

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
MEETING OF Monday, October 17, 2016 at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Theresa Stehly

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Council Member Rick Kiley

Council Member Greg Neitzert

Council Member Rex Rolfing

Council Member Marshall Selberg

Council Member Pat Starr

Mayor Mike T. Huether

INVOCATION

● Pastor Samuel Getachew, Gospel of Mercy Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, October 11, 2016, at 4 p.m.

● City Council Meeting of Tuesday, October 11, 2016, at 7 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the October 14, 2016, memo.

2. Approval of the notice of change orders on the October 14, 2016, memo.

3. Report of Requests for Quotes for Fuel dated: October 7, 2016; Unleaded Ethanol & #2 Dyed Diesel; 8,000 gallons (4,000 gallons each); Stern Oil (\$1.7661 & \$1.7506); Harms Oil (\$1.7722 & \$1.7605); CHS, Inc. (\$1.7900 & \$1.7890); Howes Oil, Cole's Petroleum, Midway Service, and Olson Oil, all no bid. Bid awarded to: Stern Oil.
4. Report of Requests for Quotes for Fuel dated: October 7, 2016; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Stern Oil (\$1.7661); Harms Oil (\$1.7722); CHS, Inc. (\$1.7900); Cole's Petroleum, Howes Oil, Midway Service, and Olson Oil, all no bid. Bid awarded to: Stern Oil.
5. Report of Requests for Quotes for Fuel dated: October 11, 2016: #2 Clear Diesel; 7,500 gallons; CHS, Inc. (\$2.0800); Harms Oil (\$2.0800); Howes Oil and Midwest Oil, both no bid. Bid awarded to: CHS, Inc.
6. A communication was received from Neil Hlebichuk, President of Giving Hope, Inc., requesting permission to operate the bingo operation at Burnside Game Place pursuant to SDCL 22-25-25 beginning November 5, 2016. Giving Hope, Inc., is a 501(c)(3) non-profit in South Dakota and is purchasing the bingo operation from the Boys and Girls Club of the Sioux Empire.

APPLICATIONS

7. Amend Special One-Day Off-Sale Package Wine License, approved on October 3, 2016, to include Special One-Day Malt Beverage and Special One-Day Wine licenses for the St. Joseph Cathedral Parish to be operated at the St. Joseph Cathedral gymnasium, 521 North Duluth Avenue, for a fundraiser on October 21, 2016.
8. 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 November 20, 2016.
9. Special One-Day Liquor License requests for Washington Pavilion Management Inc., Washington Pavilion, 301 South Main Avenue, for special events on October 27, 2016, and for the following dates in 2017: May 27, June 10, July 8, and August 19.
10. 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 A.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, November 1, 2016, for Items 11 through 21:

11. 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.

12. Renewal of 2017 Retail Liquor License for Speak E-Z, LLC, Speak E-Z LLC, 130 South Phillips Avenue.
13. New 2016-17 Package Malt Beverage/South Dakota Farm Winery License for MCA Market LLC, MCA Market, 1038 North Minnesota Avenue.
14. Rescind 2016 Retail Wine License for JSM Investments, Inc., Benji s Casino, 5422 East Arrowhead Parkway.
15. Rescind 2016-17 Retail Malt Beverage License for JSM Investments, Inc., Benji s Casino, 5422 East Arrowhead Parkway.
16. Rescind 2016-17 Package Malt Beverage/South Dakota Farm Winery License for Hair & Hair Inc., Hampton Inn, 2417 South Carolyn Avenue.
17. New 2016-17 Package Malt Beverage/South Dakota Farm Winery License for Hari Har Inc., Hampton Inn, 2417 South Carolyn Avenue.
18. 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.
19. 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.
20. A PROPOSED RESOLUTION OF INTENT TO ENTER INTO A LEASE OF MUNICIPAL REAL PROPERTY.
21. A PROPOSED RESOLUTION OF INTENT TO ENTER INTO A LEASE OF MUNICIPAL REAL PROPERTY.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

22. New 2016-17 Retail Malt Beverage license for Estetica Unisex Mia LLC, Salon Mia, 1122 East 8th Street (CUP not required).

23. Request to add video lottery terminals to the Retail Malt Beverage license for Jasmin Sumic, JZ Caffee Bar & Grill, 313 North Dakota Avenue.
24. Transfer of 2016-17 Retail Malt Beverage license from Macho Nacho, LLC, Macho Nacho Mexican Grill, 3308 East 10th Street, to Jacky s Restaurant LLC, Jacky s Restaurant, 3308 East 10th Street (CUP not required). Pending final inspections per Health and Fire.
25. Transfer of 2016 Retail Wine license from Macho Nacho, LLC, Macho Nacho Mexican Grill, 3308 East 10th Street, to Jacky s Restaurant LLC, Jacky s Restaurant, 3308 East 10th Street (CUP not required). Pending final inspections per Health and Fire.
26. Transfer of 2016 Package Liquor license from Ridank LLC, Food N Fuel, 4701 West 12th Street, to Double B LLC, Food N Fuel, 4701 West 12th Street.
27. Renewal of 2017 Package Liquor license for Double B LLC, Food N Fuel, 4701 West 12th Street.
28. Special One-Day Wine license request for Democratic Forum of Sioux Falls to be operated at the History Club, 758 South Phillips Avenue, for a fundraiser social on October 27, 2016.
29. Special One-day Malt Beverage and Special One-day Wine licenses for the Multi-Cultural Center of Sioux Falls, 515 North Main Avenue, for an International Chef Cook off fundraiser on December 3, 2016.
30. Special One-day Malt Beverage and Special One-day Wine licenses for the Multi-Cultural Center of Sioux Falls, 515 North Main Avenue, for the Decadence in Chocolate fundraiser on February 4, 2017.

INTRODUCTION AND ADOPTION OF ORDINANCES

31. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING CHAPTER 57 OF THE CODE OF ORDINANCES OF THE CITY PERTAINING TO GARBAGE AND CONSTRUCTION AND DEMOLITION HAULERS.
32. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING CHAPTER 57: GARBAGE AND RECYCLING, SUBCHAPTER SANITARY LANDFILL, OF THE CODE OF ORDINANCES OF THE CITY PERTAINING TO VEHICLE INSPECTIONS.
33. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 111, ALCOHOLIC BEVERAGES, BY CREATING AN OFFICIAL CITY WAITING LIST OF OFF-SALE LIQUOR LICENSE APPLICANTS.

34. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. (Parks and Recreation, \$684,000)

Set a date of hearing and 2nd Reading for Tuesday, November 1, 2016, at 7 p.m. for Item 35:

35. 1st 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).

Set a date of hearing and 2nd Reading for Tuesday, November 1, 2016, at 7 p.m. for Item 36:

36. 1st 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).

Set a date of hearing and 2nd Reading for Tuesday, November 1, 2016, at 7 p.m. for Item 37:

37. 1st 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).

Set a date of hearing and 2nd Reading for Tuesday, November 1, 2016, at 7 p.m. for Item 38:

38. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY REGARDING UTI FORMS MICROCELL TOWERS.

HEARINGS AND RESOLUTIONS

39. A RESOLUTION AMENDING THE 2016 2020 CAPITAL PROGRAM.

40. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. (ANNEXATION 4274-2016 Tract 1 of Evangelical Covenant Church Addition (33rd St. and Veterans Pkwy.))

41. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SD. (ANNEXATION 4841-2016 Tract 12 of

Burkey Tracts (S. Klein Ave. and W. 48th St.))

42. A RESOLUTION AUTHORIZING SIOUX FALLS FIRE RESCUE TO GIFT TWO DEFIBRILLATORS TO STICKNEY VOLUNTEER FIRE DEPARTMENT, INC.
43. 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, 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.