

City Council Meetings
3/19/2019 7:00:00 PM

CALL TO ORDER

1
MEETING ROLL CALL

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 Council Member Marshall Selberg Council Member Curt Soehl Mayor Paul TenHaken

2
INVOCATION

Pastor Zach Ochoga, Central Church

3
PLEDGE OF ALLEGIANCE

CONSENT AGENDA

4
APPROVAL OF THE CONSENT AGENDA

5
APPROVAL OF MINUTES

Informational Meeting of Tuesday, March 12, 2019

City Council Meeting of Tuesday, March 12, 2019

COMMUNICATIONS

6
Approval of contracts/agreements on the March 15, 2019, memo.

7
Report of Requests for Quotes for Fuel dated: March 7, 2019; Unleaded Ethanol (8,500 Gallons); #2 Dyed Diesel (22,500 Gallons); Cole's Petroleum (\$2.0949 Unleaded & \$2.1364 Diesel); Farstad Oil (\$2.0580 Unleaded & \$2.1360 Diesel); Midway Service, Harms Oil, Howes Oil, Stern Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Farstad Oil.

8
Sioux Area Metro Report of Requests for Quotes for Fuel dated: March 6, 2019; #2 Clear Diesel; 7,500 Gallons; CHS, Inc. (\$2.45); Parkland USA/SPF Energy Inc./Farstad Oil, Harms Oil, Howes Oil, Petroleum Traders, and Midwest Oil, all no bid. Bid awarded to: CHS, Inc.

9
Approval of the SIOUXPERHERO Committee's recommendation that the City Council award the following individual the SIOUXPERHERO citizen recognition award: John McIntyre.

APPLICATIONS

10

Special One-Day Liquor Licenses for Washington Pavilion, 301 South Main Avenue, for special events on April 2 and 13, June 29 and September 14, 2019.

The following abatements are recommended for approval by the Minnehaha County Director of Equalization. The applications are deemed legally sufficient by the State's and City Attorneys:

11

Cara Lee Davis Living Trust & Donald L. Davis Credit Trust, 4323 Townpark Place, Parcel #39764, for 2016, 2017, and 2018, property taxes in the amount of \$1,369.95, \$1,521.17, and \$1,508.01, respectively. Partial exemption for owner-occupied dwellings of surviving spouses of certain disabled veterans.

12

Hagen, Barbara, 3912 E. Claudette Dr., Parcel #49228, for 2018 property taxes in the amount of \$638.17. The amount requested is the difference between the elderly freeze and the non-elderly freeze.

13

City of Sioux Falls, 224 W. 9th St., Parcel #44583, for property taxes in the amount of \$3,109.81. The property is exempt from the tax.

14

Janet McDowell, 513 Crestview Cir., Parcel #46894, for 2018 property taxes in the amount of \$262.56. The amount requested is the difference between the elderly freeze and the non-elderly freeze.

15

James Peters, 2608 S. Lyndale Ave., Parcel #42625, for 2018 property taxes in the amount of \$360.87. The amount requested is the difference between the elderly freeze and the non-elderly freeze.

NOTICE OF HEARINGS

16

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).

17

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).

18

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.

19

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.

20

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.

21

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.

22

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.

23

Special One-Day Malt Beverage License for Remedy Brewing Company to be operated at Shop Dog Boutique, 5015 South Western Avenue, Suite 130, for Cinco De Mayo on May 4, 2019.

24

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.

25

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.

26

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.

27

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.

28

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

29

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

30

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

REGULAR AGENDA

31

APPROVAL OF THE REGULAR AGENDA

32

PUBLIC INPUT

UNFINISHED BUSINESS

33

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).

34

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). Pending final inspection per Health.

35

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. Pending final inspections per Fire, Health and Building Services.

36

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. Pending final inspections per Fire, Health and Building Services.

37

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.

38

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.

INTRODUCTION AND ADOPTION OF ORDINANCES

ORDINANCE SECOND READINGS

39

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

40

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

41

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

42

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

43

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 156 "FLOODPLAIN MANAGEMENT," SUBCHAPTER "ADMINISTRATION."

44

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING CHAPTER 150 "BUILDING," SUBCHAPTER "BUILDING SECURITY."

45

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING CHAPTER 110 "LICENSES," SUBCHAPTER "FEE SCHEDULE," SECTION 110.028.

46

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING CHAPTER 150 "BUILDING," SUBCHAPTER "PLUMBING."

47

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REPEALING SUBCHAPTER "MANUFACTURED HOUSING" OF CHAPTER 150 "BUILDING".

48

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE OF ORDINANCES OF THE CITY BY REVISING CHAPTER 150 "BUILDING," SUBCHAPTER "RESIDENTIAL BUILDING CONTRACTORS."

49

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, ESTABLISHING A PORTION OF ELMWOOD AVE. AS A ONE-WAY ST.

ORDINANCE FIRST READINGS

50

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

51

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.

52

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.

53

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.

54

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.

55

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.

56

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.

57

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING PROVISIONAL SUPPLEMENTAL APPROPRIATIONS FOR POT HOLE REMEDIATION. (\$500,000)

HEARINGS AND RESOLUTIONS

58

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING DIAGONAL PARKING ON S. ELMWOOD AVE.

59

A RESOLUTION RECOMMENDING THAT THE EVENTS CAMPUS STUDY GROUP MEETINGS BE OPEN TO THE PUBLIC.

NEW BUSINESS

ADJOURNMENT