

City of Sioux Falls Council/Minnehaha

County Commission Joint Meeting

Minutes

Carnegie Town Hall

MEETING OF Tuesday, April 26, 2016 at 5 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

Council Members: Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, Rick Kiley, Rex Roling, and Kermit L. Stagers. Absent: Mayor Mike T. Huether.

Minnehaha County Commission: Jeff Barth, Jean Bender, Gerald Beninga, Cindy Heiberger and Dick Kelly. Absent: None.

PLEDGE OF ALLEGIANCE

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Rex Roling and seconded by Council Member Christine M. Erickson to approve the Regular Agenda.

Vote: Roll Call: Yeses, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Stagers, Rick Kiley, Christine M. Erickson, 8. Noes, 0.

Motion Passed.

PETITIONS

CONDITIONAL USE PERMIT APPEAL (#16-13): A CONDITIONAL USE PERMIT in the A-1, Agriculture District to allow Retail Sales of Fireworks on the properties legally described as W14 Acres (Ex. H-1 & Ex. Rocky Ridge Addition & Ex. Pt. in City 1. Limits) NE1/4 NW1/4 and N431' W1/2, NW1/4 (Ex. H-1 & Ex. Wittrock Trs. & Ex. W145' E345' N183' & Ex. Wittelm's 2nd Addn. & Ez. H-2); all in Section 22-T101 N-R50W, located at 8101 W. 12th St. (Denied at the March 28, 2016 Joint City/Minnehaha County Planning Commission Meeting with a vote of 4-0-City & 5-1 - County). Planning Commission recommends denial.

A motion was made by Council Member Dean Karsky and seconded by Council Member Christine M. Erickson to approve Item 1 for a one year time period (two seasons) along with the following conditions (read into the record by Minnehaha County Chair Cindy Heiberger):

- 1.) The property shall adhere to the submitted site plan and site plan narrative.
- 2.) No outside storage shall be allowed at any time.
- 3.) The retail sales of fireworks must abide by all applicable SD laws and regulations.
- 4.) The retail sales of fireworks may only be marketable for nine (9) days per calendar year.
- 5.) All outdoor lights in use for the building or to illuminate the parking area shall be directed away from single family dwellings.
- 6.) Building permits are required for all structural changes.
- 7.) Temporary signs for the business are allowed to be placed no earlier than June 13th and must be taken down by July 10th. One temporary freestanding sign is allowed not to exceed 32 square feet. One temporary wall sign is allowed per building face not to exceed one square foot per linear foot of building frontage.
- 8.) Flags that are used for advertising shall be located on the subject properties, not block the view of traffic entering or exiting the property, and shall only be placed during the regular nine (9) day selling period of June 27th through July 5th.
- 9.) No parking or stacking of vehicles shall be allowed in the right-of-way at any time.
- 10.) The hours of operation for the public will be between 8:00 am and 10:00 pm. Set up and tear down activities outside of the nine day sales period must take place between 8:00 am and 8:00 pm.
- 11.) No storage of fireworks is allowed from August 1st to June 10th.
- 12.) The existing structure shall be inspected for structural integrity by the Minnehaha County Building Inspector before June 1, 2016.
- 13.) The driveway as indicated on the site plan shall be configured to have a minimum of 24 feet wide driving area. Gravel must be placed on the driveway and meet the minimum improvement and maintenance standards in article 16.04 of the ordinance from the shoulder of the road to 15 feet onto the property.
- 14.) The operation will be allowed to operate under the conditions of this permit until August 1, 2017. The business owner will be required to obtain another conditional use permit before this date if they wish to continue operating at this location.
- 15.) That the Planning & Zoning Department reserves the right to enter and inspect the fireworks stand at any time, after proper notice to the owner, to ensure that the property is in full compliance with the conditional use permit conditions of approval and the Minnehaha County Zoning Ordinance.

Vote, with conditions: Roll Call: Yeses, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Rolwing, Kermit L. Staggers, Rick Kiley, Christine M. Erickson, 8. Noes, 0.

Motion Passed.

NEW BUSINESS

2. Aerial Photography Discussion

Discussion was held regarding aerial photography.

ADJOURNMENT

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to adjourn the meeting at 6:19 p.m.

Vote: Roll Call: Yeses, Kenny Anderson Jr., Michelle Erpenbach, Greg Jamison, Dean Karsky, Rex Roling, Kermit L. Staggers, Rick Kiley, Christine M. Erickson, 8. Noes, 0.

Motion Passed.

Tamara Jorgensen, MMC

Assistant City Clerk

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: PERSONS ADDRESSING THE COUNCIL SHALL USE THE MICROPHONE AT THE PODIUM. PLEASE STATE YOUR NAME. PRESENTATIONS ARE LIMITED TO FIVE 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 AT 1:30 A.M. AND 9 A.M. ON THURSDAYS, AND 6 P.M. ON SATURDAYS. COUNCIL COMMITTEE MEETINGS AT 12:30 A.M. AND 8 A.M. ON THURSDAYS, AND 5 P.M. ON SATURDAYS. CITY COUNCIL MEETINGS AT 2:30 AM AND 10 A.M. ON THURSDAYS, AND 7 P.M. ON SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 8 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1 P.M. ON FIRST SUNDAY AFTER LIVE MEETING.