

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, December 16, 2014, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Rick Kiley

Council Member Rex Roling

Council Member Kermit L. Stagers

Council Member Kenny Anderson Jr.

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Council Member Greg Jamison

Council Member Dean Karsky

Mayor Mike T. Huether

INVOCATION

Pastor Brett Best, Emmanuel Baptist Church

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PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Dean Karsky and seconded by Council Member Michelle Erpenbach to approve the Consent Agenda.

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

Motion Passed.

A request was made by Council Member Kermit L. Stagers to move the following agreements from Item 1 to the Regular Agenda for discussion purposes:1) Economic Development, Project No. 17001, Core Fa^sade Revitalization, Agreement

for improvements at 111, 115, 117, and 119 South Main Avenue, Dillinger, LLC, \$69,860; 2) Economic Development, Project No. 17001, Core Fa^sade Revitalization Agreement for improvements at 230 South Phillips Avenue, Shriver Square, \$60,000; 3) Economic Development, Project No. 17001, Core Fa^sade Revitalization Agreement for improvements at 209 South Phillips Avenue, Jeff and Greg Danz, \$65,000; 4) Economic Development, Project No. 17001, Core Fa^sade Revitalization Agreement for improvements at 318 South Phillips Avenue, 320 Holdings LLC, \$83,250; and 5) Economic Development, Project No. 17001, Core Fa^sade Revitalization, Agreement for improvements at 322 South Phillips Avenue, 320 Holdings LLC, \$54,060.

MINUTES

Informational Meeting of Tuesday, December 9, 2014, at 4:00 p.m.

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City Council Meeting of Tuesday, December 9, 2014, at 7:00 p.m.

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COMMUNICATIONS

1. Approval of Contracts/Agreements on December 12, 2014 memo.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Dean Karsky to approve the following agreements: 1) Economic Development,

Project No. 17001, Core Fa^sade Revitalization, Agreement for improvements at 111, 115, 117, and 119 South Main Avenue, Dillinger, LLC, \$69,860; 2) Economic Development, Project No. 17001, Core Fa^sade Revitalization, Agreement for improvements at 230 South Phillips Avenue, Shriver Square, \$60,000; 3) Economic Development, Project No. 17001, Core Fa^sade Revitalization, Agreement for improvements at 209 South Phillips Avenue, Jeff and Greg Danz, \$65,000; 4) Economic Development, Project No. 17001, Core Fa^sade Revitalization, Agreement for improvements at 318 South Phillips Avenue, 320 Holdings LLC, \$83,250; and 5)

Economic Development, Project No. 17001, Core Fa^sade Revitalization, Agreement for improvements at 322 South Phillips Avenue, 320 Holdings LLC, \$54,060.

Vote to approve: Roll Call: Yeses, Rick Kiley, Rex Roling, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, 7. Noes, Kermit L. Staggers, 1.

Motion Passed.

A communication was received from Jon and Paige Carda requesting permission to consume, but not sell, wine, beer and champagne at The History Club, 758

2. S. Phillips Avenue on December 27, 2014 from 5:00 p.m. - 9:00 p.m. The purpose is for a wedding reception for their son 1st Lt. Nathan Carda and his new bride, Kelly Neal Carda.

A communication was received from KN Construction requesting permission to

3. consume, but not sell, wine and malt beverages at the Sioux Falls Coliseum, 515 North Main Avenue, on Saturday, January 24, 2015, from 7:00 p.m. to midnight for an employee Christmas party, pursuant to SDCL 35-1-5.3.

Report of Requests for Quotes for Fuel dated: December 4, 2014; E-10

4. Unleaded Ethanol/87 Octane; 8,500 gallons; Howes Oil (\$1.9695); Harms Oil

(\$1.9697); CHS, Inc. and Olson Oil, no bids. Bid awarded to: Howes Oil.

- Report of Requests for Quotes for Fuel dated: December 10, 2014; #2 Clear Diesel; 7,500 gallons; CHS, Inc. (\$2.367); Petroleum Traders Co. (\$2.3528); Howes Oil, Harms Oil, and Midwest Oil, no bids. Bid awarded to: Petroleum Traders Co.

APPLICATIONS

- Special One-Day Liquor License for Washington Pavilion Management Inc.,
6. Washington Pavilion of Arts & Science to be operated at 301 South Main Avenue for a special event on December 19, 2014.
- Special One-Day Malt Beverage, Special One-Day Wine and Special One-Day Off-Sale Package Farm Wine Dealer Licenses for the Multi-Cultural Center of Sioux Falls to be operated at 515 North Main Avenue, for a Decadence in Chocolate event on February 7, 2015.
- Special One-Day Malt Beverage and Special One-Day Wine Licenses for the
8. Multi-Cultural Center of Sioux Falls to be operated at 515 North Main Avenue, for a special event on March 7, 2015.
9. Renewal of 2015 Retail Liquor License for Loyal Order of Moose, Sioux Falls Lodge 503, 1926 Burnside Street.
10. Renewal of 2015 Retail Wine License for Radiance Holistic Day Spa LLC, Radiance Holistic Day Spa, 6209 South Pinnacle Place, Suite 101.
11. Renewal of 2015 Retail Wine License for A Taste of the Big Apple LLC, A Taste of the Big Apple, 600 North Main Avenue, Suite 110.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, January 6, 2015, at 7:00 p.m. on Items 12 through 16:

12. New 2014-15 Package Malt Beverage License for GF Buche Co, Buche's Bargain Butcher, 200 South Kiwanis Avenue (CUP not required).
13. New 2014-15 Package Malt Beverage License for Kum & Go LC, Kum & Go, 1400 North Minnesota Avenue (CUP not required).
- Transfer of 2014-15 Retail Malt Beverage License from C.Y. Heritage Inn of
14. Sioux Falls Inc., Sioux Falls Residence Inn, 4509 West Empire Place to C. Y. Heritage Inn of Sioux Falls Opco, LLC, Sioux Falls Residence Inn, 4509 West Empire Place.
- New 2015 Retail Wine License for Nails Art, Nails Art, 5012 South Cliff
15. Avenue, with Conditional Use Permit (2014-09-03) being approved on October 1, 2014.
- Special One-Day Malt Beverage and Special One-Day Wine Licenses for
16. Catering America Inc., to be operated at 3101 West 57th Street, for the First Priority Sioux Falls fundraiser on January 13, 2015.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Rick Kiley to approve the Regular Agenda.

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

Motion Passed.

PUBLIC INPUT

There was none.

Item 1 was discussed at this time. See item for action taken.

UNFINISHED BUSINESS

New 2015 Retail Wine License for TNT Pizza Inc., Pizza Rev, to be operated
17. at 3905 West 49th Street, Suite 103 (CUP not required). Pending Final Inspections per Fire, Health and Building Services.

New 2014-15 Retail Malt Beverage License for TNT Pizza Inc., Pizza Rev, to
18. be operated at 3905 West 49th Street, Suite 103 (CUP not required). Pending Final Inspections per Fire, Health and Building Services.

Special One-Day Wine Licenses for The History Club of Sioux Falls to be
19. operated at 758 South Phillips Avenue, for special events on January 3 and December 5, 2015.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Michelle Erpenbach to approve Items 17 through 19.

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

Motion Passed.

INTRODUCTION AND ADOPTION OF ORDINANCES

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE
20. OF ORDINANCES OF THE CITY ALLOWING COUNCIL PARTICIPATION IN APPOINTED OR ELECTED POSITIONS WITHIN THEIR RESPECTIVE POLITICAL PARTIES.

A motion was made by Council Member Dean Karsky and seconded by Council Member Christine M. Erickson to adopt said Ordinance No. 98-14.

Vote to adopt: Roll Call: Yeses, Rick Kiley, Kermit L. Staggars, Kenny Anderson Jr., Christine M. Erickson, Greg Jamison, Dean Karsky, 6. Noes, Rex Roling, Michelle Erpenbach, 2.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, January 6, 2015, at 7:00 p.m. for Item 21:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
PROPERTY AT 3400 E. BENSON RD. FROM THE AG AGRICULTURE DISTRICT TO THE I-
21. 1 LIGHT INDUSTRIAL DISTRICT, PETITION NO. 1957-2014, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission

recommends approval.

A motion was made by Council Member Greg Jamison and seconded by Council Member Dean Karsky to set a date of hearing and 2nd Reading for Tuesday, January 6, 2015, at 7:00 p.m. for Item 21.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, January 6, 2015, at 7:00 p.m. for Item 22:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY NORTH OF E. BENSON RD. AND EAST AND WEST OF FUTURE N. BAHNSON AVE. 22. FROM THE AG AGRICULTURE DISTRICT TO THE I-1 LIGHT INDUSTRIAL DISTRICT, PETITION NO. 1966-2014, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Michelle Erpenbach to set a date of hearing and 2nd Reading for Tuesday, January 6, 2015, at 7:00 p.m. for Item 22.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, January 6, 2015, at 7:00 p.m. for Item 23:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 3307 S. HOLLY AVE. FROM THE RA-2 APARTMENT RESIDENTIAL-MEDIUM 23. DENSITY DISTRICT TO THE C-2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 1946-2014, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Kenny Anderson Jr. to set a date of hearing and 2nd Reading for Tuesday, January 6, 2015, at 7:00 p.m. for Item 23.

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

Motion Passed.

HEARINGS AND RESOLUTIONS

24. A RESOLUTION APPROVING THE 2015 AUDIT PLAN.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Rick Kiley to adopt said Resolution No. 138-14.

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

Motion Passed.

RESOLUTION NO. 138-14

A RESOLUTION [APPROVING THE 2015 AUDIT PLAN].

WHEREAS, [the audit committee shall develop and submit to the City Council for approval an annual audit plan pursuant to Ordinance No. 120-05]; and

WHEREAS, the audit committee has developed and approved such a plan for 2015;

If there aren't any "WHEREAS" phrases, skip "NOW, THEREFORE" and begin with just "BE IT RESOLVED..."NOW, THEREFORE, BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That [the document attached to and part of this resolution entitled 2015 Audit Plan, City of Sioux Falls is hereby approved.That the Internal Audit Manager is authorized to carry out the audits and other projects as described in the 2015 Audit Plan].

Date adopted: 12/16/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, RESCHEDULING THE BUSINESS OF 25. THE CITY FROM THE SCHEDULED CITY COUNCIL MEETING FOR TUESDAY, FEBRUARY 3, 2015, TO MONDAY, FEBRUARY 2, 2015.

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution No. 139-14.

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

Motion Passed.

RESOLUTION NO. 139-14

A RESOLUTION [OF THE CITY OF SIOUX FALLS, SD, RESCHEDULING THE BUSINESS OF THE CITY FROM THE SCHEDULED CITY COUNCIL MEETING FOR TUESDAY, FEBRUARY 3, 2015, TO MONDAY, FEBRUARY 2, 2015].

If there aren't any "WHEREAS" phrases, skip "NOW, THEREFORE" and begin with just "BE IT RESOLVED..."BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That the business to be conducted at the City Council meeting scheduled for 7 p.m. on Tuesday, February 3, 2015, will be rescheduled to 7 p.m., Monday, February 2, 2015.

This resolution is necessary as February 3, 2015, is the date of the South

Dakota Municipal League legislative briefing in Pierre, South Dakota, followed by Municipal Government Day at the Legislature on Wednesday, February 4, 2015.

Date adopted: 12/16/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

Mayor Mike Huether recognized the University of Sioux Falls students in the audience.

Mayor Mike Huether recognized two Life Scouts from Troop 48 that are working on their Eagle badges.

ADJOURNMENT

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Rex Roling to adjourn at 7:33 p.m.

Mayor Huether called for a voice vote. All members voted yes.

Motion Passed.

Lorie Hogstad, CMC

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.

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 4:00 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 7:00 P.M. THE JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AIR LIVE THE FOURTH TUESDAY OF EACH MONTH AT 5:00 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 9:00 A.M. ON THURSDAYS, AND 6:00 P.M. ON SATURDAYS. COUNCIL COMMITTEE MEETINGS AT 12:30 A.M. AND 8:00 A.M. ON THURSDAYS, AND 5:00 P.M. ON SATURDAYS. CITY COUNCIL MEETINGS AT 2:30 AM AND 10:00 A.M. ON THURSDAYS, AND 7:00 P.M. ON SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA COUNTY COMMISSION MEETINGS AT 8:

00 A.M. ON FIRST FRIDAY AFTER LIVE MEETING AND 1:00 P.M. ON FIRST SUNDAY AFTER
LIVE MEETING.