

City Council Meeting  
4/2/2019 7:00:00 PM

CALL TO ORDER

1  
MEETING ROLL CALL

Council Member Theresa Stehly 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 Mayor Paul TenHaken

2  
INVOCATION

Pastor Phill Tague, The Ransom Church

3  
PLEDGE OF ALLEGIANCE

4  
AWARDS & RECOGNITIONS

SIOUXPERHERO Citizen Recognition Awards

CONSENT AGENDA

5  
APPROVAL OF THE CONSENT AGENDA

6  
APPROVAL OF MINUTES

City Council Meeting of Tuesday, March 19, 2019

Informational Meeting of Tuesday, March 26, 2019

COMMUNICATIONS

7  
Approval of contracts/agreements on the March 29, 2019, memo.

8  
Notice of change orders on the March 29, 2019, memo.

9  
Communication received from Sebastian Wai and Ariel Rosenberg requesting  
permission to consume, but not sell, beer, wine, and liquor at the Old  
Courthouse Museum, 200 W. 6th St. on Saturday, July 27, 2019, pursuant to SDCL  
35-1-5.5 for a wedding reception.

10  
Report of Requests for Quotes for Fuel dated: March 19, 2019; Unleaded Ethanol  
(763 Gallons); #1 Clear Diesel (264 Gallons); #2 Clear Diesel (264 Gallons);  
Midway Service (\$2.2289 Unleaded Ethanol; \$2.9205 #1 Clear Diesel; \$2.4681 #2  
Clear Diesel); Howes Oil (\$2.2500 Unleaded Ethanol; \$2.8650 #1 Clear Diesel;  
\$2.4650 #2 Clear Diesel); Cole's Petroleum, Farstad Oil, Harms Oil, Stern Oil,  
CHS, and Olson Oil all no bid. Bid awarded to: Midway Service.

11

Report of Requests for Quotes for Fuel dated: March 19, 2019; 22,500 Gallons of #2 Dyed Diesel; Cole's Petroleum (\$2.1470); Farstad Oil (\$2.1200); Midway Service, Harms Oil, Howes Oil, Stern Oil, CHS, and Olson Oil all no bid. Bid awarded to: Farstad Oil.

12

Sioux Area Metro Report of Requests for Quotes for Fuel dated: March 21, 2019; 7,500 Gallons of #2 Clear Diesel; Parkland USA/SPF Energy Inc./Farstad Oil (\$2.421); Harms Oil (\$2.4397); CHS, Inc. (\$2.465); Howes Oil (\$2.442); Petroleum Traders, and Midwest Oil, all no bids. Bid awarded to: Parkland USA/SPF Energy Inc., /Farstad Oil.

13

Report of Requests for Quotes for Fuel dated: March 22, 2019; 8,500 Gallons of Unleaded Ethanol; Midway Service (\$2.1959); Cole's Petroleum (\$2.1792); Farstad Oil (\$2.2038); Harms Oil (\$2.2240); Howes Oil, Stern Oil, CHS, Inc. and Olson Oil, all no bid. Bid awarded to: Coles Petroleum.

#### APPLICATIONS

14

Special One-Day Liquor Licenses for Washington Pavilion Management Inc., 301 South Main Avenue, for special events on April 5, April 20, October 4, 2019 and January 7, 2020.

The following abatements are recommended for approval by the Minnehaha County Director of Equalization:

15

Richard Schmidt, 2917 Klondike Trail, Parcel #26762, for 2018 property taxes in the amount of \$220.74. There was a house fire on October 13, 2018, resulting in a total loss.

16

Jared Dahlen, 7000 W. Tweed Trail, Parcel #71393, for 2018 property taxes in the amount of \$1,231.28. The owner occupied status should have been applied.

17

Bonnie Reinesch, 1311 E. Pearl Street, Parcel #35164, for 2018 property taxes in the amount of \$754.46. The amount requested is the difference between the elderly freeze and the non-elderly freeze.

18

Donna McEwen, 3008 E. Klondike Trail, Parcel #41995, for 2018 property taxes in the amount of \$295.19. The amount requested is the difference between the elderly freeze and the non-elderly freeze.

19

Jessie Clauson, 3708 S. Bahnson Avenue, Parcel #59362, for 2018 taxes in the amount of \$1,268.66. The amount requested is the difference between the elderly freeze and the non-elderly freeze.

20

Lavonne Goos, 1647 S. Cleveland Avenue, #201, Parcel #71202, for 2018 property taxes in the amount of \$96.47. The amount requested is the difference between the elderly freeze and the non-elderly freeze.

21

SD Department of Transportation, 700 E. Broadway Avenue, Pierre, SD, Parcel #44201, for 2018 property taxes in the amount of \$2,168.40. Property is exempt for the 2018 taxes.

22

SD Department of Transportation, 700 E. Broadway Avenue, Pierre, SD, Parcel #44202, for 2018 property taxes in the amount of \$3,921.10. Property is exempt for the 2018 taxes.

23

SD Department of Transportation, 700 E. Broadway Avenue, Pierre, SD, Parcel #53798, for 2018 property taxes in the amount of \$2,070.64. Property is exempt for the 2018 taxes.

24

SD Department of Transportation, 700 E. Broadway Avenue, Pierre, SD, Parcel #53799, for 2018 property taxes in the amount of \$175.82. Property is exempt for the 2018 taxes.

The following abatements are recommended for denial by the Minnehaha County Director of Equalization:

25

Yurly Sushchik, 2735 S. Burns Knoll Circle, Parcel #88732, for 2018 property taxes in the amount of \$2,310.06. Reason: No Owner Occupied form turned in.

#### NOTICE OF HEARINGS

26

New 2019 Retail Wine and Cider License for Hampton Inn by Hilton, 2417 South Carolyn Avenue (CUP not required).

27

New 2019 Retail Wine and Cider License for Hampton Inn & Suites by Hilton, 3701 West Avera Drive (CUP not required).

28

New 2019 Retail Wine and Cider License for Nail World, 3209 South Sertoma Avenue (CUP not required).

29

Transfer of 2018-19 Retail Malt Beverage and SD Farm Wine License and 2019 Retail Wine License, including video lottery terminals, from Darinda Martinez, Blue Martini, 2309 West Madison Street, to Juan Nuno, La Carreta, 2309 West Madison Street, with Conditional Use Permit (8110-2018) being approved on March 7, 2018.

30

Transfer of 2019 Package Liquor License from Sports Zone Inc, The District, 4521 West Empire Place, to Roam Kitchen and Bar, 4525 West Empire Place (CUP not required).

31

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America, Chef Dominique's Catering to be operated at Liberty National Bank, 133 South Main Avenue, for a social on April 23, 2019.

32

Special One-Day Malt Beverage License for Friends of the Big Sioux River to be operated at the Great Outdoor Store, 201 East 10th Street, for a fundraiser on

May 4, 2019.

33

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sculpturewalk Inc. to be operated at Raven Industries, 205 East 6th Street, for an Arc of Dream Dedication on May 31, 2019.

34

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Commemorative Air Force Joe Foss Squadron to be operated at the Maverick Air Center, 4201 North Maverick Place for a fundraiser on August 15 and September 21, 2019.

#### REGULAR AGENDA

35

APPROVAL OF THE REGULAR AGENDA

36

PUBLIC INPUT

#### UNFINISHED BUSINESS

37

New 2019 Retail Wine and Cider and New 2018-19 Retail Malt Beverage & SD Farm Wine Licenses for A Perfect 10 Nail Salon, 2528 South Lorraine Place (CUP not required). Pending final inspections per Fire, Health and Building Services.

38

Transfer of 2019 Retail Wine and Cider and 2018-19 Retail Malt Beverage & SD Farm Wine Licenses from Fernson Taphouse LLC, Fernson on Eighth, 201 North Weber Avenue, to Books N Brews Pizzeria, 201 North Weber Avenue (CUP not required). Pending final inspection per Health.

39

New 2019 Retail Wine and Cider and New 2018-19 Retail Malt Beverage & SD Farm Wine Licenses for Hagere Ethiopian Restaurant, 2113 South Minnesota Avenue, with Conditional Use Permit (9802-2019) being approved on March 6, 2019. Pending final inspection per Health.

40

Transfer of 2019 Retail Wine and Cider and 2018-19 Retail Malt Beverage & SD Farm Wine Licenses from Kidane Haile, Red Sea Pub, 921 East 8th Street, to Red Sea Pub, 921 East 8th Street.

41

Special One-Day Malt Beverage and Special One-day Wine licenses for Washington Pavilion to be operated at LG Everist, 350 South Main Avenue #400, for a special event on April 10, 2019.

42

Special One-Day Malt Beverage and Special One-day Wine licenses for Sioux Falls Area Community Foundation to be operated at Avera on Louise, 6100 South Louise Avenue, for a Fundraiser on May 2, 2019.

43

Special One-Day Wine Licenses for Downtown Sioux Falls Inc., to be operated at 605 Made Market, 100 South Phillips Avenue (First National Bank Atrium); 8th and RR Center Main Entrance, 401 East 8th Street; American State Bank, 223 South Phillips Avenue; Atoley Spa, 317 South Phillips Avenue; CH Patisserie,

309 South Phillips Avenue; Chelsea's Boutique, 220 South Phillips Avenue; Great Outdoor Store, 201 East 10th Street; JH & Sons, 216 South Phillips Avenue; JH Bechtold Jewelers, 325 South Phillips Avenue; JLG Architects, 232 South Main Avenue; Luca - Made in Italy, 311 South Phillips Avenue; Mint + Basil, 207 South Phillips Avenue; NV Studio Salon, 106 West 11th Street; Nyberg's Ace, 200 East 12th Street; Palmer Lea Boutique, 206 South Phillips Avenue; Rehfeld's Art & Framing, 210 South Phillips Avenue; Rug & Relic, 401 East 8th Street, Suite 114; Say Anything Jewelry, 225 South Phillips Avenue; Simply Perfect, 401 East 8th Street, Suite 108; Sticks and Steel, 401 East 8th Street, Suite 118 and Young & Richards, 222 South Phillips Avenue, for a Fundraiser on May 3, 2019.

44

Special One-Day Malt Beverage and Special One-Day Wine Licenses for El Riad Shriners to be operated at the History Club, 758 South Phillips Avenue, for a luncheon on May 4, 2019.

45

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Washington Pavilion to be operated on Main Avenue between 11th Street and 13th Street for a 20th Anniversary Celebration on June 1, 2019.

46

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls Inc. to be operated at 8th & Railroad Shopping Center parking lot, 401 East 8th Street, for Eastbank Block Parties to be held on May 4, June 7, July 5, August 2 & September 6, 2019.

47

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Downtown Sioux Falls Inc. to be operated at on the River Greenway from 6th Street to South of 8th Street including Raven Industries riverfront and parking lot located at 205 East 6th Street, to include the prairie area between Phase 1 River Greenway and the Cherapa Place parking lot, north to 6th Street and south to Cherapa Place, for Downtown Riverfest on August 17, 2019.

## INTRODUCTION AND ADOPTION OF ORDINANCES

### ORDINANCE SECOND READINGS

48

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE 2013 SHAPE PLACES ZONING ORDINANCE OF THE CITY OF SIOUX FALLS.

49

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED NORTH OF E. 41ST ST., SOUTH OF E. 33RD ST., EAST OF VETERANS PKWY., AND WEST OF S. FAITH AVE. FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN, RD-1 TWIN HOME/DUPLEX RESIDENTIAL-SUBURBAN, RD-2 TOWNHOME RESIDENTIAL-SUBURBAN, RA-1 APARTMENT RESIDENTIAL-LOW DENSITY, RA-3 APARTMENT RESIDENTIAL-HIGH DENSITY, LW LIVE-WORK, C-2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR, C-3 COMMERCIAL-COMMUNITY, AND CN CONSERVATION DISTRICTS, PETITION NO. 9853-2019, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (5-0) with the following condition: That the LW Live-Work zoned parcels, as shown by exhibit, allow development of the following forms: AD1, AD2, AD3, MD1, NF1, NF2, UT1, UT2, RE1 Forms.

50

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SOUTHWEST CORNER OF S. ELLIS RD. AND W. 22ND ST. FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN AND O OFFICE DISTRICTS,

NO. 9886-2019, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

51

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 6400 E. 41ST ST. FROM THE AG AGRICULTURE DISTRICT TO THE S-1 GENERAL INSTITUTIONAL AND REC RECREATION DISTRICTS, NO. 9934-2019, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

52

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 3920 S. HAWTHORNE AVE. FROM THE RA-1 APARTMENT RESIDENTIAL-LOW DENSITY DISTRICT TO THE O OFFICE DISTRICT, NO. 9928-2019, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

53

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SOUTHEAST CORNER OF W. 85TH ST. AND S. WESTERN AVE. FROM THE C-2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR DISTRICT TO THE RA-3 APARTMENT RESIDENTIAL-HIGH DENSITY DISTRICT, PETITION NO. 9932-2019, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

54

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 160: ZONING TO MODIFY THE BUFFER YARD REQUIREMENTS IN THE FORM MD2: MULTIPLE DWELLING-MEDIUM. Planning Commission recommends approval (5-0).

#### ORDINANCE FIRST READINGS

55

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY ADOPTING THE 2018 INTERNATIONAL FIRE CODE AND AMENDMENTS THERETO.

56

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE ISSUANCE OF ITS WASTEWATER SYSTEM REVENUE BONDS, IN ONE OR MORE SERIES, TO THE SOUTH DAKOTA CONSERVANCY DISTRICT, AUTHORIZING THE USE OF THE PROCEEDS THEREOF FOR CAPITAL IMPROVEMENTS, PLEDGING THE WASTEWATER SYSTEM REVENUE OF THE CITY TO THE PAYMENT OF SAID WASTEWATER SYSTEM REVENUE BONDS, FIXING THE TERMS OF SUCH WASTEWATER SYSTEM REVENUE BONDS, AUTHORIZING THE EXECUTION AND DELIVERY OF A LOAN AGREEMENT BETWEEN THE CITY AND THE SOUTH DAKOTA CONSERVANCY DISTRICT AND AUTHORIZING THE EXECUTION AND DELIVERY OF SUCH WASTEWATER SYSTEM REVENUE BONDS TO THE SOUTH DAKOTA CONSERVANCY DISTRICT NOT TO EXCEED \$26,808,800.

57

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 30: CITY COUNCIL; SUBCHAPTER PRESIDING OFFERS; DUTIES.

#### HEARINGS AND RESOLUTIONS

58

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

59

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF PINE KNOLL ADDITION.

60

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF BURNS

ADDITION.

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)

61

REPORT OF THE MARCH 29, 2019, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR  
ORGANIZATIONAL UNITS.

NEW BUSINESS

ADJOURNMENT