

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, March 15, 2016 at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

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

Council Member Rex Rolwing

Council Member Kermit L. Staggers

Mayor Mike T. Huether

INVOCATION

● Dr. Ron Tottingham, Empire Baptist Temple

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● Social Work Month -- March 2016

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, March 8, 2016, at 4 p.m.

● City Council Meeting of Tuesday, March 8, 2016, at 7 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the March 10, 2016, memo.
2. A memorandum dated February 29, 2016, declaring surplus property.
3. Appoint 67 Precinct Superintendents and 148 Precinct Deputies for the April 12, 2016, City of Sioux Falls Municipal/School Board Election.
4. Report of Requests for Quotes for Fuel dated: March 1, 2016; Unleaded Ethanol; 618 gallons; Howes Oil (\$1.7625); Midway Service, Stern Oil, and Cole s Petroleum, all no bid. Bid awarded to: Howes Oil.
5. Report of Requests for Quotes for Fuel dated: March 1, 2016; Clear Diesel #1; 532 gallons; Howes Oil (\$1.6150); Midway Service, Stern Oil, and Cole s Petroleum, all no bid. Bid awarded to: Howes Oil.
6. Report of Requests for Quotes for Fuel dated: March 1, 2016; Clear Diesel #2; 532 gallons; Howes Oil (\$1.5510); Midway Service, Stern Oil, and Cole s Petroleum, all no bid. Bid awarded to: Howes Oil.
7. Report of Requests for Quotes for Fuel dated: March 2, 2016; #1 & #2 Dyed Diesel Fuel; 7,500 gallons (2,000 gallons #1 & 5,500 gallons #2); Stern Oil (\$1.2250 #1 DM & \$1.1644 #2 DM); Harms Oil (\$1.2425 #1 DM & \$1.1925 #2 DM); Cole s Petroleum (\$1.2782 #1 DM & \$1.2002 #2 DM); Howes Oil (\$1.2615 #1 DM & \$1.2080 #2 DM); CHS, Inc., Midwest Oil, Midway Service (Vollan), and Olson Oil, all no bid. Bid awarded to: Stern Oil.
8. Report of Requests for Quotes for Fuel dated: March 3, 2016; Unleaded Ethanol & E-85; 8,500 gallons (7,500 gallons Unleaded & 1,000 gallons E-85); Cole s Petroleum (\$1.4660 Unleaded & \$1.2480 E-85); Howes Oil (\$1.4770 Unleaded & \$1.2599 E-85); Stern Oil (\$1.4909 Unleaded & \$1.3623 E-85); CHS, Inc. (\$1.5500 Unleaded & \$1.2900 E-85); Olson Oil, Harms Oil, and Vollan Oil, all no bid; Bid awarded to: Cole s Petroleum.

APPLICATIONS

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:

9. Southeastern Development Foundation, 500 N. Western Avenue, Suite 100, for 2015 property taxes in the amount of \$200.49. The house was razed on September 30, 2015.
10. Messiah New Hope Church, 5001 E. Madison Street, for 2015 property taxes in the amount of \$3,164.48. The daycare operation moved out on May 31, 2015.

Items 11- 19: The amount requested is the difference between the elderly freeze and the non-elderly freeze.

11. Elizabeth D. James, 1208 N. Connor Trail, for 2015 property taxes in the amount of \$288.16.
12. Doris M. Vanderham, 2605 S. Anderson Drive, for 2015 property taxes in the amount of \$902.45.
13. Theresa C. Bigge, 1801 S. Euclid Avenue, for 2015 property taxes in the amount of \$476.59.
14. Inga Hess, 1307 W. 14th Street, for 2015 property taxes in the amount of \$1,043.35.
15. Lenice J. Jensen, 115 N. Lake Avenue, for 2015 property taxes in the amount of \$347.91.
16. Suzanne Knudson, 1709 E. Ponderosa Drive, for 2015 property taxes in the amount of \$41.47.
17. Sharon L. Schraq, 306 N. Cliff Avenue, for 2015 property taxes in the amount of \$15.40.
18. Ava I. Grimshaw, 3608 S. Gateway Boulevard, Apt. 302, for 2015 property taxes in the amount of \$68.10.
19. Sam J. Nastase, 601 S. Bahnson Avenue, for 2015 property taxes in the amount of \$900.06.

The following abatements were recommended for denial by the Director of Equalization and the State's Attorney Office for Lincoln County; and the City Attorney for Sioux Falls:

20. Richard & Arianne Zieske, 7508 S. Chatworth Circle, for 2015 property taxes in the amount of \$3,721.98.
21. David & Debbie Landreth, 5445 S. Salvation Place, for 2015 property taxes in the amount of \$2,954.74.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, April 5, 2015, at 7 p.m. for Items 22 through 33:

22. A PROPOSED RESOLUTION DECLARING THE NECESSITY TO GRADE, GRAVEL, CONSTRUCT CURB AND GUTTER WITH DRIVEWAY APPROACHES, CONSTRUCT SIDEWALK, STORM SEWER, ASPHALT SURFACING, WATER, SANITARY SEWER, AND STREETLIGHTS ON S. BRANDE AVE., AND ASSESSING THE COST TO EACH LOT OR TRACT OF LAND BENEFITING THEREBY.

23. New 2016 Package Liquor License for Aldi Inc., Aldi Foods #20, 2804 South Louise Avenue (CUP not required).
24. New 2016 Package Liquor License for Aldi Inc., Aldi Foods #21, 5105 East Arrowhead Parkway (CUP not required).
25. New 2016 Retail Wine License for BYG-SF, LLC, Backyard Grill, 323 South Phillips Avenue (CUP not required).
26. Special One-Day Malt Beverage and Special One-Day Wine Licenses for The History Club to be operated at Josiah s Coffeeshouse & Cafø, 101 South Reid Street, for a fundraiser on April 7, 2016.
27. Special One-Day Malt Beverage and Special One-Day Wine Licenses for The Country Club of Sioux Falls to be operated at Home Federal Bank, 225 South Main Avenue, for a Chamber Mixer on April 12, 2016.
28. Special One-Day Malt Beverage License for Sisters of the Presentation of the Blessed Virgin Mary to be operated at Falls Park, 305 East Falls Park Drive, for the Cinco de Mayo Fiesta, on May 7, 2016.
29. Special One-Day Wine License 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 10, 2016.
30. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Osher Lifelong Learning Institute to be operated in the CNA Building Communication Room, 101 South Reid and the 8th & Railroad Shopping Center back dock and patio, 401 East 8th Street, for a Science Happy Hour on June 10, 2016.
31. Special One-Day Malt Beverage and Special One-Day Wine Licenses for The Center for Equality to be operated at Terrace Park, 1100 West 4th Street, for a Sioux Falls Pride event on June 18, 2016.
32. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Commemorative Air Force Joe Foss Squadron to be operated at Maverick Air Center, 4201 North Maverick Place, for a Hangar Dance on July 21, 2016.
33. Special One-Day Wine License for Senior Citizens Services Inc., to be operated at Active Generations, 2300 West 46th Street, for the Gourmet Guys fundraiser, on April 17, 2016.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

34. 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.
35. New 2015-16 Retail Malt Beverage License for BYG-SF, LLC, Backyard Grill, 323 South Phillips Avenue (CUP not required). Pending final inspections per Fire and Building Services.
36. New 2015-16 Retail Malt Beverage License for Kahli s Kuts LLC, Bryant Salon & Spa, 3101 West 41st Street (CUP not required).
37. New 2016 Retail Wine License for Kahli s Kuts LLC, Bryant Salon & Spa, 3101 West 41st Street (CUP not required).
38. New 2016 Package Liquor License for Walmart Stores Inc., Walmart, 7821 South Minnesota Avenue (CUP not required). Pending final inspections per Fire and Building Services.
39. 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.
40. 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.
41. 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.
42. 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.
43. Special One-Day Liquor License for Sertoma Butterfly House & Marine Cove, 4320 South Oxbow Avenue, for a fundraiser on April 15, 2016.
44. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Stockyards Plaza Inc., to be operated at the Falls Park Horsebarn for social on March 31, 2016.

INTRODUCTION AND ADOPTION OF ORDINANCES

45. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY NORTH OF I-90 AND EAST OF N. MARION RD. FROM THE AG AGRICULTURE DISTRICT TO THE CN CONSERVATION, C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR, AND I-2 HEAVY INDUSTRIAL DISTRICTS, PETITION NO. 4173-2016, 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, April 5, 2016, at 7 p.m. for Item 46:

46. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, ENCOURAGING PARKING STRIP LANDSCAPING AND PROVIDING STANDARDS THEREFOR.

Set a date of hearing and 2nd Reading for Tuesday, April 5, 2016, at 7 p.m. for Item 47:

47. 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.

Set a date of hearing and 2nd Reading for Tuesday, April 5, 2016, at 7 p.m. for Item 48:

48. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT NORTHEAST CORNER OF S. SHERMAN AVE. AND E. 22ND ST. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT, PETITION NO. 4039-2016, 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, April 5, 2016, at 7 p.m. for Item 49:

49. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 605 N. LA MESA DR. FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 4144-2016, 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, April 5, 2016, at 7 p.m. for Item 50:

50. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 120 N. SYCAMORE AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICT, PETITION NO. 4159-2016, 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, April 5, 2016, at 7 p.m. for Item 51:

51. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT NORTHWEST CORNER OF N. TERRY AVE. AND W. MADISON ST. FROM THE I-1 LIGHT INDUSTRIAL DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 4179-2016, 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, April 5, 2016, at 7 p.m. for Item 52:

52. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT SOUTHWEST CORNER OF E. 26TH ST. AND S. SIX MILE RD. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN AND CN CONSERVATION DISTRICTS TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN AND CN CONSERVATION DISTRICTS, PETITION NO. 4183-2016, 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, April 5, 2016, at 7 p.m. for Item 53:

53. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 5100 W. 12TH ST. FROM THE I-1 LIGHT INDUSTRIAL DISTRICT TO THE C-3 COMMERCIAL COMMUNITY DISTRICT, PETITION NO. 4184-2016, 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, April 5, 2016, at 7 p.m. for Item 54:

54. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 51: UTILITY RATES AND CHARGES; SUBCHAPTER WATER DISTRIBUTION PLATTING FEE, SECTION 51.065 WATER DISTRIBUTION PLATTING FEE.

Set a date of hearing and 2nd Reading for Tuesday, April 5, 2016, at 7 p.m. for Item 55:

55. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 96: STREETS AND SIDEWALKS; SUBCHAPTER ARTERIAL STREET PLATTING FEE; SECTION 96.220 ARTERIAL STREET PLATTING FEE.

Set a date of hearing and 2nd Reading for Tuesday, April 5, 2016, at 7 p.m. for Item 56:

56. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE NAMING OF A FACILITY SPACE ON PUBLIC PROPERTY. (Jerstad Gallery).

Set a date of hearing and 2nd Reading for Tuesday, April 5, 2016, at 7 p.m. for Item 57:

57. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE NAMING OF A FACILITY SPACE ON PUBLIC PROPERTY. (Shultz Gallery).

Set a date of hearing and 2nd Reading for Tuesday, April 5, 2016, at 7 p.m. for Item 58:

58. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING SECTION 124.012 TO PROVIDE YOUTH AN OPPORTUNITY TO RIDE FIXED-ROUTE BUS SERVICE AT NO CHARGE FROM JUNE 2, 2016, TO SEPTEMBER 6, 2016.

Set a date of hearing and 2nd Reading for Tuesday, April 5, 2016, at 7 p.m. for Item 59:

59. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING

SUPPLEMENTAL APPROPRIATIONS. (\$1,299,000 Highways and Streets).

HEARINGS AND RESOLUTIONS

60. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF FOUNDATION PARK ADDITION. Planning Commission recommends approval.
61. A RESOLUTION ABATING FRONT FOOT ASSESSMENTS FOR STREET MAINTENANCE FEES AT PARCEL ID S 35194, 35196, 35197, 35198, 35200, AND 35201.
62. A RESOLUTION ABATING STORM DRAINAGE AND STREET MAINTENANCE FEES ON CERTAIN PARCELS WITHIN NE1/4 OF SECTION 8-T100N-R49W OF THE 5TH P.M. TO THE CITY OF SIOUX FALLS, LINCOLN COUNTY, SD.
63. A RESOLUTION ABATING STORM DRAINAGE FEES ON CERTAIN PARCELS WITHIN WESTWOOD VALLEY ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SD.
64. A RESOLUTION ABATING STORM DRAINAGE FEES ON CERTAIN PARCELS WITHIN TIMBER OAK ADDITION TO THE CITY OF SIOUX FALLS, LINCOLN COUNTY, SD.
65. A RESOLUTION ABATING STORM DRAINAGE AND STREET MAINTENANCE FEES ON CERTAIN PARCELS WITHIN WESTWOOD VALLEY ADDITION TO THE CITY OF SIOUX FALLS, MINNEHAHA COUNTY, SD.
66. A RESOLUTION AMENDING THE CITY OF SIOUX FALLS ENGINEERING DESIGN STANDARDS.
67. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF SCULPTURES ON PUBLIC PROPERTY FOR AN INTERNATIONALLY RECOGNIZED VISUAL ARTS PROGRAM KNOWN AS SCULPTUREWALK SIOUX FALLS 2016.
68. 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. 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.