

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Tuesday, July 19, 2016 at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Pat Starr

Council Member Theresa Stehly

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Council Member Rick Kiley

Council Member Greg Neitzert

Council Member Rex Rolwing

Council Member Marshall Selberg

Mayor Mike T. Huether

INVOCATION

● Pastor Randy Gehring, Our Savior's Lutheran Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, July 12, 2016, at 4 p.m.

● City Council Meeting of Tuesday, July 12, 2016, at 7 p.m.

COMMUNICATIONS

1. Approval of contacts/agreements on the July 15, 2016, memo.

2. Approval of the notice of change orders on the July 15, 2016, memo.

3. Report of Requests for Quotes for Fuel dated: July 6, 2016; #2 Clear Diesel; 8,500 Gallons; Howes Oil (\$1.8445); Harms Oil (\$1.8411); CHS, Inc. and Midwest Oil, both no bid. Bid awarded to: Harms Oil.
4. Report of Requests for Quotes for Fuel dated: July 7, 2016; E-10 Unleaded Ethanol/87 Octane; 8,500 Gallons; Stern Oil (\$1.6681); Harms Oil (\$1.6800); Cole s Petroleum (\$1.6895); Howes Oil (\$1.6970); CHS, Inc., Olson Oil, and Vollan Oil, all no bid. Bid awarded to: Stern Oil.
5. Report of Requests for Quotes for Fuel dated: July 12, 2016; #2 Dyed Diesel; 7,500 Gallons; Stern Oil (\$1.5371); Cole s Petroleum (\$1.5655); Harms Oil (\$1.5692); CHS, Inc., Howes Oil, Midwest Oil, Midway Service (Vollan), and Olson Oil, all no bid. Bid awarded to: Stern Oil.
6. A communication was received from Angela Lammers, Cetera Services, requesting permission to consume, but not sell beer and wine at the Sioux Falls Design Center, 108 W 11th St., on Wednesday, August 3, 2016, at 4:30 p.m. for the Cetera Services Ribbon Cutting Ceremony.
7. A communication was received from Stephanie Nocito and Nathan Eisenmenger requesting permission to consume, but not sell beer, wine, and liquor at the Old Courthouse Museum, 200 W 6th St., on Friday, August 19, 2016, for a wedding reception.

APPLICATIONS

8. Special One-Day Liquor License for Ovations Food Services, LP, Sioux Falls Convention Center, to be operated at the Edith Sanford Research Center, 1305 West 18th Street, for a grand opening on October 25, 2016.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, August 2, 2016, at 7 p.m. for Items 9 through 19:

9. New 2016 Retail Wine license for Mama G Rest and Bar LLC, Mama G Rest and Bar, 125 West 10th Street (CUP not required).
10. New 2016-17 Retail Malt Beverage license for Mama G Rest and Bar LLC, Mama G Rest and Bar, 125 West 10th Street (CUP not required).
11. New 2016-17 Retail Malt Beverage license for Fierro LLC, Fiero Pizza, 3101 West 41st Street, Suite 107, with conditional use permit (4864-2016) being approved on July 6, 2016.
12. New 2016-17 Retail Malt Beverage license for SRS Inc., Connexions +, 5415 West 41st Street, with conditional use permit (4866-2016) being approved on

July 6, 2016.

13. Request to include video lottery terminals with the new 2016-17 Retail Malt Beverage license for SRS Inc., Connexions +, 5415 West 41st Street.
14. New 2016 Retail Wine license for Tri State Gaming, Jokerz 3, 5005 West 12th Street.
15. Transfer of 2016 Retail Liquor license, including Sunday sales certificate and video lottery terminals, from LCU Inc., Little Coalinga, 114 North Indiana Avenue, to Taylor Ventures Inc., Bubba J s, 114 North Indiana Avenue (CUP not required).
16. Transfer of 2016 Retail Wine license from Amavo LLC, Amavo Boutique, 4807 South Louise Avenue, to Amavo LLC, Amavo Boutique, 5015 South Western Avenue, Suite 260, with conditional use permit (4865-2016) being approved on July 6, 2016.
17. Special One-day Malt Beverage licenses for Nos Terres LLC, MB Haskett to be operated at the 8th & Railroad Shopping Center parking lot, 401 East 8th Street, for Live Art and Music Festivals on August 19 and September 17, 2016.
18. Special One-day Malt Beverage license for Susan G. Komen SD to be operated at Falls Park, 131 East Falls Park Drive, for the Race for the Cure on September 25, 2016.
19. Special One-day Malt Beverage license for Hydra Beer Company LLC, to be operated in their parking lot located at 2425 South Shirley Avenue, for a special event on August 5, 2016.

Set a date of hearing for Tuesday, August 9, 2016, at 7 p.m. for Items 20 through 24:

20. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR REPAIR OR DEMOLITION OF REAL PROPERTY IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.
21. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR LITTER REMOVAL IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.
22. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR SNOW REMOVAL IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.
23. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR TREE TRIMMING IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

24. A PROPOSED RESOLUTION APPROVING THE SPECIAL ASSESSMENT ROLL FOR THE MOWING OF WEEDS AND GRASSES IN VARIOUS AREAS IN THE CITY OF SIOUX FALLS, SOUTH DAKOTA.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

25. New 2016-17 Retail Malt Beverage license for JSM Investment, Inc., Benji s Casino, 5022 South Marion Road (CUP not required). Pending permit issuance and final inspections per Fire, Health, and Building Services.
26. Request to include video lottery terminals with the new 2016-17 Retail Malt Beverage license for JSM Investment, Inc., Benji s Casino, 5022 South Marion Road.
27. New 2016 Retail Wine license for Crown Gaming Inc., Crown Casino Central II, 1721 South Minnesota Avenue, with Conditional Use Permit (3084-2015) being approved on August 5, 2015.
28. Transfer of 2016-17 Retail Malt Beverage license, with video lottery terminals, from GMJS Enterprises, JJ s Billiards, 309 South Elmwood Avenue, to JS Bar LLC, JJ s Billiards, 309 South Elmwood Avenue.
29. New 2016 Retail Wine license for JS Bar LLC, JJ s Billiards, 309 South Elmwood Avenue.
30. Transfer of 2016 Retail Liquor license, including video lottery terminals and Sunday sales certificate, from M & J Ventures Inc., Red Eye Bar & Casino, 5013 North Cliff Avenue, to Red Eye Holdings Inc., Red Eye Bar & Casino, 5013 North Cliff Avenue.
31. Transfer of 2016 Retail Liquor license, including video lottery terminals and Sunday sales certificate, from MJ Ventures, The LieBrary, 5108 South Marion Road, to LieBrary Holdings Inc., LieBrary Bar, 5108 South Marion Road.
32. Transfer of 2016 Retail Liquor license, including video lottery terminals and Sunday sales certificate, from Our Ventures, Woody s, 900 South Marion Road, to Woody s Holdings Inc., Woody s Pub, 900 South Marion Road.
33. New 2016-17 Retail Malt Beverage/South Dakota Farm Wine license for Urban Archaeology LLC, Urban Archaeology, 126 South Phillips Avenue (CUP not

required). Pending final inspections per Fire and Health.

34. New 2016 Package Liquor license for Vanguard Hospitality, Foley s, 2507 South Shirley Avenue.
35. New 2016 Package Liquor license for Vanguard Hospitality, Minerva s, 301-307 South Phillips Avenue.
36. New 2016 Package Liquor license for Vanguard Hospitality, Grille 26, 1716 South Western Avenue.
37. Special One-Day Malt Beverage and Special One-Day Wine licenses for Catering America Inc., Chef Dominique s to be operated at Vance Thompson Vision, 3101 West 57th Street, for an open house on September 12, 2016.
38. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Stockyards Plaza Inc., to be operated at the Falls Park Horse Barn for a fundraiser on July 25, 2016, and to authorize publication on Friday, July 8, 2016.

INTRODUCTION AND ADOPTION OF ORDINANCES

39. 2nd Reading: AN ORDINANCE APPROVING THE ANNUAL RATE INCREASE PURSUANT TO THE FRANCHISE AGREEMENT FOR GROUND AMBULANCE SERVICE FOR THE CITY OF SIOUX FALLS WITH PARAMEDICS PLUS, LLC.
40. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA (THE CITY), REPEALING ORDINANCE NO. 36-16 AUTHORIZING THE ISSUANCE OF ITS SALES TAX REVENUE BONDS AND OTHER ACTIONS RELATED THERETO.

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

41. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 810 S. 10TH AVE. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT, PETITION NO. 4722-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

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

42. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. 5TH ST. AND EAST OF N. MARION RD. FROM THE O OFFICE DISTRICT TO THE CN CONSERVATION DISTRICT, PETITION NO. 4746-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

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

43. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 715 721 W. 13TH ST. FROM THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT TO THE RT-2 TOWNHOME RESIDENTIAL TRADITIONAL DISTRICT, PETITION NO. 4846-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

Set a date of hearing and 2nd Reading for Tuesday, August 2, 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. PRAIRIE AVE. FROM THE RT-2 TOWNHOME RESIDENTIAL TRADITIONAL DISTRICT TO THE LW LIVE-WORK DISTRICT, PETITION NO. 4847-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

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

45. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 421 W. 7TH ST. FROM THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT TO THE S-1 GENERAL INSTITUTIONAL DISTRICT, PETITION NO. 4848-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

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

46. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1215 E. 28TH ST. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 4849-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

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

47. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 724 E. 8TH ST. FROM THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 4850-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

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

48. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3301 N. AURORA CIR. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 4851-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

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

49. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 5000 W. 26TH ST. FROM THE O OFFICE DISTRICT TO THE C-3 COMMERCIAL COMMUNITY DISTRICT, PETITION NO. 4867-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

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

50. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1800 W. 41ST ST. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 4870-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-1).

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

51. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 2101 S. EUCLID AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT, PETITION NO. 4871-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

Set a date of hearing and 2nd Reading for Tuesday, August 2, 2016, at 7 p.m. for Item 52:

52. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT W. 24TH ST. AND S. SPRING AVE. FROM THE O OFFICE DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 4873-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

Set a date of hearing and 2nd Reading for Tuesday, August 2, 2016, at 7 p.m. for Item 53:

53. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES FOR CHAPTER 156: FLOODPLAIN MANAGEMENT AND 157 SUBDIVISION ORDINANCE.

HEARINGS AND RESOLUTIONS

54. A RESOLUTION ESTABLISHING THE CITY OF SIOUX FALLS PROVISIONAL LEGISLATIVE PRIORITIES FOR THE 2017 STATE LEGISLATIVE SESSION.

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 9 A.M. ON FRIDAYS AND 6 P.M. ON SATURDAYS. COUNCIL COMMITTEE MEETINGS AT 8 A.M. ON FRIDAYS AND 5 P.M. ON SATURDAYS. CITY COUNCIL MEETINGS AT 10 A.M. ON FRIDAYS 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.