

City of Sioux Falls Council Meeting  
Agenda  
Carnegie Town Hall, 235 West 10th Street  
REGULAR MEETING OF Wednesday, May 2, 2018 at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

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  
Council Member Marshall Selberg  
Mayor Mike T. Huether

INVOCATION

&#9679; Jeff Aegerter, Direct Line Prayer Partner

PLEDGE OF ALLEGIANCE

PROCLAMATIONS

&#9679; Day of Prayer - May 3, 2018

&#9679; Bike Month - May, 2018

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

&#9679; Informational Meeting of Tuesday, April 17, 2018, at 4 p.m.

&#9679; City Council Meeting of Tuesday, April 17, 2018, at 7 p.m.

&#9679; Joint City Council/Minnehaha County Commission Meeting of Tuesday, April 24, 2018, at 4 p.m.

&#9679; Informational Meeting of Tuesday, April 24, 2018, at 4:30 p.m.

#### COMMUNICATIONS

1. Approval of contracts/agreements on the April 27, 2018, memo.
2. Approval of the notice of change orders on the April 27, 2018, memo.
3. Communication received from the Great Plains Zoo & Delbridge Museum of Natural History requesting permission to consume, but not sell, liquor, wine, and/or malt beverages at 805 South Kiwanis Avenue, pursuant to SDCL 35-1-5.5, on Friday, June 1, 2018, from 5 p.m.-9 p.m. for an appreciation event at the Zoo.
4. Report of Requests for Quotes for Fuel dated: April 11, 2018; 7,500 Gallons #2 Dyed Diesel; 175 Gallons #1 Clear Diesel; 175 Gallons #2 Clear Diesel; 500 Gallons Unleaded Ethanol; Midway Service (\$2.1694 #2 Dyed Diesel; \$2.5944 #1 Clear Diesel; \$2.5194 #2 Clear Diesel; \$2.2677 Unleaded Ethanol); Cole s Petroleum (\$2.142 #2 Dyed Diesel, No Bid on #1 & #2 Clear Diesel & Unleaded Ethanol); Howes Oil (\$2.1760 #2 Dyed Diesel; \$2.6625 #1 Clear Diesel; \$2.5625 #2 Clear Diesel;\$2.2677 Unleaded Ethanol); Stern Oil (\$2.2089 #2 Dyed Diesel; No Bid on #1 & #2 Clear Diesel & Unleaded Ethanol). Harms Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: #2 Dyed Diesel Cole s Petroleum, #1 & #2 Clear Diesel & Unleaded Ethanol Midway Service.
5. Report of Requests for Quotes for Fuel dated: April 12, 2018; 7,500 Gallons of #2 Dyed Diesel; Midway Service (\$2.1965); Cole s Petroleum (\$2.1693); Howes Oil (\$2.18); Stern Oil (\$2.1977); CHS, Inc.(\$2.225). Harms Oil and Olson Oil, both no bid. Bid awarded to: Cole s Petroleum.
6. Report of Requests for Quotes for Fuel dated: April 13, 2018; 8,500 Gallons of Unleaded Ethanol; Midway Service: (\$2.1899); Cole s Petroleum (\$2.1919); Stern Oil (\$2.221). Harms Oil, Howes Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Midway Services.
7. Report of Requests for Quotes for Fuel dated: April 16, 2018; 22,500 Gallons of #2 Dyed Diesel; Midway Service (\$2.1965); Cole s Petroleum (\$2.1826); Howes Oil (\$2.182 & \$2.192). Harms Oil, Stern Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Cole s Petroleum.
8. Report of Requests for Quotes for Fuel dated: April 20, 2018; 8,500 Gallons of Unleaded Ethanol; Midway Service (\$2.2166); Cole s Petroleum (\$2.2276); Harms Oil (\$2.2384); Stern Oil: (\$2.2527); Howes Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Midwest Service.

9. Report of Requests for Quotes for Fuel dated: April 23, 2018; 1,900 Gallons of 50/50 blend of #1 Dyed Diesel & #2 Dyed Diesel; 1,300 Gallons of #1 Dyed Diesel; Midway Service (\$2.3642 of 50/50 & \$2.4350 of #1); Cole s Petroleum (\$2.6150 of 50/50 & #1); Howes Oil (\$2.390 of 50/50 & \$2.4790/ of #1); Stern Oil (\$2.3695 of 50/50 & \$2.3970 of #1). Harms Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Midway Service for 50/50 & Stern Oil for #1.
10. Report of Requests for Quotes for Fuel dated: April 24, 2018; 7,500 Gallons 25/75 Blend #1 and #2 Clear Diesel; Harms Oil (\$2.6716 #1 Clear Diesel and \$2.5231 #2 Clear Diesel); Howes Oil (\$2.675 #1 Clear Diesel and \$2.4965 #2 Clear Diesel); CHS, Inc. (No bid on #1 Clear diesel and \$2.519 #2 Clear Diesel \$2.519). Midwest Oil, no bid. Bid awarded to: Howes Oil Co Inc.

#### APPLICATIONS

11. Various Retail Malt Beverage renewals for 2018-19 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit B.
12. Special One-Day Liquor Licenses for Washington Pavilion Management Inc., Washington Pavilion of Arts and Sciences, 301 South Main Avenue, for special events on May 7, June 7, June 16, July 7, July 21, and October 6, 2018.
13. Special One-Day Liquor License for Ovations Food Services LP, Sioux Falls Convention Center to be operated at the Sioux Falls Orpheum Theater, 315 North Phillips Avenue, for a Magic Men show on May 19, 2018.

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, May 15, 2018, at 7 p.m. for Items 14 through 21:

14. New 2018 Retail Liquor License for Main and Main LLC, Courtyard by Marriott, 4300 West Empire Place (CUP not required; this is an addition to an existing license).
15. New 2018-19 Retail Malt Beverage License, with video lottery terminals, for Lida Investment Corp, Easy Dough Casino, 2309 West 12th Street (CUP not required, this is an addition to an existing license).
16. New 2018-19 Retail Malt Beverage License for Leslie Reyes, Jacky s Burrito Express, 2315 West 12th Street, with Conditional Use Permit (7632-2017) being approved on December 6, 2017.
17. New 2017-18 Retail Malt Beverage License for Siwakoti Brothers LLC, Himalayan Indian Cuisine, 5310 East Arrowhead Parkway (CUP not required; full service restaurant).

18. New 2018 Retail Wine License for Siwakoti Brothers LLC, Himalayan Indian Cuisine, 5310 East Arrowhead Parkway (CUP not required; full service restaurant).
19. Special One-Day Malt Beverage License for Full Circle Sandwich Kitchen LLC, Bread & Circus Sandwich Kitchen to be operated at Riverdale Park, 2000 East 24th Street, for a Bean Bag Tournament on May 27, 2018.
20. Special One-Day Liquor License for TNT Entertainment, Wiley s Tavern to be operated in the parking lot at 320 North Main Avenue, for a bike show/ concert on June 9, 2018.
21. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Stockyards Ag Experience, Stockyards Ag Experience Barn, 301 East Falls Park Drive, for donor receptions on June 19 and 26, 2018.

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

#### PUBLIC INPUT

#### UNFINISHED BUSINESS

22. Deferred from the City Council Meeting of Tuesday, April 17, 2018, at 7 p.m.: Item 1; Entertainment Venues; Sioux Falls Stadium Improvements; Professional services agreement; Walker Consultants; \$67,500.
23. New 2017-18 Retail Malt Beverage License for Aashna LLC, Xtra Time Sports Bar, 4719 East Arrowhead Parkway, with Conditional Use Permit (8209-2018) being approved on April 4, 2018. Pending permit issuance and final inspections per Fire, Health and Building Services.
24. New 2018 Retail Wine License for Aashna LLC, Xtra Time Sports Bar, 4719 East Arrowhead Parkway, with Conditional Use Permit (8209-2018) being approved on April 4, 2018. Pending permit issuance and final inspections per Fire, Health and Building Services.
25. New 2018-19 Retail Malt Beverage License for Urban Chislic LLC, Urban Chislic, 441 West 85th Street (full service restaurant; CUP not required). Pending permit issuance and final inspections per Fire, Health and Building Services.
26. New 2018 Retail Wine License for Urban Chislic LLC, Urban Chislic, 441 West 85th Street (full service restaurant; CUP not required). Pending permit issuance and final inspections per Fire, Health and Building Services.

27. New 2017-18 Retail Malt Beverage License for Lalibela Restaurant LLC, Lalibela Restaurant, 200 South Kiwanis Avenue (full service restaurant; CUP not required). Pending final inspections per Fire, Health and Building Services.
28. Renewal of 2018-19 Retail Malt Beverage License for Lalibela Restaurant LLC, Lalibela Restaurant, 200 South Kiwanis Avenue. Pending final inspections per Fire, Health and Building Services.
29. New 2018 Retail Wine License for Lalibela Restaurant LLC, Lalibela Restaurant, 200 South Kiwanis Avenue. Pending final inspections per Fire, Health and Building Services.
30. New 2018 Retail Wine License for Heineman Hospitality Corp, Looks Meat Market, 6213 Old Village Place (CUP not required; this is an addition to an existing license).
31. New 2018 Retail Wine License for Winetime on Main LLC, Winetime on Main, 330 South Main Avenue (CUP not required). Pending final inspections per Fire, Health and Building Services.
32. New 2018-19 Retail Malt Beverage License for Granite City Restaurant Operations Inc., Granite City Food & Brewery, 2620 South Louise Avenue (CUP not required; this is an addition to an existing license).
33. Transfer of 2018 Retail Liquor License from Speak E-Z, LLC, Speak E-Z LLC, 130 South Phillips Avenue, to T Slat Inc., JJ s Wine, Spirits & Cigars, 3000 West 57th Street, with Conditional Use Permit (6910-2017) being approved on July 5, 2017, with the effective date of the transfer being June 1, 2018, or upon completion of building construction. Pending final inspections per Fire, Health and Building Services.
34. Transfer of 2018 Package Liquor License, from T Slat Inc., JJ s Wine, Spirits & Cigars, 4810 South Western Avenue, to T Slat Inc., JJ s Wine, Spirits & Cigars, 3000 West 57th Street, with Conditional Use Permit (6910-2017) being approved on July 5, 2017, and with the effective date of the transfer being June 1, 2018, or upon completion of building construction. Pending final inspections per Fire, Health and Building Services.
35. Special One-Day Malt Beverage License for Zoological Society of Sioux Falls, Great Plains Zoo & Delbridge Museum of National History, 805 South Kiwanis Avenue, for a special event on May 21, 2018.
36. Special One-Day Liquor Licenses for Great Bear Recreation Park Inc., Great Bear Recreation Park, 5901 East Rice Street, for wedding receptions on May 19, June 2, July 28 and October 12, 2018.

37. Deferred from the City Council Meeting of Tuesday, April 3, 2018: 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES FOR CHAPTER 156: FLOODPLAIN MANAGEMENT. Planning Commission recommends approval (6-0).
38. Deferred from the City Council Meeting of Tuesday, April 3, 2018: 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 160: ZONING, SUBCHAPTER: ON-PREMISES SIGN REGULATIONS. Planning Commission recommends approval (6-0).
39. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 160: ZONING, SUBCHAPTER: PARKING REGULATIONS. Planning Commission recommends approval (5-0).
40. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED EAST OF N. CLIFF AVE., NORTH OF E. 29TH ST. N., AND SOUTH OF E. 34TH ST. N. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN AND RA-1 APARTMENT RESIDENTIAL LOW DENSITY DISTRICTS TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT, NO. 8170-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).
41. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED NORTH OF W. 12TH ST. AND WEST OF S. ELLIS RD. FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT, NO. 8173-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).
42. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED NORTH OF E. 77TH ST. AND EAST OF S. CLIFF AVE. FROM THE S-2 INSTITUTIONAL CAMPUS PLANNED UNIT DEVELOPMENT DISTRICT TO THE RA-3 APARTMENT RESIDENTIAL HIGH DENSITY DISTRICT, NO. 8186-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).
43. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED SOUTH OF W. 69TH ST. AND WEST OF S. TALLGRASS AVE. FROM THE S-2 INSTITUTIONAL CAMPUS PLANNED UNIT DEVELOPMENT AND C-4 COMMERCIAL REGIONAL DISTRICTS TO THE S-1 GENERAL INSTITUTIONAL, S-2 INSTITUTIONAL CAMPUS PLANNED UNIT DEVELOPMENT, C-4 COMMERCIAL REGIONAL, CN CONSERVATION, AND REC RECREATION DISTRICTS, NO. 8201-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).
44. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 309 S. JOLIET AVE. FROM THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT TO THE S-1 GENERAL INSTITUTIONAL DISTRICT, NO. 8206-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).
45. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED SOUTH OF W. 69TH ST. AND WEST OF S. SUNDOWNER AVE. FROM THE AG

AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN, RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN, AND CN CONSERVATION DISTRICTS, NO. 8212-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

46. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 196 1/2 E. 6TH ST. FROM THE I-2 HEAVY INDUSTRIAL DISTRICT TO THE DTPUD DOWNTOWN PLANNED UNIT DEVELOPMENT AND REC RECREATION DISTRICTS, NO. 8213-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0).

Set a date of hearing and 2nd Reading for Tuesday, May 8, 2018, at 7 p.m. for Item 47:

47. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 51: UTILITY RATES AND CHARGES, PERTAINING TO WATER CUSTOMERS OUTSIDE THE CITY OF SIOUX FALLS.

Set a date of hearing and 2nd Reading for Tuesday, May 8, 2018, at 7 p.m. for Item 48:

48. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE JOINT POWERS AGREEMENT WITH THE CITY OF TEA FOR USE OF THE SIOUX FALLS REGIONAL WASTEWATER SYSTEM.

Set a date of hearing and 2nd Reading for Tuesday, May 8, 2018, at 7 p.m. for Item 49:

49. 1st 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, TO ALLOW CASH TIPS TO BE ACCEPTED BY TRANSPORTATION NETWORK COMPANY DRIVERS.

Set a date of hearing and 2nd Reading for Tuesday, May 8, 2018, at 7 p.m. for Item 50:

50. 1st 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, TO ALLOW BUSINESS DECALS OR MARKINGS ON PASSENGER SERVICE VEHICLES.

HEARINGS AND RESOLUTIONS

51. A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF A SCULPTURE ON PUBLIC PROPERTY.

52. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF CHERRY LAKE RESERVE WEST ADDITION.

53. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF MEADOW VISTA ADDITION.

54. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF GALWAY VILLAGE ADDITION.

55. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF SANFORD RESEARCH PARK ADDITION.
56. A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SD.  
ANNEXATION 8133-2018 2001 and 1911 S. Ellis Rd.
57. 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)

58. REPORT OF THE APRIL 26, 2018, 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](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.