

City of Sioux Falls Council Meeting
Agenda
Carnegie Town Hall, 235 West 10th Street
REGULAR MEETING OF Monday, November 5, 2018 at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT

Council Member Janet Brekke

Council Member Christine M. Erickson

Council Member Rick Kiley

Council Member Greg Neitzert
Council Member Marshall Selberg
Council Member Curt Soehl
Council Member Pat Starr
Council Member Theresa Stehly
Mayor Paul TenHaken

INVOCATION

● Tom Rooney, Direct Line Prayer Partner

PLEDGE OF ALLEGIANCE

RECOGNITION/AWARDS

● SIOUXPERHERO Citizen Recognition Awards

● 2018 Citizen Planning Academy Graduates

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

MINUTES

● Informational Meeting of Monday, October 15, 2018, at 4 p.m.

● City Council Meeting of Monday, October 15, 2018, at 7 p.m.

● Informational Meeting of Tuesday, October 23, 2018, at 2 p.m.

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

COMMUNICATIONS

1. Approval of contracts/agreements on the November 2, 2018, memo.
2. Approval of notice of change orders on the November 2, 2018, memo.
3. Report of Requests for Quotes for Fuel dated: October 11, 2018; 7,500 Gallons of #2 Dyed Diesel; Midway Service (\$2.5180); Cole s Petroleum (\$2.5016); Harms Oil (\$2.5225); Howes Oil (\$2.5090); Stern Oil, CHS, Inc. and Olson Oil, all no bid. Bid awarded to: Cole s Petroleum.
4. Report of Requests for Quotes for Fuel dated: October 12, 2018; 700 Gallons of Unleaded Ethanol; Midway Service (\$2.2892); Howes Oil (\$2.2860); Stern Oil, Cole s Petroleum, Harms Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Howes Oil.
5. Report of Requests for Quotes for Fuel dated: October 15, 2018; Unleaded Ethanol (8,500 Gallons) & #2 Dyed Diesel (7,500 Gallons); Midway Service (\$2.2058 Unleaded & \$2.6755 Diesel); Cole s Petroleum (\$2.1970 Unleaded & \$2.6808 Diesel); Harms Oil (\$2.3998 Unleaded & \$2.6631 Diesel); Howes Oil, Stern Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Cole's Petroleum.
6. Report of Requests for Quotes for Fuel dated: October 18, 2018; #1 Dyed Diesel (400 Gallons) & #2 Dyed Diesel (400 Gallons); Howes Oil (\$2.7825 #1 Dyed Diesel & \$2.5325 #2 Dyed Diesel); Stern Oil (\$2.8867 #1 Dyed Diesel & \$2.61 #2 Dyed Diesel); Midway Service, Cole s Petroleum, Harms Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Howes Oil.
7. Report of Requests for Quotes for Fuel dated: October 22, 2018; 50/50 Blend Dyed Diesel (750 Gallons); Midway Service (\$2.67); Stern Oil (\$2.71); CHS, Inc, Olson Oil, Cole s Petroleum, Harms Oil, and Howes Oil, all no bid. Bid awarded to: Midway Service.
8. Report of Requests for Quotes for Fuel dated: October 23, 2018; 8,500 Gallons of Unleaded Ethanol; Cole s Petroleum (\$2.2157); Stern Oil (\$2.2902); Midway Service, Harms Oil, Howes Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Cole s Petroleum.
9. Sioux Area Metro. Report of Requests for Quotes for Fuel dated: October 23, 2018; 7,500 Gallons of #2 Clear Diesel; Howes Oil, Inc. (\$2.784); Harms Oil, CHS Inc., Petroleum Traders, and Midwest Oil, all no bid. Bid awarded to: Howes Oil, Inc.
10. A communication was received from Messiah New Hope Lutheran Church requesting permission to consume, but not sell, wine and malt beverages at Messiah New Hope Lutheran Church, 5001 E. Madison St., on Sunday, November 18, 2018, from 2 p.m. to 6 p.m., pursuant to SDCL 35-1-5.5 for a "Down-Home

for the Holidays" concert.

11. A communication was received from the Siouxland Heritage Museum requesting permission to consume, but not sell, beer and wine at the Old Courthouse Museum, 200 W. 6th St., on Thursday, November 29, 2018, pursuant to SDCL 35-1-5.5 for an exhibit opening reception.
12. A communication was received requesting permission to consume, but not sell, wine and malt beverages at the Butterfly House & Aquarium, 4320 S. Oxbow Ave. on Thursday, December 6, 2018, from 5 p.m. - 6:30 p.m., pursuant to SDCL 35-1-5.5 for a Donor Appreciation Night.
13. Statement of Claim for Mechanic's and/or Materialman's Lien relating to a Public Improvement Project from I-29 Brick Company for work and materials furnished for the City of Sioux Falls Administration Building. Henry Carlson Construction, LLC, is the general contractor.

APPLICATIONS

14. Special One-Day Liquor Licenses for Washington Pavilion Management Inc., Washington Pavilion of Arts & Sciences, 301 South Main Avenue, for special events on December 15, 2018, May 25 and June 22, 2019.
15. Various Retail Liquor, Package Liquor, and Retail Wine License renewals for 2019 to be operated at locations in the City of Sioux Falls, SD, identified as Exhibit A.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, November 20, 2018, for Items 16 through 19:

16. New 2018-19 Retail Malt Beverage License for Regal Holdings Inc., Paradise Central Casino II, 1821 West 12th Street, Suite D, with Conditional Use Permit being approved on July 5, 2018.
17. Request to include video lottery terminals with the new 2018-19 Retail Malt Beverage License for Regal Holdings Inc., Paradise Central Casino II, 1821 West 12th Street, Suite D.
18. Transfer of 2018 Retail Liquor License, including video lottery terminals, from 50/50 Holdings Inc., Deuces Casino 9, 2601 South Carolyn Avenue, to Commonwealth Gaming & Holdings Co, Deuces Casino 6, 510 South Valley View Road, Suite 1 (CUP not required).
19. Special One-Day Liquor License for T Slat Inc., JJ s Wine, Spirits and Cigars, to be operated at Sanford Foundation House, 2335 East 60th Street North, for a Christmas Party on December 6, 2018.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

PUBLIC INPUT

UNFINISHED BUSINESS

20. New 2019 Retail Wine License for Teng Ramen Inc., Ramen Fuji, 2300 South Minnesota Avenue, Suite C, with Conditional Use Permit (9222-2018) being approved on October 3, 2018. Pending final inspections per Health.
21. New 2018-19 Retail Malt Beverage License for Teng Ramen Inc., Ramen Fuji, 2300 South Minnesota Avenue, Suite C, with Conditional Use Permit (9222-2018) being approved on October 3, 2018. Pending final inspections per Health.
22. New 2018-19 Retail Malt Beverage License, requesting off-sale use only, for I-90 Fuel Services Inc., Gas Stop, 5210 West 12th Street (CUP not required). Pending final inspections per Health.
23. Special One-Day Liquor License for T Slat, JJ s Fine Wine, Spirits & Cigars to be operated at Sanford Imagenetics, 1321 West 22nd Street, for a physician mixer on November 8, 2018.
24. Special One-day Malt Beverage and Special One-Day Wine Licenses for Catering America, Chef Dominique s Catering to be operated at Orthopedic Institute, 810 East 23rd Street, for a holiday party on November 29, 2018.

INTRODUCTION AND ADOPTION OF ORDINANCES

25. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 6300 W. 41ST ST. FROM THE S-1 GENERAL INSTITUTIONAL DISTRICT TO THE RA 2 APARTMENT RESIDENTIAL MODERATE DENSITY DISTRICT PETITION NO. 8738-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-1) with the following conditions: 1) Required side yard setback along the north property line, a minimum of 60 feet; and, 2) Buffer yard along the north property line shall include a 2' berm and 6' privacy fence.
26. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 608 W. 57TH ST. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL SUBURBAN DISTRICT NO. 9129-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-1).
27. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 1201 S. 7TH AVE. FROM THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT TO THE RT-2 TOWNHOME RESIDENTIAL TRADITIONAL DISTRICT NO. 9171-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends

approval (8-0).

28. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 700 S. 1ST AVE. FROM THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT TO THE RT-2 TOWNHOME RESIDENTIAL TRADITIONAL DISTRICT NO. 9173 2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).
29. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 1001 E. 52ND ST. N. FROM THE I-1 LIGHT INDUSTRIAL DISTRICT TO THE I-2 HEAVY INDUSTRIAL DISTRICT NO. 9178-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).
30. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 801 N. DULUTH AVE. FROM THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT TO THE RT-2 TOWNHOME RESIDENTIAL TRADITIONAL DISTRICT NO. 9182-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).
31. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 500 E. 69TH ST. FROM THE O OFFICE DISTRICT TO THE C-2 COMMERCIAL NEIGHBORHOOD AND STREETCAR DISTRICT NO. 9296-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).
32. 2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 616 S. WILLOW AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL SUBURBAN DISTRICT TO THE RT-1 SINGLE-FAMILY RESIDENTIAL TRADITIONAL DISTRICT NO. 9319-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

Set a date of hearing and 2nd Reading for Tuesday, November 13, 2018, at 7 p.m. for Item 33:

33. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS. Highways & Streets (\$980,000).

Set a date of hearing and 2nd Reading for Tuesday, November 13, 2018, at 7 p.m. for Item 34:

34. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING PROVISIONAL SUPPLEMENTAL APPROPRIATIONS FOR SNOW REMOVAL OPERATIONS. Highways and Streets (\$1,000,000).

Set a date of hearing and 2nd Reading for Tuesday, November 13, 2018, at 7 p.m. for Item 35:

35. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 117: PEDDLERS AND VENDERS, SUBCHAPTER: Right-of-Way Allowances in the Central Business District; Generally TO ALLOW NAURAL GAS FIRE PITS IN FURNITURE ZONES.

Set a date of hearing and 2nd Reading for Tuesday, November 13, 2018, at 7 p.m. for Item 36:

36. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE NAMING OF A FACILITY SPACE ON PUBLIC PROPERTY. "Papa John's Party Room 1" and "Papa John's Party Room 2" at the Midco Aquatic Center.

Set a date of hearing and 2nd Reading for Tuesday, November 13, 2018, at 7 p.m. for Item 37:

37. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE NAMING OF A FACILITY SPACE ON PUBLIC PROPERTY. "Sanford Health 50 Meter Pool" and "Sanford Health Mezzanine" at Midco Aquatic Center.

HEARINGS AND RESOLUTIONS

38. A RESOLUTION APPROVING THE RELEASE OF PERMANENT EASEMENTS LOCATED IN THE NW1/4 OF SECTION 6-T101N-R49W OF THE 5TH P.M. AND IN LOT 1, BLOCK 5 OF SANFORD SPORTS COMPLEX SOUTH ADDITION TO THE CITY OF SIOUX FALLS, ALL IN MINNEHAHA COUNTY, SD.

39. A RESOLUTION TO APPROVE A HISTORIC MARKER ON CITY PROPERTY.

40. A RESOLUTION APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF SIOUX FALLS AND THE SIOUX FALLS FIREFIGHTERS ASSOCIATION.

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)

41. REPORT OF THE OCTOBER 31, 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: PUBLIC INPUT IS ALLOWED FOR ANY ITEM ON THE REGULAR AGENDA. NOTWITHSTANDING THE PRECEDING SENTENCE, THE PUBLIC INPUT PORTION AT THE START OF A CITY COUNCIL MEETING SHALL LAST NO MORE THAN 30 MINUTES AND WILL BE LIMITED TO TOPICS WHICH DO NOT INVOLVE THOSE REGULAR AGENDA ITEMS APPEARING LATER IN THE AGENDA AS PUBLIC INPUT WILL BE RECEIVED WHEN THAT ITEM IS UP FOR DISCUSSION. PERSONS ADDRESSING THE COUNCIL SHALL USE THE MICROPHONE AT THE PODIUM. PLEASE STATE YOUR NAME AND UNLESS FURTHER TIME IS GRANTED BY THE COUNCIL, SHALL BE LIMITED TO THREE 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.