

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Tuesday, March 7, 2017 at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

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

Council Member Greg Neitzert
Mayor Mike T. Huether

INVOCATION

● Michelle Erpenbach, City Councilor

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

● Sioux Empire Water Festival Days - March 14 and 15, 2017

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, February 21, 2017, at 4 p.m.

● City Council Meeting of Tuesday, February 21, 2017, at 7 p.m.

● Informational Meeting of Tuesday, February 28, 2017, at 4 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the March 3, 2017, memo.
2. A communication was received from Mia Janssen and Patrick Cave, requesting permission to consume, but not sell, liquor, beer and wine at the Old Courthouse Museum, 200 W. 6th St., on Saturday, March 11, 2017, for a wedding reception.
3. A communication was received from Crystal Severance and Timothy Nunes, requesting permission to consume, but not sell, liquor, beer and wine at the Old Courthouse Museum, 200 W. 6th St., on Tuesday, March 28, 2017, from 12 p.m. to 5 p.m. for a wedding reception.
4. A communication was received from Ashley White and Drew Pillard, requesting permission to consume, but not sell beer and wine at the Old Courthouse Museum, 200 W. 6th St., on Saturday, May 27, 2017, from 4 p.m. to 11 p.m. for the purpose of their wedding.
5. Report of Requests for Quotes for Fuel dated: February 15, 2017; #1 and #2 Dyed Diesel Fuel; 3,750 gallons #1 and 3,750 #2 (7,500 gallons total); Cole's Petroleum (\$1.7675 #1 and \$1.6770 #2); Harms Oil (\$1.7550 #1 and \$1.6950 #2); Midway Service (\$1.7660 #1 and \$1.6950 #2); Howes Oil (\$1.7775 #1 and \$1.6875 #2); Stern Oil (\$1.7816 #1 and \$1.7000 #2); CHS, Inc. (\$1.7200 #1 and \$1.8400 #2); and Olson Oil, no bid. Bid awarded to: Cole's Petroleum.
6. Report of Requests for Quotes for Fuel dated: February 17, 2017; #1 and #2 Dyed Diesel Fuel; 3,750 gallons #1 and 3,750 gallons #2 (7,500 gallons total); Midway Service (\$1.7395 #1 and \$1.6765 #2); Stern Oil (\$1.7565 #1 and \$1.6635 #2); Harms Oil (\$1.7500 #1 and \$1.6800 #2); Cole's Petroleum (\$1.7510 #1 and \$1.6865 #2); CHS, Inc. (\$1.8290 #1 and \$1.7185 #2); Howes Oil and Olson Oil, both no bid. Bid awarded to: Midway Service.
7. Report of Requests for Quotes for Fuel dated: February 17, 2017; E-10 Unleaded Ethanol/87 Octane; 8,500 Gallons; Stern Oil (\$1.7471); Midway Service (\$1.8260); Harms Oil (\$1.8300); Cole's Petroleum (\$1.8385); CHS, Inc. (\$1.8750); Howes Oil and Olson Oil, both no bid. Bid awarded to: Stern Oil.
8. Report of Requests for Quotes for Fuel dated: February 17, 2017; Unleaded Ethanol; 8,500 gallons; Midway Service (\$1.8260); Stern Oil (\$1.7471); Harms Oil (\$1.8300); Cole's Petroleum (\$1.8385); CHS, Inc. (\$1.8750); Howes Oil and Olson Oil, both no bid. Bid awarded to: Stern Oil.
9. Report of Requests for Quotes for Fuel dated: February 17, 2017; Blended Diesel; 7,500 gallons; Midway Service (\$1.7080); Stern Oil (\$1.7100); Harms Oil (\$1.7150); Cole's Petroleum (\$1.7188); CHS, Inc. (\$1.7738); Howes Oil and Olson Oil Company, both no bid. Bid awarded to: Midway Service.

10. Report of Requests for Quotes for Fuel dated: February 22, 2017; Unleaded Ethanol; 664 gallons; Midway Service (\$2.0220); Howes Oil (\$2.0800); Stern Oil and Cole's Petroleum, both no bid. Bid awarded to: Midway Service.
11. Report of Requests for Quotes for Fuel dated: February 22, 2017; Clear Diesel #1; 690 gallons; Midway Service (\$2.0775); Howes Oil (\$2.1170); Stern Oil and Cole's Petroleum, both no bid. Bid awarded to: Midway Service.
12. Report of Requests for Quotes for Fuel dated: February 22, 2017; Clear Diesel #2; 690 gallons; Midway Service (\$1.9950); Howes Oil (\$2.0370); Stern Oil and Cole's Petroleum, both no bid. Bid awarded to: Midway Service.
13. Report of Requests for Quotes for Fuel dated: February 28, 2017; #1 and #2 Dyed Diesel Fuel; 7,500 gallons #1 and 7,500 gallons #2 (15,000 gallons total); Stern Oil (\$1.7616 #1 and \$1.6884 #2); Midway Service (\$1.7585 #1 and \$1.7015 #2); Harms Oil (\$1.7803 #1 and \$1.6953 #2); Cole's Petroleum (\$1.7770 #1 and \$1.7040 #2); CHS, Inc. (\$1.8490 #1 and \$1.7350 #2); Howes Oil and Olson Oil, both no bid. Bid awarded to: Stern Oil.
14. Report of Requests for Quotes for Fuel dated: February 28, 2017; E-10 Unleaded Ethanol/87 Octane; 8,500 Gallons; Cole's Petroleum (\$1.7471); Harms Oil (\$1.8260); Stern Oil (\$1.8300); Midway Service (\$1.8385); CHS, Inc. (\$1.8750); Howes Oil and Olson Oil, both no bid. Bid awarded to: Cole's Petroleum.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, March 21, 2017, at 7 p.m. for Items 15 through 22:

15. New 2016-17 Retail Malt Beverage License for Smokehouse Partners Inc., Cody s Smokehouse, 6401 South Louise Avenue (CUP not required).
16. New 2017 Retail Wine License for Smokehouse Partners Inc., Cody s Smokehouse, 6401 South Louise Avenue (CUP not required).
17. Transfer of 2017 Retail Liquor License, with Sunday sales certificate and video lottery terminals, from SHS, LLC, SHS LLC, 221 South Phillips Avenue, Suite 100, to Carpenter Bar LLC, Carpenter Bar, 215 South Phillips Avenue (CUP not required).
18. Transfer of 2017 Retail Liquor License, with Sunday sales certificate and video lottery terminals, from Shaen Haven Hospitality, LLC, Bogtrotter s Irish Pub, Grub & Tap, 201 East 11th Street, to Blarney Stone Pub SF LLC, Blarney Stone Pub, 329 South Phillips Avenue (CUP not required).

19. Special One-Day Malt Beverage License for Siouxland Heritage Museums to be operated at the Pettigrew Home & Museum, 131 North Duluth Avenue, for a History Happy Hour on March 23, 2017.
20. Special One-Day Malt Beverage and Special One-Day Wine License for Prairie Pasta Inc., Johnny Carino s to be operated at First Dakota National Bank, 6109 South Old Village Place, for an open house on April 4, 2017.
21. Special One-Day Malt Beverage and Special One-Day Wine License for Sioux Falls Area Community Foundation to be operated at Carsforsale.com, 2500 South Westlake Drive, for a fundraiser on May 4, 2017.
22. Special One-Day Liquor License for Philanthropy Promotions, Inc., J&L Harley Davidson, to be operated at Falls Park West (park area north of the Sioux Falls Park and Recreation Office leading to Falls Park along Phillips Avenue) with a north boundary of Falls Park Drive, south boundary to 8th Street, east boundary to the chain link fence on the east side of Falls Park West (the street will be closed on 6th Street from Dakota to Weber Avenues), and west boundary of Dakota Avenue, for Hot Harley Nights, on July 8, 2017.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

23. Special One-Day Malt Beverage License for Siouxland Heritage Museums, The Old Courthouse Museum to be operated at 200 West Sixth Street, for a St. Patrick s Day Family Dance on March 17, 2017.

INTRODUCTION AND ADOPTION OF ORDINANCES

24. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 4030 S. GRANGE AVE. FROM THE C-3 COMMERCIAL COMMUNITY DISTRICT TO THE C-4 COMMERCIAL REGIONAL DISTRICT, PETITION NO. 6216-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).
25. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1500 & 1504 N. CLIFF AVE. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE I-1 LIGHT INDUSTRIAL DISTRICT, PETITION NO. 6183-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).
26. 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-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 5397-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).

27. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY SOUTH OF W. 5TH ST., WEST OF N. VALLEY VIEW RD. AND EAST OF N. LA MESA DR. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RD-2 TOWNHOME RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 6214-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

28. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 215 E. 14TH ST. FROM THE RT-2 TOWNHOME RESIDENTIAL TRADITIONAL DISTRICT TO THE RA-2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT, PETITION NO. 6129-2016, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

29. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 4209 W. 85TH ST. 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. The Planning Commission motion to approve (with a condition that the south setback shall be a minimum of 40) failed due to lack of a majority vote (3-2).

Set a date of hearing and 2nd Reading to Tuesday, March 14, 2017, at 7 p.m. for Item 30:

30. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 95: PARKS AND RECREATION SUBCHAPTER FEES.

Set a date of hearing and 2nd Reading to Tuesday, March 14, 2017, at 7 p.m. for Item 31:

31. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. Engineering (\$1,125,000) and Police (\$14,000).

HEARINGS AND RESOLUTIONS

32. A RESOLUTION OF INTENT TO ENTER INTO A LEASE OF MUNICIPAL REAL PROPERTY.

33. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF ASPEN HEIGHTS ADDITION. The Planning Commission recommends approval 6-0.

34. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SD. ANNEXATION 5806-2016 Murphy Tracts (48th St. and S. Ellis Rd.)

35. 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.