

|| City of Sioux Falls Council Meeting  
|| Agenda  
|| Carnegie Town Hall, 235 West 10th Street  
|| MEETING OF Tuesday, June 21, 2016 at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Greg Neitzert  
Council Member Rex Rolwing  
Council Member Marshall Selberg  
Council Member Pat Starr  
Council Member Theresa Stehly

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Council Member Rick Kiley  
Mayor Mike T. Huether

INVOCATION

&#9679; Pastor Casey Comstock, Celebrate Church

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

&#9679; Alzheimer's & Brain Awareness Month - June 2016

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Tuesday, June 14, 2016, at 4 p.m.

&#9679; City Council Meeting of Tuesday, June 14, 2016, at 7 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the June 16, 2016, memo.

2. Approval of the notice of change orders on the June 16, 2016, memo.
3. Report of Requests for Quotes for Fuel dated: June 8, 2016; Unleaded Ethanol & #2 Dyed Diesel; 8,000 Gallons (2,500 Gallons Unleaded; 5,500 Gallons #2 Diesel); Stern Oil (\$1.8283 Unleaded & \$1.6182 #2 Diesel); Cole s Petroleum (\$1.8254 Unleaded & \$1.6228 #2 Diesel); CHS, Inc. (\$1.9100 Unleaded & \$1.5855 #2 Diesel); Harms Oil (\$1.8247 Unleaded & \$1.6309 #2 Diesel); Howes Oil (\$1.8515 Unleaded & \$1.6560 #2 Diesel); Midway (Vollan) Oil and Olson Oil, both no bid. Bid awarded to: Stern Oil.
4. Report of Requests for Quotes for Fuel dated: June 10, 2016; #2 Clear Diesel; 8,500 Gallons; Harms Oil (\$1.9133); CHS, Inc, Howes Oil, and Midwest Oil, all no bid. Bid awarded to: Harms Oil.
5. Report of Requests for Quotes for Fuel dated: June 10, 2016; E-10 Unleaded Ethanol/87 Octane; 8,500 Gallons; Harms Oil (\$1.8402); Stern Oil (\$1.8537); Cole s Petroleum (\$1.8670); Howes Oil (\$1.8830); CHS, Inc., Olson Oil, and Vollan Oil, all no bid. Bid awarded to: Harms Oil.
6. Report of Requests for Quotes for Fuel dated: June 10, 2016; #2 Dyed Diesel Fuel; 7,500 Gallons; Stern Oil (\$1.6257); Harms Oil (\$1.6300); Cole s Petroleum (\$1.6318); Howes Oil (\$1.6480); CHS, Inc., Midwest Oil, Midway Service (Vollan), and Olson Oil, all no bid. Bid awarded to: Stern Oil.

#### APPLICATIONS

7. Renewal of 2016-17 Retail Malt Beverage License for Fernson Taphouse LLC, Fernson Taphouse LLC, 201 North Weber Ave, Suite 100.
8. Renewal of 2016-17 Package Malt Beverage/Farm Wine License for Jay Ambe-2 LLC, Freedom Valu Center, 1601 South Minnesota Avenue.
9. Renewal of 2016-17 Package Malt Beverage License for Jay Ambe-3 LLC, Freedom Valu Center, 2601 West 12th Street.
10. Renewal of 2016-17 Retail Malt Beverage License for Juan Padilla, Casa Vieja Nightclub & Restaurant, 805 North West Avenue.
11. Amend new 2015-16 Retail Malt Beverage License approved on 03-15-16, for BYG-SF, LLC, Backyard Grill, 323 South Phillips Avenue, by changing the date of the license to 2016-17 (CUP not required).

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, July 5, 2016, at 7 p.m. for Items 12 through 19:

12. Transfer of 2016 Retail Wine license from Plums Cooking Co., Plums Cooking, 401 East 8th Street, Suite 107, to Simply Perfect LLC, Simply Perfect, 401 East 8th Street, Suite 107 (CUP not required).
13. New 2016-17 Retail Malt Beverage license for Simply Perfect LLC, Simply Perfect, 401 East 8th Street, Suite 107 (CUP not required).
14. New 2016-17 Retail Malt Beverage license for Sioux Falls Pilots LLC, Sioux Falls Pilots, 2505 South Grange Avenue, (Augustana University Ronken Baseball field only) with conditional use permit (4639-2016) being approved on June 1, 2016.
15. New 2016 Retail Wine license for East Dakota Natural Foods, Co-op Natural Foods, 410 West 18th Street, with conditional use permit (4554-2016) being approved on June 1, 2016.
16. New 2016-17 Retail Malt Beverage license for East Dakota Natural Foods, Co-op Natural Foods, 410 West 18th Street, with conditional use permit (4554-2016) being approved on June 1, 2016.
17. Special One-Day Liquor license for Bates Enterprises to be operated at the Multi-Cultural Center, 515 North Main Avenue, for a wrestling event on July 20, 2016.
18. Special One-Day Wine license for Augustana University to be operated at the Center for Western Study, 2001 South Summit Avenue, for a special event on July 8, 2016.
19. Special One-Day Malt Beverage license for Fernson Brewing Company LLC, Fernson Brewing Company to be operated at Zanbroz Variety, 209 South Phillips Avenue, for a special event on July 13, 2016.

Set a date of hearing for Tuesday, July 12, 2016, at 7 p.m. for Items 20 through 23:

20. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR CONSTRUCTION OF SIDEWALK ON E. 10TH ST. FROM S. BAHNSON AVE. TO S.SYCAMORE AVE.
21. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR CONSTRUCTION OF GRADING, GRAVEL, ASPHALT SURFACING, CURB AND GUTTER WITH DRIVEWAY APPROACHES, SIDEWALK, STREETLIGHT, STORM SEWER, SANITARY SEWER MAIN AND SERVICE LINES, AND WATER MAIN AND SERVICE LINES ON S. BRANDE AVE. FROM W. 85TH ST. TO W. 88TH ST.
22. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR CONSTRUCTION OF SIDEWALK ON S. SOLBERG AVE. FROM W. 49TH ST. TO W. 57TH ST.

23. A PROPOSED RESOLUTION APPROVING THE COST RECOVERY ROLL FOR CONSTRUCTION OF SANITARY SEWER AND WATER MAIN ALONG S. BRANDE AVE. FROM W. 85TH ST. TO W. 88TH ST.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

24. New 2016-17 Retail Malt Beverage license for Kellen Marson and Darci Fluit, Wacko s Comedy Club, 3224 East 10th Street (CUP not required).
25. New 2016 Retail Wine license for Kellen Marson and Darci Fluit, Wacko s Comedy Club, 3224 East 10th Street (CUP not required).
26. New 2016 Retail Wine license for Shadow Creek Spa, Southeastern Hair Design and Day Spa, 1701 East 69th Street (CUP not required).
27. New 2016 Retail Wine license for Pinball Inc., Executive Casino, 2218 South Minnesota Avenue (CUP not required).
28. New 2016-17 Retail Malt Beverage license for Mothershead LLC, Mama s Phried & Phillys, 111 % East Tenth Street (CUP not required).
29. New 2016 Retail Wine license for TJT Inc., Jokerz Casino, 2401 West 12th Street with Conditional Use Permit (4482-2016) being approved on May 4, 2016.
30. New 2016-17 Retail Malt Beverage license for TJT Inc., Jokerz Casino, 2401 West 12th Street, with Conditional Use Permit (4482-2016) being approved on May 4, 2016.
31. Request to include video lottery terminals with the New 2016-17 Retail Malt Beverage license for TJT Inc., Jokers Casino, 2401 West 12th Street.
32. Transfer of 2016 Retail Liquor license, with Sunday sales and video lottery terminals, from Commonwealth Gaming & Holdings Corp., Deuces 3, 5201 East Arrowhead Parkway, to Commonwealth Gaming & Holdings Corp., Deuces 3, 5117 East Arrowhead Parkway with Conditional Use Permit (4148-2016) being approved on March 2, 2016. Pending final inspections per Fire, Health and Building Services.

33. Transfer of 2016 Retail Liquor license, with Sunday sales and video lottery terminals, from Sport Zone Inc., Rookies Sports Bar and Grill, 2616 South Louise Avenue, to Hooks South Dakota Inc., Tanner s Bar & Grill, 2616 South Louise Avenue (CUP not required).
34. Special One-Day Liquor license for the Zoological Society Sioux Falls to be operated at the Great Plains Zoo and Delbridge Museum of Natural History, 805 South Kiwanis Avenue, for the Jungle Jubilee on July 21, 2016.
35. Special One-Day Malt Beverage license for Tea Storm Chasers to be operated at the Coliseum, 515 North Main Street, for a fundraiser on July 16, 2016.
36. Special One-Day Malt Beverage and Special One-Day Wine licenses for Catering America, Chef Dominique s to be operated at 101 South Main Avenue, Suite 100, for a social on June 23, 2016.
37. Special One-Day Liquor license for IJK, Inc., Stogeez Cigar Lounge, to be operated on Phillips Avenue between 10th & 11th Streets, for Stogeez Steakout on July 30, 2016.
38. Special One-Day Malt Beverage Licenses for American Legion, Sioux Falls Post 15 to be operated at Augustana University Ronken Baseball Field, 2505 South Grange Avenue, for Sioux Falls Pilot home games on June 25, 29 and 30, July 1, 6 and 10, 2016, and to authorize publication on June 10, 2016.

INTRODUCTION AND ADOPTION OF ORDINANCES

39. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY ADDING ONE LEGAL DESCRIPTION TO SECTION 37.038, PROVIDING FOR RURAL SERVICE DISTRICT LANDS.

Set a date of hearing and 2nd Reading for Tuesday, July 5, 2016, at 7 p.m. for Item 40:

40. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT SOUTHEAST CORNER OF W. 57TH ST. AND S. ROLLING GREEN AVE. FROM THE LW LIVE-WORK DISTRICT TO THE C-3 COMMERCIAL COMMUNITY DISTRICT, PETITION NO.4459-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).

Set a date of hearing and 2nd Reading for Tuesday, July 5, 2016, at 7 p.m. for Item 41:

41. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT NORTHWEST CORNER OF E. 69TH ST. AND S. SYCAMORE AVE. FROM THE AGAGRICULTURE DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY, RA-3 APARTMENT RESIDENTIAL HIGH DENSITY, LW LIVE-WORK, AND C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICTS, PETITION NO. 4340-2016,

AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).

Set a date of hearing and 2nd Reading for Tuesday, July 5, 2016, at 7 p.m. for Item 42:

42. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY SOUTH OF W.57TH ST., WEST OF S. LOUISE AVE., AND EAST OF S. ROLLING GREEN AVE. FROM THE LW LIVE-WORK DISTRICT TO THE C-3 COMMERCIAL COMMUNITY DISTRICT, PETITION NO. 4419-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).

Set a date of hearing and 2nd Reading for Tuesday, July 5, 2016, at 7 p.m. for Item 43:

43. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY NORTH OF W. 26TH ST. AND EAST OF S. ST. MICHAELS CIR. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE C-3 COMMERCIAL COMMUNITY DISTRICT INCLUDING CONDITIONS AS ALLOWED IN SECTION 160.650 (e) PLACING LIMITATIONS ON REGULATIONS WITHIN THE RE4 FORM, PETITION NO. 4607-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).

Set a date of hearing and 2nd Reading for Tuesday, July 5, 2016, at 7 p.m. for Item 44:

44. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 301 S. ST. PAUL AVE. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT, PETITION NO. 4635-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).

Set a date of hearing and 2nd Reading for Tuesday, July 5, 2016, at 7 p.m. for Item 45:

45. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY EAST OF S.SOUTHEASTERN AVE., SOUTH OF E. 57TH ST., AND WEST OF S. GRAYSTONE AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN AND RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICTS TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN AND RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICTS, PETITION NO. 4637-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).

Set a date of hearing and 2nd Reading for Tuesday, July 5, 2016, at 7 p.m. for Item 46:

46. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 2601 E. 8TH ST. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT, PETITION NO. 4661-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF

SIOUX FALLS. Planning Commission recommends approval (6-0).

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

47. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1217E. RICE ST. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 4665-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).

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

48. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 600 N. BAHNSON AVE. FROM THE AG AGRICULTURE DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL LOW DENSITY AND RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICTS, PETITION NO. 4677-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).

Set a date of hearing and 2nd Reading for Tuesday, July 5, 2016, at 7 p.m. for Item 49:

49. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY SOUTH OF W. 69TH ST. AND WEST OF S. BEAL AVE. FROM THE AG AGRICULTURE DISTRICT TO THE RR SINGLE-FAMILY RESIDENTIAL RURAL DISTRICT, PETITION NO. 4693-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).

Set a date of hearing and 2nd Reading for Tuesday, July 5, 2016, at 7 p.m. for Item 50:

50. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE ISSUANCE, EXECUTION AND DELIVERY OF ITS WASTEWATER SYSTEM REVENUE BONDS AND RELATED LOAN DOCUMENTS, PLEDGING A PORTION OF THE WASTEWATER SYSTEM REVENUE OF THE CITY TO THE PAYMENT OF SAID WASTEWATER SYSTEM REVENUE BONDS

Set a date of hearing and 2nd Reading for Tuesday, July 5, 2016, at 7 p.m. for Item 51:

51. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING A HOTEL GROUND LEASE AGREEMENT, BEING A 50-YEAR LEASE OF CITY PARKLAND LOCATED AT ELMWOOD GOLF COURSE BETWEEN THE CITY AND ELMWOOD HOSPITALITY, LLC.

52. Deferred from the City Council Meeting on June 7, 2016: A RESOLUTION INCLUDING CERTAIN CONTINGUOUS TERRITORY WITHIN THE CORPORATE LIMITES OF THE CITY OF SIOUX FALLS, SD. ANNEXATION 3455-2015 - Reiter/Webber Land (E. 57th St. and S. Southeastern Ave.).

53. Deferred from the City Council Meeting on June 7, 2016: A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, TO ESTABLISH A PREANNEXATION AGREEMENT WITH THE HAYES ADDITION RESIDENTS. (69th and Southeastern).

54. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND COMMUNITY COORDINATED TRANSPORTATION SYSTEMS.

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).

55. REPORT OF THE JUNE 16, 2016, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

#### NEW BUSINESS

56. A MOTION TO APPROVE THE FORWARD SIOUX FALLS 2021 AGREEMENT.

#### 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.