

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

ROLL CALL

MEMBERS PRESENT/ABSENT

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

Council Member Pat Starr

Council Member Theresa Stehly

Mayor Mike T. Huether

INVOCATION

● Jeanne Omland, Prayer Partner for Direct Line Prayer Center

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● Pancreatic Cancer Awareness Month - November, 2016

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Monday, October 17, 2016, at 4 p.m.

● City Council Meeting of Monday, October 17, 2016, at 7 p.m.

● Informational Meeting of Tuesday, October 25, 2016, at 4 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the October 28, 2016, memo.
2. Report of Requests for Quotes for Fuel dated: October 14, 2016; #1 Dyed Diesel Fuel; 15,000 Gallons; Harms Oil (\$1.8217); Coles Petroleum (\$1.8925); Stern Oil (\$1.9227); CHS, Inc., Howes Oil, Midwest Oil, Midway Service (Vollan) and Olson Oil, all no bid. Bid awarded to: Harms Oil.
3. Report of Requests for Quotes for Fuel dated: October 14, 2016; E-10 Unleaded Ethanol/87 Octane; 8,500 Gallons; Coles Petroleum (\$1.7005); Harms Oil (\$1.7101); Stern Oil (\$1.7175); CHS, Inc., Howes Oil, Midway Service, and Olson Oil, all no bid. Bid awarded to: Coles Petroleum.
4. Report of Requests for Quotes for Fuel dated: October 21, 2016; Unleaded Ethanol and E85; 7,000 Gallons Unleaded/1,500 Gallons E85; Midway Service (\$1.6333 Unleaded and \$.9889 E-85); Stern Oil (\$1.6661 Unleaded and \$1.4674 E-85); CHS, Inc. (\$1.7200 Unleaded and \$1.2750 E-85); Coles Petroleum, Howes Oil, Harms Oil and Olson Oil, all no bid. Bid awarded to: Midway Service.
5. Report of Requests for Quotes for Fuel dated: October 25, 2016; #2 Clear Diesel; 9,000 Gallons; CHS, Inc. (\$1.968); Harms Oil (\$1.955); Howes Oil and Midwest Oil, both no bid. Bid awarded to: Harms Oil.

APPLICATIONS

6. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America Inc., to be operated at The Old Courthouse Museum, 200 West 6th Street, for a holiday party on December 2, 2016.
7. Special One-Day Liquor Licenses for Washington Pavilion Management Inc., to be operated at the Washington Pavilion of Arts & Science, 301 South Main Avenue, for special events on November 2 and 15, December 1, 2016, and September 2, 2017.
8. Various Retail Liquor, Package Liquor, and Retail Wine License renewals for 2017 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit B.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, November 15, 2016, at 7 p.m. for Items 9 through 20:

9. New 2017 Retail Wine License for Libation Station LLC, Libation Station, 2904 West Russell Street (CUP not required).

10. New 2016-17 Retail Malt Beverage License for Libation Station LLC, Libation Station, 2904 West Russell Street (CUP not required).
11. New 2016-17 Retail Malt Beverage License for Commonwealth Gaming & Holdings Co., Deuces Casino 6.5, 510 South Valley View Road, Suite 2 (CUP not required).
12. Request to include video lottery terminals with the New 2016-17 Retail Malt Beverage license for Commonwealth Gaming & Holdings, Deuces Casino 6.5, 510 South Valley View Road, Suite 2.
13. Transfer of 2016 Retail Liquor License, including video lottery terminals and Sunday sales certificate, from KBJ Gaming Inc, Deuces Casino, 4709 East 26th Street, to Commonwealth Gaming & Holdings Co., Deuces Casino 7, 4709 East 26th Street (CUP not required).
14. Renewal of 2017 Retail Liquor License for Commonwealth Gaming & Holdings Co., Deuces Casino 7, 4709 East 26th Street.
15. Renewal of 2017 Retail Liquor License for Commonwealth Gaming & Holdings Co., Deuces Casino 7, 4709 East 26th Street.
16. Transfer of 2016-17 Retail Malt Beverage License, including video lottery terminals, from Harms Oil Company, Friendly s Fuel Stop, 3700 North Potsdam Avenue, Suite 300, to CC&F Retail, Inc., Friendly s Fuel Stop, 3700 North Potsdam Avenue, Suite 300.
17. Transfer of 2016-17 Package Malt Beverage License from Harms Oil Company, Friendly s Fuel Stop, 3700 North Potsdam Avenue, Suite 100, to CC&F Retail, Inc., Friendly s Fuel Stop, 3700 North Potsdam Avenue, Suite 100.
18. Transfer of 2016 Retail Wine License from BYG-SF LLC, Backyard Grill Phillips, 323 South Phillips Avenue, Apt B, to BYG-Phillips, Backyard Grill Phillips, 323 South Phillips Avenue Apt B.
19. Renewal of 2017 Retail Wine License for BYG-Phillips, Backyard Grill Phillips, 323 South Phillips Avenue Apt B.
20. Special One-Day Liquor License request for Hy-Vee, Inc., All Occasions by Hy-Vee to be operated at Raven Industries, 205 East 6th Street, for a Christmas Party on December 8, 2016.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

PETITIONS

21. CONDITIONAL USE PERMIT APPEAL (5631-2016): 235 N. PRAIRIE AVE., PETTIGREW S SUBD. LOTS 1, 3 & 4 LOTS 1 THRU LOT 4 BLK 26 BENNETT S 2ND ADDN TO CITY OF SIOUX FALLS. THE REQUEST FOR THE CONDITIONAL USE PERMIT WAS FOR AN ELECTRONIC MESSAGE SIGN IN A RESIDENTIAL ZONING DISTRICT. (Denied at the October 5, 2016, Planning Commission Meeting with a vote of 0-Yes, 7-No)

UNFINISHED BUSINESS

22. Transfer of 2016 Retail Liquor License, including Sunday sales certificate and video lottery terminals, from IJK LLC, The Copper Lounge, 136 South Phillips Avenue, to Speak E-Z, LLC, Speak E-Z LLC, 130 South Phillips Avenue.
23. Renewal of 2017 Retail Liquor License for Speak E-Z, LLC, Speak E-Z LLC, 130 South Phillips Avenue.
24. New 2016-17 Package Malt Beverage/South Dakota Farm Winery License for MCA Market LLC, MCA Market, 1038 North Minnesota Avenue.
25. Rescind 2016 Retail Wine License for JSM Investments, Inc., Benji s Casino, 5422 East Arrowhead Parkway.
26. Rescind 2016-17 Retail Malt Beverage License for JSM Investments, Inc., Benji s Casino, 5422 East Arrowhead Parkway.
27. Rescind 2016-17 Package Malt Beverage/South Dakota Farm Winery License for Hair & Hair Inc., Hampton Inn, 2417 South Carolyn Avenue.
28. New 2016-17 Package Malt Beverage/South Dakota Farm Winery License for Hari Har Inc., Hampton Inn, 2417 South Carolyn Avenue.
29. 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 conference on October 27, 2016.
30. Special One-Day Liquor License for Hy-Vee Inc., All Occasions by Hy-Vee to be operated at The Point is to Serve Church, 506 North Kiwanis Avenue, for a wedding on November 5, 2016.

INTRODUCTION AND ADOPTION OF ORDINANCES

31. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY

SOUTH OF E. 57TH ST. AND WEST OF S. SYCAMORE AVE. FROM THE RD-2 TOWNHOME RESIDENTIAL SUBURBAN, CN CONSERVATION, AND LW LIVE-WORK DISTRICTS TO THE RD-2 TOWNHOME RESIDENTIAL SUBURBAN, CN CONSERVATION, AND LW LIVE-WORK DISTRICTS, PETITION NO. 5329-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-0).

32. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1200 E. 3RD ST. FROM THE S-1 GENERAL INSTITUTIONAL DISTRICT TO THE C-3 COMMERCIAL COMMUNITY DISTRICT, PETITION NO. 5397-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends denial (4-3).

33. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 7820 S. BRANDE AVE. FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 5555-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-0).

34. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY REGARDING UT1 FORMS MICROCELL TOWERS.

HEARINGS AND RESOLUTIONS

35. A RESOLUTION OF INTENT TO ENTER INTO A LEASE OF MUNICIPAL REAL PROPERTY. (1800 South Southeastern Avenue).

36. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND DAN AND DONNA GOEDE.

37. A RESOLUTION OF INTENT TO ENTER INTO A LEASE OF MUNICIPAL REAL PROPERTY. (Elevated Water Storage Tank Space).

38. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND THE ZOOLOGICAL SOCIETY OF SIOUX FALLS FOR THE MANAGEMENT OF THE GREAT PLAINS ZOO & DELBRIDGE MUSEUM.

39. A RESOLUTION AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND THE WEGNER ARBORETUM SOCIETY FOR THE MANAGEMENT OF THE MARY JO WEGNER ARBORETUM AND EAST SIOUX FALLS HISTORIC SITE, INCLUDING THE MABLE AND JUDY JASPER EDUCATIONAL CENTER, THE JASPER FAMILY GARDENS, AND ALL OTHER AMENITIES CONSISTENT WITH THE MASTER PLAN.

40. A RESOLUTION AUTHORIZING AN APPLICATION FOR FINANCIAL ASSISTANCE, AUTHORIZING THE EXECUTION AND SUBMITTAL OF THE APPLICATIONS, AND DESIGNATING AN AUTHORIZED REPRESENTATIVE TO CERTIFY AND SIGN PAYMENT REQUESTS.

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)

41. REPORT OF THE OCTOBER 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, COMMITTEE MEETINGS, AND CITY COUNCIL MEETINGS ON FRIDAYS AND SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS ON FIRST FRIDAY AND SUNDAY AFTER LIVE MEETING. GO TO CITYLINK AT WWW.SIOUXFALLS.ORG FOR SPECIFIC PROGRAMMING TIMES.