

City Council Meeting  
4/16/2019 7:00:00 PM

CALL TO ORDER

1  
MEETING ROLL CALL

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 Council Member Janet Brekke  
Mayor Paul TenHaken

2  
INVOCATION

Ramesh Kumar Singh, President, Hindu Temple of Sioux Land

3  
PLEDGE OF ALLEGIANCE

CONSENT AGENDA

4  
APPROVAL OF THE CONSENT AGENDA

5  
APPROVAL OF MINUTES

City Council Meeting of Tuesday, April 9, 2019

Informational Meeting of Tuesday, April 9, 2019

COMMUNICATIONS

6  
Approval of contracts/agreements on the memorandum dated: April 12, 2019.

7  
Report of Requests for Quotes for Fuel dated: April 3, 2019; Unleaded Ethanol;  
8,500 Gallons; Midway Service (\$2.2389); Cole's Petroleum (\$2.2431); Farstad  
Oil (\$2.2724); Harms Oil (\$2.253); CHS, Inc. (\$2.3150); Howes Oil, Stern Oil  
and Olson Oil, all no bid. Bid awarded to: Harms Oil.

8  
Sioux Area Metro Report of Requests for Quotes for Fuel dated: April 3, 2019;  
#2 Clear Diesel; 8,500 Gallons; Parkland USA/SPF Energy Inc./Farstad Oil  
(\$2.4340); Harms Oil (\$2.4240); CHS, Inc. (\$2.450); Howes Oil (\$2.429);  
Petroleum Traders and Midwest Oil, both no bid. Bid awarded to: Harms Oil.

9  
Report of Requests for Quotes for Fuel dated: April 5, 2019; #2 Dyed Diesel;  
7,500 Gallons; Cole's Petroleum (\$2.1535); Harms Oil (\$2.1095); Stern Oil  
(\$2.1291); CHS, Inc. (\$2.175); Farstad Oil (\$2.1290); Midway Service, Howes  
Oil, and Olson Oil, all no bid. Bid awarded to: Harms Oil.

10  
Report of Requests for Quotes for Fuel dated: April 9, 2019; #2 Dyed Diesel;  
7,500 Gallons; Cole's Petroleum (\$2.1737); Harms Oil (\$2.1640); Farstad Oil

(\$2.1840); Midway Service, Howes Oil, Stern Oil, CHS, Inc. and Olson Oil, all no bid. Bid awarded to: Harms Oil.

11

Approval of a request from the Great Plains Zoo and Delbridge Museum, 805 S. Kiwanis Ave., to consume, but not sell, liquor, wine, and beer on the following dates: April 25 and 26, 2019; May 2, 3, 9, 10, 16, 17, 23, 24, 30 and 31, 2019; June 6, 7, 13, 14, 20, 21, 27 and 28, 2019; July 4, 5, 11, 12, 18, 19, 25 and 26, 2019; August 1, 2, 8, 9, 15, 16, 22, 23, 29 and 30, 2019; and, September 5, 6, 12, 13, 19, 20, 26 and 27, 2019. The purpose is to provide free liquor, wine, beer, and/or malt beverages to supporters and donors who will attend appreciation events at the Zoo.

#### APPLICATIONS

12

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Hy-Vee Food Store #2 to be operated at Cathedral of St. Joseph, 521 North Duluth Avenue, for a 100th Anniversary celebration on May 3, 2019.

13

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America to be operated at the Old Courthouse Museum, 200 West 6th Street, for a social on May 7, 2019.

14

Special One-Day Liquor License for Prairie Pasta Inc. to be operated at the Old Courthouse Museum, 200 West 6th Street, for a wedding on June 22, 2019.

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

15

Mary L. Schmidt, 6708 W. 9th St., Parcel #12091, for 2018 property taxes in the amount of \$974.79. Reason: The amount requested is the difference between the elderly freeze and the non-elderly freeze.

16

Mary A. Schwartzle, 1208 W. 15th St., Parcel #30843, for 2018 property taxes in the amount of \$452.34. Reason: The amount requested is the difference between the elderly freeze and the non-elderly freeze.

17

Kingdom Boundaries Prison Aftercare Ministries, Inc., 417 S. Summit Ave., Parcel #34105, for 2017 property taxes in the amount of \$3,840.27. Reason: The property is exempt from the tax.

18

Vincent Kellar, 2509 W. Rice St., Parcel #40000, for 2018 property taxes in the amount of \$898.81. Reason: The amount requested is the difference between the elderly freeze and the non-elderly freeze.

19

Doris VanderHamm, 2605 S. Anderson Dr., Parcel #46088, for 2018 property taxes in the amount of \$1,241.83. Reason: The amount requested is the difference between the elderly freeze and the non-elderly freeze.

20

Judith Giles, 4309 W. Peacock Dr., Parcel #67707, for 2018 property taxes in the amount of \$163.06. Reason: The amount requested is the difference between

the elderly freeze and the non-elderly freeze.

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

21

Trent W. and Tammy Baumgartel, 2009 S. Canyon Ave., Parcel #85978, for 2018 property taxes in the amount of \$1,101.38. Reason: Did not apply for owner-occupied status by the deadline.

22

Trent W. and Tammy Baumgartel, 2009 S. Canyon Ave., Parcel #85978, for 2017 property taxes in the amount of \$1,060.82. Reason: Did not apply for owner-occupied status by the deadline.

#### NOTICE OF HEARINGS

23

New 2019 Retail Wine and Cider and New 2018-19 Retail Malt Beverage and SD Farm Wine Licenses for Obscure Brewing Company, 5200 East Garfield Street (CUP not required).

24

New 2018-19 Retail Malt Beverage and SD Farm Wine License for 777 Casino, 5237 West 26th Street, with Conditional Use Permit (9993-2019) being approved on April 3, 2019.

25

Request to include video lottery terminals with the new 2018-19 Retail Malt Beverage and SD Farm Wine License for 777 Casino, 5237 West 26th Street, with Conditional Use Permit (9993-2019) being approved on April 3, 2019.

26

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering America to be operated at Poet, 4615 North Lewis Avenue, for a fundraiser on May 8, 2019.

27

Special One-Day Malt Beverage License for Almost Home Canine Rescue to be operated at 300 North Cherapa Place east parking lot, for 605 Summer Classic on June 21 and 22, 2019.

28

Special One-Day Liquor License for TNT Entertainment to be operated at the Albert House parking lot, 337 North Phillips Avenue, for a concert on July 12, 2019.

#### REGULAR AGENDA

29

APPROVAL OF THE REGULAR AGENDA

30

PUBLIC INPUT

#### UNFINISHED BUSINESS

31

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

32

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

33

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

34

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.

35

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).

36

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.

37

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.

38

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.

39

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.

## INTRODUCTION AND ADOPTION OF ORDINANCES

### ORDINANCE SECOND READINGS

40

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED AND RESTATED LEASE AND SUBLEASE AGREEMENT BETWEEN THE CITY OF SIOUX FALLS, SOUTH DAKOTA DEPARTMENT OF GAME, FISH AND PARKS, AND THE BUTTERFLY HOUSE & AQUARIUM, INC.

41

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING THE NAMING OF A FACILITY SPACE ON PUBLIC PROPERTY. ("Lloyd Lawn at the Levitt Shell")

42

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT OF REAL PROPERTY FROM NORTHERN STATES POWER COMPANY AND GRANTING EASEMENTS TO NORTHERN STATES POWER COMPANY WITHIN FALLS PARK AND

WITHIN CITY PROPERTY NEAR VETERANS PARKWAY.

43

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT OF REAL PROPERTY AT 1600 N. RIVERSIDE DR. FROM NORTHERN STATES POWER COMPANY AND GRANTING EASEMENTS TO NORTHERN STATES POWER COMPANY.

44

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, APPROVING A VERIZON FIBER OPTIC EASEMENT.

#### ORDINANCE FIRST READINGS

45

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 7201 S. MINNESOTA AVE. FROM THE LW LIVE-WORK AND C-2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR DISTRICTS TO THE O OFFICE, C-2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR, AND C-3 COMMERCIAL-COMMUNITY DISTRICTS, NO. 10029-2019, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval (7-0).

46

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED WEST OF S. SHAFER DR. AND SOUTH OF E. 26TH ST. FROM THE RD-1 TWIN HOME/DUPLEX RESIDENTIAL-SUBURBAN DISTRICT TO THE RD-2 TOWNHOME RESIDENTIAL-SUBURBAN AND CN CONSERVATION DISTRICTS, NO. 9926-2019, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval (7-0) with the following conditions: That the RD-2 Townhome Residential-Suburban District zoned parcels allow development of the following forms: DD2 (Detached Dwelling-Suburban), AD1 (Twin Home/Duplex Residential-Suburban), and AD2 (Townhome Residential-Suburban)

47

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 6800 S. CLIFF AVE. FROM THE C-2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR AND S-2 INSTITUTIONAL CAMPUS PLANNED UNIT DEVELOPMENT DISTRICTS TO THE C-2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR AND O OFFICE DISTRICTS, NO. 10016-2019, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval (7-0).

48

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED WEST OF S. KEYRELL DR. AND SOUTH OF W. BROEK DR. FROM THE AG AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN AND RD-1 TWIN HOME/DUPLEX RESIDENTIAL-SUBURBAN DISTRICTS, NO. 10019-2019, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. The Planning Commission recommends approval (7-0).

49

AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS TO ACQUIRE HOMES IN FLOOD PRONE AREAS IN PROXIMITY TO TOMAR PARK.

#### HEARINGS AND RESOLUTIONS

50

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

51

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING DIAGONAL PARKING ON N.  
SHERMAN AVE.

NEW BUSINESS

ADJOURNMENT