST OF THE RAILROAD TRACKS FROM THE CN CONSERVATION, RS SINGLE-FAMILY RESIDENTIAL SUBURBAN, O OFFICE, RA-1 APARTMENT RESIDENTIAL LOW DENSITY, RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY, RA-3 APARTMENT RESIDENTIAL HIGH DENSITY, AND C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICTS TO THE CN CONSERVATION, RD-2 TOWNHOME RESIDENTIAL SUBURBAN, AND O OFFICE DISTRICTS, PETITION NO. 3868-2015, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

31. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT SOUTHEAST CORNER OF E. RICE ST. AND N. BAHNSON AVE. FROM THE UNZONED DISTRICT TO THE I-1 LIGHT INDUSTRIAL DISTRICT, PETITION NO. 4035-2016, 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 1327 N. MAIN AVE. FROM THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 4038-2016, 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, March 8, 2016, at 7 p.m. for Item 33:

33. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING A GRANT OF PIPELINE EASEMENT.

Set a date of hearing and 2nd Reading for Tuesday, March 8, 2016, at 7 p.m. for Item 34:

34. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA (THE CITY), AUTHORIZING THE ISSUANCE OF ITS SALES TAX REVENUE BONDS, AUTHORIZING THE USE OF THE PROCEEDS THEREOF TO PAY THE COSTS to design, construct, equip, and furnish AN OFFICE BUILDING to be located at 231 N. Dakota Ave. and landscaping, street and site improvements and signage with respect to the building and Van Eps Park for use by the City for various governmental purposes and the cost of issuance thereof, and PLEDGING A PORTION OF THE SALES AND USE TAX PROCEEDS OF THE CITY TO THE PAYMENT OF SAID SALES TAX REVENUE BONDS, FIXING THE TERMS OF SUCH SALES TAX REVENUE BONDS, AUTHORIZING THE EXECUTION AND DELIVERY OF a SECOND SUPPLEMENTAL INDENTURE TO an amended and restated indenture of trust BETWEEN THE CITY AND THE FIRST NATIONAL BANK IN SIOUX FALLS, AND AUTHORIZING THE SALE, EXECUTION, AND DELIVERY OF SUCH SALES TAX REVENUE BONDS IN AN AMOUNT NOT TO EXCEED \$21,900,000 plus costs of issuance, CAPITALIZED INTEREST, IF ANY, AND debt service reserve funds.

HEARINGS AND RESOLUTIONS

35. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF IMANI RIDGE ADDITION. Planning Commission recommends approval.
36. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF SOUTH DAKOTA PUBLIC UNIVERSITIES & RESEARCH CENTER ADDITION AND UNIVERSITY CENTER RESEARCH PARK ADDITION. Planning Commission recommends approval.
37. A RESOLUTION AUTHORIZING THE CITY OF SIOUX FALLS TO GIFT 14 SETS OF SOCCER GOALS TO THE CITY OF DELL RAPIDS, SD.
38. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND THE SIOUX FALLS CONVENTION & VISITORS BUREAU FOR THE MANAGEMENT OF THE SIOUX FALLS VISITOR INFORMATION CENTER AND VIEWING TOWER AT FALLS PARK.

REPORT OF OFFICERS/BOARDS/COMMITTEES/TRANSFERS OF UNENCUMBERED APPROPRIATION BLANCES AMONG PROGRAMS WITHIN A DEPARTMENT OR ORGANIZATIONAL UNIT AS PROVIDED IN THE SIOUX FALLS CITY CHARTER SECTION 5.07(d).

39. REPORT OF THE FEBRUARY 25, 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.