

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, October 17, 2017, at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Greg Neitzert

Council Member Rex Roling

Council Member Marshall Selberg

Council Member Pat Starr

Council Member Theresa Stehly

Council Member Christine M. Erickson

Council Member Michelle Erpenbach

Council Member Rick Kiley

Mayor Mike T. Huether

INVOCATION

Pastor Phill Tague, The Ransom Church

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PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Rex Roling and seconded by Council Member Rick Kiley to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, 8. Noes, 0.

Motion Passed.

MINUTES

City Council Meeting of Tuesday, October 10, 2017, at 7 p.m.

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COMMUNICATIONS

1. Approval of contracts/agreements on the October 13, 2017, memo

Report of Requests for Quotes for Fuel dated: October 4, 2017; #1 & #2 Dyed Diesel; 7,500 Gallons Each; Cole's Petroleum (\$1.9945 #1 DM & \$1.8885 #2

2. DM); Stern Oil (\$2.0804 #1 DM & \$1.8945 #2 DM); Harms Oil (\$1.9920 #1 DM & \$1.9011 #2 DM); Midway Service, Howes Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Cole's Petroleum.

Report of Requests for Quotes for Fuel dated: October 5, 2017; 7,500 Gallons #2 Dyed Diesel and 8,500 Gallons Unleaded; Stern Oil (\$1.9431 #2 Dyed Diesel & \$2.0016 Unleaded); Midway Service, Cole's Petroleum, Harms Oil, Howes Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Stern Oil.

3. Report of Requests for Quotes for Fuel dated: October 6, 2017; #2 Clear Diesel; 9,000 Gallons; Harms Oil (\$2.2376); CHS, Inc., Howes Oil, and Midwest Oil, all no bid. Bid awarded to: Harms Oil.

APPLICATIONS

Various Retail Liquor, Package Liquor, and Retail Wine License renewals for 2018 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit A.

5. 2018 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit A.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, November 7, 2017, at 7 p.m. for Items 6 through 12:

6. New 2018 Retail Liquor License, with Sunday sales certificate, for Sandtrap Inc., Bogey's, 815 South Marion Road (CUP not required; this is an addition to an existing license).

7. New 2018 Retail Wine License for G & W Inc., Gary Cone's BP, 1027 South Cleveland Avenue, Suite 101, with Conditional Use Permit (7432-2017) being approved on October 4, 2017.

8. Request to include video lottery terminals with the new 2018 Retail Wine License for G & W Inc., Gary Cone's BP, 1027 South Cleveland Avenue, Suite 101, with Conditional Use Permit (7432-2017) being approved on October 4, 2017.

9. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Butterfly House & Aquarium, to be operated at 4320 South Oxbow Avenue, for an Embe Women's Leadership Mixer on November 14, 2017.

10. Special One-Day Liquor License for East River Legal Services to be operated at 335 North Main Avenue, Suite 200, for a fundraiser on November 28, 2017.

11. Special One-Day Malt Beverage and Special One-Day Wine Licenses for the Sioux Falls Multi-Cultural Center to be operated at 515 North Main Avenue, for a fundraiser on December 9, 2017.

12. Special One-Day Malt Beverage and Special One-Day Wine Licenses for Holy Spirit Knights of Columbus to be operated at Holy Spirit Church gymnasium, 4309 South Bahnson Avenue, for a fundraiser on January 27, 2018.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Marshall Selberg and seconded by Council Member Rex Roling to approve the Regular Agenda.

Vote to approve: Roll Call: Yeses, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, 8. Noes, 0.

Motion Passed.

PUBLIC INPUT

Edi Smorawske spoke about her opposition to a casino at 1027 S. Cleveland Ave. and the impacts it would have on the neighborhood.

Judy Koch spoke about her opposition to a casino at 1027 S Cleveland Ave, noting the impact it will have on safety and home values.

Catherine Riffle spoke about the need to care for homeless citizens who are not helped by local homeless shelters. She explained her own efforts to care for the homeless and emphasized the urgency of providing sufficient care to the homeless especially during the upcoming winter.

Steven Siano spoke about efforts by people to deprive him of his needs and his efforts to get local authorities to look into it.

Kyle Billeter and Terry Liggins spoke about the Conscious Youth Solutions' 2017 Diversity & Inclusion Summit to be held on November 2. They invited the Council, explained the purpose of the summit, and identified speakers/panelists.

Bruce Danielson spoke about the importance of transparency, trust, virtue, respect, and honor in government as guiding principles.

Katie Jelsma spoke about the potential to unnecessarily increase instances of theft, burglary, and substance abuse if a casino is placed at 1027 S. Cleveland Ave.

Del'Inkka Beaudion spoke about the recent "Trunk or Treat" fundraiser event held at 8th and Railroad; she discussed the turnout and money raised.

Sierra Broussard spoke about a ride-along she conducted with Council Members Theresa Stehly and Pat Starr and observation they made. She also discussed anti-drug and prostitution efforts.

Linda Adel spoke about her concerns over increased drug use as a result of a proposed casino at 1027 S. Cleveland Ave.

Troy Johnson spoke about the proposed casino at 1027 S. Cleveland Ave by expressing concerns about parking; he recommended a physical barrier be required between the casino parking lot and residential parking.

UNFINISHED BUSINESS

New 2017 Retail Wine License for Commonwealth Gaming & Holdings
13. Corporation, Deuces Casino 8.5, 4205 South Racket Drive, Suite B, with the

Conditional Use Permit (2013-05-06) being approved on June 5, 2013. Pending permit issuance and final inspections per Building Services.

A motion was made by Council Member Rick Kiley and seconded by Council Member Christine M. Erickson to withdraw Item 13.

Vote to withdraw: Roll Call: Yeses, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, 8. Noes, 0.

Motion Passed.

Transfer of 2017 Package Liquor License from Pinnacle Hospitality Incorporated, 14. CJ Callaway's, 500 East 69th Street, to Lewis Drugs Inc., Lewis Drug #14, 136 South Phillips Avenue (CUP not required). Pending final inspections per Fire and Building Services.

Transfer of 2017 Package Liquor License from Lewis Drug Inc., Lewis Drug 15. #1, 500 West 41st Street, to Lewis Drug Inc., Lewis Drug #1, 2901 South Minnesota Avenue, effective upon completion of construction (CUP not required). Pending final inspections per Fire and Building Services.

Special One-day Malt Beverage and Special One-Day Wine Licenses for 16. Stockyards Ag Experience to be operated at the Stockyards Ag Experience Barn for a community event on November 2, 2017.

A motion was made by Council Member Rick Kiley and seconded by Council Member Rex Roling to approve Items 14 through 16.

Vote to approve: Roll Call: Yeses, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, 8. Noes, 0.

Motion Passed.

INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Tuesday, November 7, 2017, at 7 p.m. for Item 17:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 208, 212, AND 214 N. NESMITH AVE. FROM THE RT-1 SINGLE-FAMILY 17. RESIDENTIAL-TRADITIONAL DISTRICT TO THE RD-2 TOWNHOME RESIDENTIAL-SUBURBAN DISTRICT, PETITION NO. 7233-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

A motion was made by Council Member Rex Roling and seconded by Council Member Michelle Erpenbach to set a date of hearing and 2nd Reading for Tuesday, November 7, 2017, at 7 p.m. for Item 17.

Vote to set a date: Roll Call: Yeses, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, 8. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, November 7, 2017, at 7 p.m. for Item 18:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED WEST OF N. CACTUS DR. AND SOUTH OF E. IMANI RIDGE PL. FROM THE AG 18. AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN DISTRICT, PETITION NO. 7287-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

A motion was made by Council Member Rex Roling and seconded by Council Member Marshall Selberg to set a date of hearing and 2nd Reading for Tuesday, November 7, 2017, at 7 p.m. for Item 18.

Vote to set a date: Roll Call: Yeses, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, 8. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, November 7, 2017, at 7 p.m. for Item 19:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED NORTH OF E. 85TH ST. AND EAST OF S. MINNESOTA AVE. FROM THE AG 19. AGRICULTURE AND RA-2 APARTMENT RESIDENTIAL-MODERATE DENSITY DISTRICTS TO THE RA-2 APARTMENT RESIDENTIAL-MODERATE DENSITY AND C-2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR DISTRICTS, PETITION NO. 7434-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

A motion was made by Council Member Greg Neitzert and seconded by Council Member Rick Kiley to set a date of hearing and 2nd Reading for Tuesday, November 17, 2017, at 7 p.m. for Item 19.

Vote to set a date: Roll Call: Yeses, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, 8. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, November 7, 2017, at 7 p.m. for Item 20:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED WEST OF S. FRANKLIN AVE. AND BETWEEN E. 6TH ST. AND E. 8TH ST. FROM 20. THE UNZONED RAILROAD RIGHT-OF-WAY TO THE DTPUD DOWNTOWN PLANNED UNIT DEVELOPMENT DISTRICT, PETITION NO. 7440-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (8-0).

A motion was made by Council Member Rex Roling and seconded by Council Member Rick Kiley to set a date of hearing and 2nd Reading for Tuesday, November 7, 2017, at 7 p.m. for Item 20.

Vote to set a date: Roll Call: Yeses, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, 8. Noes, 0.

Motion Passed.

HEARINGS AND RESOLUTIONS

21. A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Christine M. Erickson to adopt said Resolution No. 104-17.

Vote to adopt: Roll Call: Yeses, Greg Neitzert, Rex Rolwing, Marshall Selberg, Pat Starr, Theresa Stehly, Christine M. Erickson, Michelle Erpenbach, Rick Kiley, 8. Noes, 0.

Motion Passed.

Mayor Mike T. Huether recognized Bruce Williams, an appointee to the Solid Waste Planning Board who was in attendnace at the meeting.

RESOLUTION NO. 104-17

A RESOLUTION ADVISING AND GIVING CONSENT TO THE APPOINTMENT OF MEMBERS TO CERTAIN CITIZEN BOARDS.

BE IT RESOLVED BY THE CITY OF SIOUX FALLS, SD:

That it gives its advice and consent to the following Mayoral appointments:

Name	Board	Term
Sarah Aldinger	Building Board of Appeals and Examiners	Appointed for a term from October 2017 to October 2020 (to replace David VanNieuwenhuyzen).
Terry Kelley	Building Board of Appeals and Examiners	Reappointed for a term from October 2017 to October 2020.
Katie Krantz	Building Board of Appeals and Examiners	Appointed for a term from October 2017 to October 2020 (to replace Elizabeth Squyer).
Gwendolyn Martin-Fletcher	Falls Community Health Center Governing Board	Reappointed for a term from October 2017 to October 2020.
Tom Hurlbert	Main Street Business Improvement District Board	Appointed for a term from October 2017 to October 2020 (to replace Aaron

		Hultgren).
Nick Borns	Plumbing Board of Appeals and Examiners	Public Works Representative-Indefinite Term (to replace Jeff Dunn).
Jeremy Eitreim	Plumbing Board of Appeals and Examiners	Appointed for a term from October 2017 to October 2020 (to replace Jeremy Williams).
Robert Hillman	Plumbing Board of Appeals and Examiners	Reappointed for a term from October 2017 to October 2020.
Christopher Hanmer	Public Parking Advisory Board	Appointed for a term from October 2017 to October 2022 (to replace Nancy Savage).
Sean Garney	Public Transit Advisory Board	Appointed for a term from October 2017 to October 2020 (to replace Cherie Garry).
Barbara Burnley-Hamer	Solid Waste Planning Board	Appointed for a term from October 2017 to October 2020 (to replace Anthony Pizer).
Benjamin Tiensvold	Solid Waste Planning Board	Reappointed for a term from October 2017 to October 2020.
Bruce Williams	Solid Waste Planning Board	Appointed for a term from October 2017 to October 2020 (to replace Jake Anderson).
Lane Lundeby	Zoological Society of	Appointed for a term from October 2017 to March 2020

Sioux Falls

(to fill the unexpired
term of John Olson).

Date adopted: 10/17/17 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

ADJOURNMENT

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Rick Kiley to adjourn at 7:57 p.m.

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

Motion Passed.

Thomas M. Greco

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, COMMITTEE MEETINGS, AND CITY COUNCIL MEETINGS ON FRIDAYS AND SATURDAYS. JOINT CITY COUNCIL/MINNEHAHA

COUNTY COMMISSION MEETINGS ON FIRST FRIDAY AND SUNDAY AFTER LIVE MEETING. GO TO "CITYLINK" AT WWW.SIOUXFALLS.ORG FOR SPECIFIC PROGRAMMING TIMES.