

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
MEETING OF Tuesday, December 20, 2016 at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

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

Council Member Greg Neitzert  
Council Member Rex Rolwing  
Mayor Mike T. Huether

INVOCATION

&#9679; Dr. Ron Tottingham, Empire Baptist Temple

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Tuesday, December 13, 2016, at 4 p.m.

&#9679; City Council Meeting of Tuesday, December 13, 2016, at 7 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the December 16, 2016, memo.
2. Approval of the notice of change orders on the December 16, 2016, memo.

3. Report of Requests for Quotes for Fuel dated: December 6, 2016; 70/30 Dyed Diesel; 1,000 Gallons; Howes Oil (\$2.009); Midwest Oil (\$1.770); Midway Service (\$1.766). Bid awarded to: Midway Service.
4. Report of Requests for Quotes for Fuel dated: December 7, 2016; Unleaded Ethanol & #1 Dyed Diesel; 3,000 Gallons Unleaded and 5,000 Gallons #1 Dyed Diesel; Cole's Petroleum (\$1.7123 Unleaded/\$1.6972 #1); Midway Service (\$1.7120 Unleaded/\$1.7378 #1); Stern Oil (\$1.8340 Unleaded/\$1.5495 #1); Harms Oil (\$1.7712 Unleaded/\$1.7792 #1); CHS, Inc., Howes Oil, and Olson Oil, all no bid. Bid awarded to: Cole's Petroleum.
5. Report of Requests for Quotes for Fuel dated: December 12, 2016; E-10 Unleaded Ethanol/87 Octane; 8,500 Gallons; Midway Service (\$1.7325); Harms Oil (\$1.7698); Stern Oil (\$1.8000); CHS, Inc., Cole's Petroleum, Howes Oil, and Olson Oil, all no bid. Bid awarded to: Midway Service.
6. Report of Requests for Quotes for Fuel dated: December 13, 2016; 50/50 Blend of Clear Diesel; 9,000 Gallons; Harms Oil (\$2.2222 #1/\$1.8647 #2); CHS, Inc., Howes Oil, Midwest Oil, all no bid. Bid awarded to: Harms Oil.
7. Report of Requests for Quotes for Fuel dated: December 13, 2016; #1 and #2 Dyed Diesel; 7,500 Gallons (3,750 Gallons each); Stern Oil (\$1.7499 #1 DM/\$1.7499 #2 DM); Cole's Petroleum (\$1.9225 #1 DM/\$1.6580 #2 DM); Harms Oil (\$1.9357 #1 DM/\$1.6857 #2 DM); CHS, Inc., Howes Oil, Midwest Oil, Midway Service (Vollan), and Olson Oil, all no bid. Bid awarded to: Stern Oil.

#### APPLICATIONS

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 E.

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, January 3, 2017, at 7 p.m. for Items 9 through 13:

9. New 2016-17 Package Malt Beverage License for Shopko Stores Operating Co LLC, Shopko #101, 4501 East Arrowhead Parkway (CUP not required).
10. Special One-Day Malt Beverage and Special One Day Wine Licenses for Sertoma Butterfly House & Marine Cove, 4320 South Oxbow Avenue, for a Chamber Mixer on February 21, 2017.
11. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Avera McKennan Foundation to be operated at Avera Behavioral Health, 4400 West 69th Street, for a fundraiser on February 4, 2017.

12. Special One-Day Off-Sale Package Wine License for Junior League of Sioux Falls to be operated at 4510 West 61st Street North for a fundraiser on February 10, 2017.
13. Special One-Day Liquor License for Avera McKennan Foundation to be operated at Avera Prairie Center, 1000 East 23rd Street, for the Big Grape fundraiser on April 7, 2017.

Set a date of hearing for Tuesday, January 17, 2017, at 7 p.m. for Item 14:

14. A PROPOSED RESOLUTION VACATING THE ALLEY RIGHT-OF-WAY FROM THE SOUTH RIGHT OF WAY LINE OF EAST 24TH STREET TO THE NORTH RIGHT-OF-WAY LINE OF EAST 26TH STREET, LYING BETWEEN SOUTH CLIFF AVENUE AND SOUTH 10TH AVENUE

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

#### PUBLIC INPUT

#### UNFINISHED BUSINESS

15. New 2017 Retail Wine License for GL Management LLC, Great Life at Suburban Lanes, 2621 South Spring Avenue (CUP not required).
16. New 2016-17 Retail Malt Beverage License for Kurt Zandt, Hibir Ethiopia, 3101 West 41st Street, Suite 105 (CUP not required).
17. New 2017 Retail Wine License for Kurt Zandt, Hibir Ethiopia, 3101 West 41st Street, Suite 105 (CUP not required).
18. Transfer of 2016 Retail Liquor License, with Sunday sales certificate and video lottery terminals, from Loyal Order of the Moose, Moose Lodge, 1926 Burnside Street, to Loyal Order of the Moose, Moose Lodge, 5013 North Cliff Avenue (CUP not required). Pending final inspections per Fire, Health and Building Services.
19. Renewal of 2017 Retail Liquor License for Loyal Order of the Moose, Moose Lodge, 5013 North Cliff Avenue. Pending final inspections per Fire, Health and Building Services.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

20. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 124: TRANSPORTATION SERVICES,

SUBCHAPTER GENERAL PROVISIONS, SECTION 124.012, TRANSIT AND PARATRANSIT FARES TO PROVIDE YOUTH AN OPPORTUNITY TO RIDE FIXED ROUTE BUS SERVICE AT NO CHARGE EACH SUMMER.

21. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING A MIDAMERICAN ENERGY COMPANY GAS EASEMENT.
22. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 39: PERSONNEL REGULATIONS AND BENEFITS; RETIREMENT AND PENSIONS.

Set a date of hearing and 2nd Reading for Tuesday, January 3, 2017, at 7 p.m. for Item 23:

23. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1900 N. BAHNSON AVE. FROM THE AG AGRICULTURE DISTRICT TO THE I-2 HEAVY INDUSTRIAL DISTRICT, PETITION NO. 5765-2016, 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, January 3, 2017, at 7 p.m. for Item 24:

24. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 2600 W. 57TH ST. FROM THE CN CONSERVATION DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR, AND LW LIVE-WORK DISTRICTS, PETITION NO. 5798-2016, 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, January 3, 2017, at 7 p.m. for Item 25:

25. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SOUTHWEST CORNER OF E. 41ST ST. AND S. VETERANS PKWY. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR AND REC RECREATIONAL DISTRICTS TO THE, C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR AND REC RECREATIONAL DISTRICTS, PETITION NO. 5878-2016, 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, January 3, 2017, at 7 p.m. for Item 26:

26. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3201 S. NICANN CT. FROM THE CN CONSERVATION DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 5957 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, January 3, 2017, at 7 p.m.  
for Item 27:

27. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 601 N. DULUTH AVE. FROM THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT TO THE LW LIVE-WORK DISTRICT, PETITION NO. 5963-2016, 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, January 3, 2017, at 7 p.m.  
for Item 28:

28. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SE CORNER OF W. 85TH ST. AND S. BRETT AVE. FROM THE AG AGRICULTURE DISTRICT TO THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT, PETITION NO. 5996-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends denial (6-0).

Set a date of hearing and 2nd Reading for Tuesday, January 3, 2017, at 7 p.m.  
for Item 29:

29. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1001 S. SERTOMA AVE. FROM THE O OFFICE DISTRICT TO THE LW LIVE-WORK DISTRICT, PETITION NO. 5997-2016, 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, January 3, 2017, at 7 p.m.  
for Item 30:

30. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 4801 AND 4901 E. GRANT ST. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 5829-2016, 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, January 3, 2017, at 7 p.m.  
for Item 31:

31. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING 157.115 OF THE CODE OF ORDINANCES OF THE CITY PERTAINING TO MINIMUM SUBDIVISION IMPROVEMENTS. Planning Commission recommends approval (6-0).

Set a date of hearing and 2nd Reading for Tuesday, January 3, 2017, at 7 p.m.  
for Item 32:

32. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 157: SUBDIVISIONS AND APPENDIX C OF CHAPTER 157: SUBDIVISION CONSTRUCTION AGREEMENT. Planning

Commission recommends approval (6-0).

#### HEARINGS AND RESOLUTIONS

33. A RESOLUTION REMOVING UNCOLLECTIBLE, DELINQUENT ACCOUNTS FROM THE RECORDS.
34. A RESOLUTION APPROVING THE RELEASE OF A PERMANENT UTILITY AND DRAINAGE EASEMENT LOCATED IN LOT 14, AND A PERMANENT UTILITY EASEMENT LOCATED IN LOT 12, ALL IN BLOCK 6 OF AUBURN HILLS ADDITION TO THE CITY OF SIOUX FALLS, LINCOLN COUNTY, SD.
35. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, RESCHEDULING THE BUSINESS OF THE CITY FROM THE SCHEDULED CITY COUNCIL MEETING FOR TUESDAY, FEBRUARY 7, 2017, TO MONDAY, FEBRUARY 6, 2017.

#### 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](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, 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](http://WWW.SIOUXFALLS.ORG) FOR SPECIFIC PROGRAMMING TIMES.