

City Council Meetings
3/5/2019 7:00:00 PM

CALL TO ORDER

1
MEETING ROLL CALL

Council Member Curt Soehl Council Member Marshall Selberg Council Member Pat Starr Council Member Theresa Stehly Council Member Janet Brekke Council Member Christine M. Erickson Council Member Rick Kiley Council Member Greg Neitzert Mayor Paul TenHaken

2
INVOCATION

Pastor Charlie Moore, Sunnycrest United Methodist Church

3
PLEDGE OF ALLEGIANCE

4
AWARDS & RECOGNITIONS

SIOUXPERHERO Citizen Recognition Awards

CONSENT AGENDA

5
APPROVAL OF THE CONSENT AGENDA

6
APPROVAL OF MINUTES

Informational Meeting of Tuesday, February 19, 2019

City Council Meeting of Tuesday, February 19, 2019

Informational Meeting of Tuesday, February 26, 2019

Joint City Council/Minnehaha County Commission Meeting of Tuesday, February 26, 2019

COMMUNICATIONS

7
Approval of contracts/agreements on the February 28, 2019, memo.

8
A communication was received from the Butterfly House & Aquarium requesting permission to consume, but not sell, wine and malt beverages at the Butterfly House & Aquarium, 4320 S. Oxbow Ave. on Thursday, March 21, from 5 p.m. - 6:30 p.m., pursuant to SDCL 35-1-5.5, for a Donor Cultivation Happy Hour.

9
Report of Requests for Quotes for Fuel dated: February 15, 2019; Unleaded Ethanol (8,500 Gallons); #1 Dyed Diesel (3,750 Gallons); #2 Dyed Diesel (3,750 Gallons); Cole's Petroleum (\$1.8982 Unleaded Ethanol; \$2.5928 #1 Dyed Diesel; \$2.0975 #2 Dyed Diesel); Farstad Oil (\$1.9350 Unleaded Ethanol; \$2.5600 #1 Dyed

Diesel; \$2.0975 #2 Dyed Diesel); Midway Service, Harms Oil, Howes Oil, Stern Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to Cole's Petroleum.

10

Report of Requests for Quotes for Fuel dated: February 19, 2019; Unleaded Ethanol (755 Gallons); #1 Clear Diesel (255 Gallons); #2 Clear Diesel (255 Gallons); Howes Oil (\$2.2190 Unleaded Ethanol; \$2.9175 #1 Clear Diesel; \$2.9175 #2 Clear Diesel); Midway Service, Cole's Petroleum, Farstad Oil, Harms Oil, Stern Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to Howes Oil.

11

Report of Requests for Quotes for Fuel dated: February 19, 2019; #1 Dyed Diesel (3,750 Gallons); #2 Dyed Diesel (3,750 Gallons); Cole's Petroleum (\$2.6540 #1 Dyed Diesel; \$2.1088 #2 Dyed Diesel); Farstad Oil (\$2.4620 #1 Dyed Diesel; \$2.1190 #2 Dyed Diesel); Midway Service, Harms Oil, Howes Oil, Stern Oil, CHS, Inc. and Olson Oil, all no bid. Bid awarded to: Farstad Oil.

12

Report of Requests for Quotes for Fuel dated: February 25, 2019; Unleaded Ethanol (8,500 Gallons); #1 Dyed Diesel (11,250 Gallons); #2 Dyed Diesel (11,250 Gallons); Farstad Oil (\$2.0140 Unleaded; \$2.5380 #1 Dyed Diesel and \$2.1630 #2 Dyed Diesel); Harms Oil (\$1.9759 Unleaded; \$2.4964 #1 Dyed Diesel and \$2.1398 #2 Dyed Diesel); Midway Service, Cole's Petroleum, Howes Oil, Stern Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Harms Oil.

13

Certificate of Satisfaction of Statement of Account of Claim on Proceeds of Public Improvement Contract for materials provided in the construction of the City of Sioux Falls Administration Building. This is for release of the previously filed Statement of Account Claim on Proceeds of Public Improvement Contract filed on October 5, 2018, and noticed to the City Council at the meeting of November 5, 2018 per SDCL 5-22-3.

NOTICE OF HEARINGS

14

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

15

New 2019 Retail Wine and Cider and New 2018-19 Retail Malt Beverage and SD Farm Wine Licenses, requesting off-sale use only, for Dragon Asian Market, 2300 East 10th Street, Suite 101 (CUP not required).

16

New 2019 Retail Wine and Cider and New 2018-19 Retail Malt Beverage and SD Farm Wine Licenses for Lao Szechuan, 3101 West 41st Street, Suite 105 (CUP not required).

17

New 2018-19 Retail Malt Beverage and SD Farm Wine License for Freedom Value Center, 2601 West 12th Street, with Conditional Use Permit (9851-2019) being approved on February 6, 2019.

18

Request to include video lottery terminals with the new 2018-19 Retail Malt Beverage and SD Farm Wine License for Freedom Value Center, 2601 West 12th Street, with Conditional Use Permit (9851-2019) being approved on February 6, 2019.

19

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Augustana University, 2001 South Summit Avenue, for a fundraiser on March 29, 2019.

20

Special One-Day Liquor License for Sioux Falls Jazz & Blues Society to be operated at Yankton Trail Park, 3901 South Minnesota Avenue, for JazzFest on July 19-20, 2019.

REGULAR AGENDA

21

APPROVAL OF THE REGULAR AGENDA

22

PUBLIC INPUT

UNFINISHED BUSINESS

23

Final Design and Construction Administration Agreement (Sherman Park Improvements-Indian Mound Road Retaining Wall Near 18th St. and Kiwanis Ave.; \$40,550)

24

Transfer of 2018-19 Retail Malt Beverage and SD Farm Wine License, including video lottery terminals, from Lucky Strike Casino Inc., 1033 North Minnesota Avenue, to MG Oil Company, Lucky Strike Casino, 1033 North Minnesota Avenue.

25

Transfer of 2018-19 Retail Malt Beverage and SD Farm Wine License from Mikrho Management Inc., 825 North Weber Avenue, to Stensland Enterprises Inc, Falls Overlook Caf, 825 North Weber Avenue. Pending final approval of the management agreement.

26

New 2019 Retail Wine and Cider License for Falls Overlook Caf, 825 North Weber Avenue. Pending final approval of the management agreement.

27

New 2018-19 Retail Malt Beverage and SD Farm Wine and New 2019 Retail Wine and Cider Licenses for Jacky's Restaurant, 3808 North Cliff Avenue, with Conditional Use Permit (9850-2019) being approved on February 6, 2019.

28

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America to be operated at George Boom Funeral Home, 3408 East 10th Street, for a Chamber Mixer on April 9, 2019.

INTRODUCTION AND ADOPTION OF ORDINANCES

ORDINANCE SECOND READINGS

29

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED EAST OF THE INTERSECTION OF W. TEEM ST. AND N. MARION RD. FROM THE I-1 LIGHT INDUSTRIAL DISTRICT AND O OFFICE DISTRICT AND C-2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR DISTRICT TO THE REC RECREATION DISTRICT AND S-1 GENERAL INSTITUTIONAL DISTRICT NO. 9849 2019, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

30

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED SOUTHEAST OF THE CORNER OF E. CHATHAM ST. AND S. WESTWIND AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN DISTRICT TO THE RD-1 TOWN HOME/DUPLEX RESIDENTIAL DISTRICT NO. 9844-2019, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

31

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SOUTHEAST CORNER OF E. 24TH ST. AND S. 7TH AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN DISTRICT TO THE S-2 INSTITUTIONAL CAMPUS PUD DISTRICT NO. 9840-2019, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

32

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SOUTHEAST CORNER OF W. 2ND ST. AND N. KIWANIS AVE. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL-SUBURBAN DISTRICT TO THE O OFFICE DISTRICT NO. 9701-2018, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

33

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED NORTHEAST OF THE CORNER OF W. PINERIDGE DR. AND N. MARION RD. FROM THE I-1 LIGHT INDUSTRIAL DISTRICT AND O OFFICE DISTRICT TO THE LW LIVE/WORK DISTRICT NO. 9852-2019, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.

ORDINANCE FIRST READINGS

34

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE NAMING OF THE HOSPITALITY AREA AT LEVITT SHELL SIOUX FALLS IN FALLS PARK WEST.

35

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING A GRANT OF PERMANENT EASEMENT.

36

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, CALLING A SPECIAL ELECTION ON THE ISSUE OF WHETHER THE CITY OF SIOUX FALLS, SD, CITY COUNCIL SHOULD AMEND CHAPTER 38: ELECTIONS, SECTION 38.010(A) ELECTION RESULTS, BY REQUIRING A PLURALITY TO BE ELECTED AS COUNCIL MEMBER.

HEARINGS AND RESOLUTIONS

37

A RESOLUTION INCLUDING CERTAIN CONTIGUOUS TERRITORY WITHIN THE CORPORATE LIMITS OF THE CITY OF SIOUX FALLS, SOUTH DAKOTA. ANNEXATION 9031-2018-Westwood Valley 2nd Addition.

38

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, APPROVING THE PLACEMENT OF SCULPTURES ON PUBLIC PROPERTY FOR AN INTERNATIONALLY RECOGNIZED VISUAL ARTS PROGRAM KNOWN AS SCULPTUREWALK SIOUX FALLS 2019.

39

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

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)

40

REPORT OF THE MARCH 1, 2019, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

NEW BUSINESS

ADJOURNMENT