

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Monday, February 5, 2018 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 Rolfing
Mayor Mike T. Huether

INVOCATION

● Pastor Allen Brummel, Heritage Protestant Reformed Church

PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Tuesday, January 16, 2018, at 4 p.m.

● City Council Meeting of Tuesday, January 16, 2018, at 7 p.m.

● Informational Meeting of Tuesday, January 23, 2018, at 4 p.m.

● Joint City Council/Minnehaha County Commission Meeting of Tuesday,
January 23, 2018, at 5 p.m.

COMMUNICATIONS

1. Approval of contracts/agreements on the February 2, 2018, memo.
2. Approval of the notice of change orders on the February 2, 2018, memo.
3. A memorandum dated December 31, 2017, declaring surplus property.
4. A communication was received from The Lunar Fest Committee requesting permission to consume, but not sell, beer, wine, and liquor, at the Active Generations Center, 2300 West 46th Street, on February 24, 2018, from 5 p.m. to 11:30 p.m. to celebrate the Asian Lunar New Year.
5. A communication was received from the Great Plains Zoo and Delbridge Museum of Natural History requesting permission to consume, but not sell, liquor, wine and/or malt beverages at the Great Plains Zoo and Delbridge Museum, 805 South Kiwanis Avenue on March 3, 2018, for an appreciation event at the Zoo.
6. A communication was received from Mike Doyle, requesting permission to consume, but not sell, beer, wine and malt beverages at the Old Court House Museum, 200 West 6th Street, on May 18, 2018, for the Doyle Herrmann wedding.
7. Report of Requests for Quotes for Fuel dated: January 12, 2018; #1 and #2 Clear Diesel; 9,000 Gallons; CHS, Inc. (#1 Clear Diesel, no bid; #2 Clear Diesel, \$2.43); Harms Oil (#1 Clear Diesel, \$2.9792; #2 Clear Diesel, \$2.5291). Howes Oil and Midwest Oil, both no bid. Bid awarded to: Harms Oil Co.
8. Report of Requests for Quotes for Fuel dated: January 19, 2018; #1 Dyed Diesel and #2 Dyed Diesel Fuel; 3,750 Gallons Each; Stern Oil (#1 Dyed Diesel, \$2.6014; #2 Dyed Diesel, \$2.1988); CHS, Inc. (#1 Dyed Diesel, \$2.5525 ; #2 Dyed Diesel, \$2.1725); Howes Oil (#1 Dyed Diesel, \$2.575 - #2 Dyed, Diesel, \$2.147). Harms Oil, Cole's Petroleum, Midway Service, and Olson Oil, all no bid. Bid awarded to: Howes Oil.
9. Report of Requests for Quotes for Fuel dated: January 23, 2018; #1 Dyed Diesel and #2 Dyed Diesel; 7,500 Gallons Each; Harms Oil (#1 Dyed Diesel, \$2.5577; #2 Dyed Diesel, \$2.1715); Cole's Petroleum (#1 Dyed Diesel, \$2.523; #2 Dyed Diesel, \$2.1486); CHS, Inc. (#1 Dyed Diesel, \$2.545; #2 Dyed Diesel, \$2.1875); Howes Oil (#1 Dyed Diesel, \$2.585; #2 Dyed Diesel, \$2.150). Stern Oil, Midway Service, and Olson Oil, all no bid. Bid awarded to: Cole's Petroleum.
10. Report of Requests for Quotes for Fuel dated: January 24, 2018; Unleaded; 8,500 Gallons; Midway Service (\$2.1452); Cole's Petroleum (\$2.1370); Harms Oil (\$2.1268); Howes Oil (\$2.1440). Stern Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Harms Oil.
11. Report of Requests for Quotes for Fuel dated: January 25, 2018; #1 and #2

Clear Diesel; 7,500 Gallons; CHS, Inc. (#1 Clear Diesel, \$2.185; #2 Clear Diesel, \$2.4495). Howes Oil, Harms Oil and Midwest Oil, all no bid. Bid awarded to: CHS, Inc.

12. Report of Requests for Quotes for Fuel dated: January 29, 2018; Unleaded and Clear Diesel; 9,200 Gallons of Unleaded, 325 of 50/50 Diesel; Midway Service (Unleaded, \$2.1847; no bid for FS3); Cole's Petroleum (Unleaded, \$2.1792; no bid for FS3); Harms Oil (Unleaded, \$2.1938, no bid for FS3; \$2.1515 for street/school; \$2.2825 for FS3); Howes Oil (\$2.7850 for 50/50 Diesel at FS3). Stern Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Howes Oil.

APPLICATIONS

The following abatements were recommended for approval by the Director of Equalization and deemed legally sufficient by the State's Attorney's Office for Minnehaha County; and the City Attorney for Sioux Falls:

13. Anna K. Wiese, 706 E. 26th Street, Parcel #25072, for 2017 property taxes in the amount of \$1,342.35. Reason: Delay in filing paperwork.
14. Common Sense Investments, 217 E. Prairie Drive, Parcel # 25766, Lennox, SD, for 2017 property taxes in the amount of \$715.64. Reason: Building was razed on July 19, 2017.
15. Sioux Falls School District, 218 North Highland Avenue, Parcel 30932, for 2017 property taxes in the amount of \$484.53. Reason: School purchased the property on July 5, 2017.
16. Sioux Falls School District, 2401 S. Jefferson Avenue, Parcel 40400, for 2017 property taxes in the amount of \$610.48. Reason: Property was purchased on July 5, 2017.
17. Sioux Falls School District, 2005 S. West Avenue, Parcel #42399, for 2017 property taxes in the amount of \$733.05. Reason: Property was purchased on July 18, 2017.
18. City of Sioux Falls, 224 W. 9th Street, Parcel 47059 (Property at 2713 S. Duluth Avenue), for 2017 property taxes in the amount of \$630.76. Reason: Property was purchased on May 15, 2015.
19. Ross Wickman, 4821 S. Dunlap Avenue, for 2017 property taxes in the amount of \$805.66. Reason: Property was hit by a bus.

Items 20 - 25: Claimant is requesting abatements for all the years between owner occupied status and non-owner occupied status.

20. David A. Larson, 1508 E. 33rd St., Parcel #51636, for 2012 property taxes in the amount of \$667.40.
21. David A. Larson, 1508 E. 33rd St., Parcel #51636, for 2013 property taxes

- in the amount of \$707.23.
22. David A. Larson, 1508 E. 33rd St., Parcel #51636, for 2014 property taxes in the amount of \$732.10.
 23. David A. Larson, 1508 E. 33rd St., Parcel #51636, for 2015 property taxes in the amount of \$707.16.
 24. David A. Larson, 1508 E. 33rd St., Parcel #51636, for 2016 property taxes in the amount of \$657.22.
 25. David A. Larson, 1508 E. 33rd St., Parcel #51636, for 2017 property taxes in the amount of \$609.07. Reason: Removed in error in 2000; This corrects taxes payable in 2018.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, February 20, 2018, at 7 p.m. for Item 26

26. Special One-Day Malt Beverage License for Siouxland Heritage Museums to be operated at Pettigrew Home & Museum, 131 North Duluth Avenue, for History Happy Hour on February 22, 2018.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

27. New 2017-18 Retail Malt Beverage License for Adanech Abraham, Hibir Ethiopia Restaurant, 323 North West Avenue, with Conditional Use Permit (7870-2017) being approved on January 3, 2018. Pending final inspections per Fire, Health and Building Services.
28. New 2018 Retail Wine License for Adanech Abraham, Hibir Ethiopia Restaurant, 323 North West Avenue, with Conditional Use Permit (7870-2017) being approved on January 3, 2018. Pending final inspections per Fire, Health and Building Services.
29. New 2017-18 Package Malt Beverage/South Dakota Farm Wine License for Dakota Seafood Sioux Falls LLC, Dakota Seafood, 5009 South Western Avenue, Suite 200, with Conditional Use Permit (7688-2017) being approved on December 6, 2017.
30. Transfer of 2017-18 Retail Malt Beverage License from Dakota Golf Management Inc., Kuehn Park Golf Course, 2901 South Kuehn Park Road, to Landscapes Management Company LLC, Kuehn Park Golf Course, 2901 South Kuehn Park Road.
31. Transfer of 2017-18 Retail Malt Beverage License from Dakota Golf

Management Inc., Elmwood Golf Course, 2600 West Russell Street, to Landscapes Management Company LLC, Elmwood Golf Course, 2600 West Russell Street.

32. Transfer of 2017-18 Retail Malt Beverage License from Dakota Golf Management Inc., Prairie Green Golf Course, 600 East 69th Street, to Landscapes Management Company LLC, Prairie Green Golf Course, 600 East 69th Street.
33. New 2018 Retail Wine License for Landscapes Management Company LLC, Kuehn Park Golf Course, 2901 South Kuehn Park Road.
34. New 2018 Retail Wine License for Landscapes Management Company LLC, Elmwood Golf Course, 2600 West Russell Street.
35. New 2018 Retail Wine License for Landscapes Management Company LLC, Prairie Green Golf Course, 600 East 69th Street.
36. Special One Day Malt Beverage and Special One-Day Wine Licenses for Multi-Cultural Center of Sioux Falls, 515 North Main Avenue, for a fundraiser on February 10, 2018.
37. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Minnehaha Country Club Inc., Minnehaha Country Club, to be operated at 200 East 10th Street, Suite 100, for a Chamber Mixer on February 13, 2018.

INTRODUCTION AND ADOPTION OF ORDINANCES

38. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 1108, 1116, AND 1120 E. 6TH ST. FROM THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL AND RT-2 TOWNHOME RESIDENTIAL TRADITIONAL DISTRICTS TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 7732-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-0).
39. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 6161 S. MOGEN AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE O OFFICE DISTRICT, PETITION NO. 7756-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-0).
40. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 605 AND 607 S. DULUTH AVE. FROM THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT TO THE RT-2 TOWNHOME RESIDENTIAL TRADITIONAL DISTRICT, PETITION NO. 7758-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-0).
41. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY

LOCATED SOUTH OF E. 45TH ST. AND EAST OF S. OUTFIELD AVE. FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT, PETITION NO. 7817-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-0).

42. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SOUTHEAST CORNER OF E. 69TH ST. AND S. BAHNSON AVE. FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN, RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN, AND O OFFICE DISTRICTS, PETITION NO. 7855-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (6-0).

43. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 209 S. JEFFERSON AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT, PETITION NO. 7872-2017, 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, February 13, 2018, at 7 p.m. for Item 44:

44. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA (THE CITY), AUTHORIZING THE ISSUANCE OF ITS SALES TAX REVENUE REFUNDING BONDS, AUTHORIZING THE USE OF THE PROCEEDS THEREOF TO REFUND THE OUTSTANDING CITY OF SIOUX FALLS SALES TAX REVENUE BONDS, SERIES 2007B AND TO PAY THE COST OF ISSUANCE THEREOF, AND PLEDGING A PORTION OF THE SALES AND USE TAX PROCEEDS OF THE CITY TO THE PAYMENT OF SAID SALES TAX REVENUE REFUNDING BONDS, FIXING THE TERMS OF SUCH SALES TAX REVENUE REFUNDING BONDS, AUTHORIZING THE EXECUTION AND DELIVERY OF A SUPPLEMENTAL INDENTURE TO AN AMENDED AND RESTATED INDENTURE OF TRUST BETWEEN THE CITY AND THE FIRST NATIONAL BANK IN SIOUX FALLS, AND AUTHORIZING THE SALE, EXECUTION, AND DELIVERY OF SUCH SALES TAX REVENUE REFUNDING BONDS IN AN AMOUNT SUFFICIENT, TOGETHER WITH FUNDS ON HAND, (I) TO FUND A DEPOSIT TO A SERIES 2007B REDEMPTION ACCOUNT TO REDEEM THE SERIES 2007B BONDS, (II) TO PAY COSTS OF ISSUANCE OF SUCH SERIES 2018 BONDS AND (III) TO FUND CAPITALIZED INTEREST, IF ANY, AND A DEBT SERVICE RESERVE FUND.

Set a date of hearing and 2nd Reading for Tuesday, February 13, 2018, at 7 p.m. for Item 45:

45. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. Police - General Fund, \$167,000; and Police - Sales/Use Tax Fund, \$155,000.

HEARINGS AND RESOLUTIONS

46. A RESOLUTION DETERMINING IT ADVISABLE AND TO THE BEST INTEREST OF THE PUBLIC TO GRATUITOUSLY CONVEY WITHOUT PAYMENT CERTAIN REAL PROPERTY OWNED BY THE CITY.
47. A RESOLUTION REMOVING UNCOLLECTIBLE, DELINQUENT ACCOUNTS FROM THE RECORDS.
48. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SD. ANNEXATION 7918-2017 Tract 2 Lakeside Addition (E. 12th St. and S. Cherry Lake Ave.)

49. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SD. ANNEXATION 7991-2018 Tract 3 of Donahoe Farms Addition (E. 69th St. and S. Tanner Ave.)
50. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SD. ANNEXATION 8007-2018 FIX RES. 169-07 (E. 69th St. and S. Tanner Ave.)
51. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.

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)

52. REPORT OF THE DECEMBER 31, 2017, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

NEW BUSINESS

53. Appointment of members to the SIOUXPERHERO committee.

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.