

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, February 16, 2016, 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. Staggers

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

Alan Greene, Evangelist, LifeLight Communications, Inc.

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PLEDGE OF ALLEGIANCE

RECOGNITION/AWARDS

Boy Scout Troop 346 - St. Michael's Catholic Church

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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. Staggers, Kenny Anderson Jr., Christine M. Erickson, Michelle Erpenbach, Greg Jamison, Dean Karsky, 8. Noes, 0.

Motion Passed.

MINUTES

Informational Meeting of Tuesday, February 9, 2016, at 4 p.m.

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City Council Meeting of Tuesday, February 9, 2016, at 7 p.m.

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COMMUNICATIONS

1. Approval of contracts/agreements on the February 11, 2016, memo.
2. Approval of the notice of change orders on the February 11, 2016, memo.

A communication was received from Siouxland Heritage Museums requesting permission to consume, but not sell, beer and/or wine at the Pettigrew Home and Museum, 131 N. Duluth Avenue on Thursday, March 10, 2016, from 5 p.m. to 7 p.m. pursuant to SDCL 35-1-5.5, for the purpose of an exhibit opening reception.

- A communication was received from Julie Wagner and Jordan Mruz requesting permission to consume, but not sell, beer and wine at The Old Courthouse Museum, 200 W. 6th Street, on Friday, June 3, 2016, from 6 p.m. to 9:30 p.m., pursuant to SDCL 35-1-5.5, for the purpose of a wedding rehearsal dinner.
- 4.

- Report of Requests for Quotes for Fuel dated: February 3, 2016; #1 and #2 Dyed Diesel Fuel; 3,750 Gallons Each (Total 7,500 Gallons); Harms Oil (\$1.1215 #1 DM and \$1.0425 #2 DM); Howes Oil (\$1.1275 #1 DM and \$1.0590 #2 DM); Stern Oil (\$1.1379 #1 DM and \$1.0766 #2 DM); Cole's Petroleum (\$1.1905 #1 DM and \$1.0738 #2 DM); CHS, Inc. (\$1.3000 #1 DM and \$1.1000 #2 DM); Midwest Oil, Midway Service (Vollan), and Olson Oil, all no bid. Bid awarded to: Harms Oil.
- 5.

- Report of Requests for Quotes for Fuel dated: February 4, 2016; #1 and #2 Dyed Diesel Fuel; 7,500 Gallons Each (Total 15,000 Gallons); Harms Oil (\$1.1747 #1 DM and \$1.1057 #2 DM); CHS, Inc. (\$1.3400 #1 DM and \$1.1550 #2 DM); Stern Oil (\$1.3554 #1 DM and \$1.1554 #2 DM); Cole's Petroleum (\$1.3650 #1 DM and \$1.1850 #2 DM); Howes Oil, Midwest Oil, Midway Service (Vollan) and Olson Oil, all no bid. Bid awarded to: Harms Oil.
- 6.

- Report of Requests for Quotes for Fuel dated: February 9, 2016; E-10 Unleaded Ethanol/87 Octane; 8,500 Gallons; Howes Oil (\$0.9430); Cole's Petroleum (\$0.9502); Harms Oil (\$0.9603); Midway Oil (Vollan) (\$0.9770); Stern Oil (\$0.9804); CHS, Inc. (\$0.9986); and Olson Oil, no bid. Bid awarded to: Howes Oil.
- 7.

APPLICATIONS

8. 2016 Renewal of Retail Wine License for Jacky's Restaurant LLC, to be operated at Jacky's Restaurant, 1301 East Benson Road.

Special One-Day Malt Beverage License for Siouxland Heritage Museums, The Old

9. Courthouse Museum to be operated at 200 West Sixth Street, for a St. Patrick's

Day Family Dance on March 17, 2016.

- Special One-Day Malt Beverage License for Bates Enterprises to be operated
- at the Multi-Cultural Center, 515 North Main Avenue, for a wrestling event on March 20, 2016.

The following abatements were recommended for approval by the Director of Equalization and the State's Attorney's Office for Minnehaha County; and the City Attorney for Sioux Falls:

- Barbara Bowden, 1107 E. Libby Lane, for 2015 taxes in the amount of \$2,627.19. House was destroyed by fire on March 10, 2015.

St. John American Lutheran Church of Sioux Falls, 425 S. Western Avenue,
for 2015 taxes in the amount of \$1,277.35. House was razed on April 9, 2015.
- Leslie J. Barness Living Trust, 3561 S. Spencer Boulevard, for 2015 taxes in the amount of \$1,339.24. House was razed on April 27, 2015.
- Graham Equity LLC, 801 W. 41st Street, for 2015 taxes in the amount of \$9,528.85. Commercial building razed on May 29, 2015.
- Cheryl E. Taylor, 2300 S. Minnesota Avenue, for 2015 taxes in the amount of \$7,652.24. Commercial building was razed on June 10, 2015.

Cliff Avenue Properties L.P., 3901 N. Cliff Avenue, for 2015 taxes in the
amount of \$1,000.65. House and garage were razed on October 7, 2015. House and garage were razed on October 7, 2015.
- Cliff Avenue Properties L.P., 3903 N. Cliff Avenue, for 2015 taxes in the amount of \$978.62. House and garage were razed on October 7, 2015. House and garage were razed on October 7, 2015.
- Clark Street Properties L.L.C., 4509 E. Clark Street, for 2015 taxes in the amount of \$1,125.76. House and garage razed on October 8, 2015.

Hildegard L. Jagow, 2309 S. Crestwood Road, for 2015 taxes in the amount of
\$1,155.06. Difference is between the elderly freeze and the non-elderly freeze.

The following abatement was recommended for approval by the Director of Equalization and the State's Attorney's Office for Lincoln County; and the City Attorney for Sioux Falls:

- Douglas Greenwood, 5406 S. Ledgestone Place, for 2015 taxes in the amount of \$1,836.48. Difference is between the elderly freeze and the non-elderly freeze.

The following abatement was recommended for denial by the Director of Equalization and the State's Attorney's Office for Lincoln County; and the City Attorney for Sioux Falls:

- Joseph II and Ann Henkin, 5212 Summerfield Place, for 2015 taxes in the amount of \$1,655.42.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, March 1, 2016, at 7 p.m. for Item 22:

New 2016 Full-Service Restaurant On-Sale Liquor License, including Sunday
22. sales certificate, for Red Robin International Inc., Red Robin Gourmet
Burgers and Brews, 4001 West 41st Street, Suite 502B.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

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

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.

PUBLIC INPUT

Melanie Bliss spoke regarding livable wages needed to rent a two bedroom apartment in every state in the United States.

Roger Elgersma spoke about lead pipes, corrosion, and pipe replacement.

Tim Stanga spoke about: a freeze in social security raises; an increase in Medicaid; and the April 12, 2016, city election with four vacant seats on the City Council.

David Zokaites spoke regarding police and civilian interaction.

UNFINISHED BUSINESS

Transfer of 2015-16 Retail Malt Beverage License from Cobra Ventures LLC,
23. Knights of Columbus, 315 North Summit Avenue, to Summit Events Hall Inc.,
Summit Events Hall, 315 North Summit Avenue.

24. New 2016 Retail Wine License for Summit Events Hall Inc., Summit Events
Hall, 315 North Summit Avenue.

Transfer of 2016 Package Liquor License from Freedom Valu Centers Inc.,
25. Erickson Valu Center, 2601 West 12th Street, to Jay AMBE-3 LLC, Erickson
Valu Center, 2601 West 12th Street.

Transfer of 2015-16 Package Malt Beverage License from Freedom Valu Centers
26. Inc., Erickson Valu Center, 2601 West 12th Street, to Jay AMBE-3 LLC,
Erickson Valu Center, 2601 West 12th Street.

Transfer of 2015-16 Retail Malt Beverage License from Kathy Elenkiwich,
27. Backyard Grill, 3705 South Western Avenue, to BYG-SF, LLC, Backyard Grill,
3705 South Western Avenue.

Special One-Day Wine License for Sioux Empire Safety Village to be operated
28. at Vance Thompson Vision, 3101 West 57th Street, for a fundraiser on March
3, 2016.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Sioux
29. Falls Jazz and Blues Society to be operated at Yankton Trail Park, 3901
South Minnesota Avenue, for the Jazz Fest on July 14-16, 2016.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council

Member Rex Roling to approve Items 23 through 29.

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

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE 30. CODE OF ORDINANCES OF THE CITY BY AMENDING SECTION 124.012 RAISING SIOUX AREA METRO PARATRANSIT FARES.

A motion was made by Council Member Rex Roling and seconded by Council Member Dean Karsky to adopt said Ordinance No. 14-16.

A motion was made by Council Member Kermit L. Staggars and seconded by Council Member Michelle Erpenbach to amend by adding: "Revenue generated from this ordinance will be used exclusively for paratransit".

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

Motion Passed.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, March 1, 2016, at 7 p.m. for Item 31:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY NORTH OF E. 69TH ST., WEST OF S. SOUTHEASTERN AVE., AND EAST OF THE RAILROAD TRACK S FROM THE CNCONSERVATION, RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN, O OFFICE, RA-1 APARTMENT RESIDENTIAL-LOW DENSITY, RA-2 APARTMENT RESIDENTIAL-MODERATE 31. DENSITY, RA-3 APARTMENT RESIDENTIAL-HIGH DENSITY, AND C-2 COMMERCIAL-NEIGHBO RHOD AND STREETCAR DISTRICTS TO THE CN CONSERVATION, RD-2 TOWNHOME RESIDENTIAL-SUBURBAN, AND O OFFICE DISTRICTS, PETITION NO. 3868-2015, 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 Rick Kiley to set a date of hearing and 2nd Reading for Tuesday, March 1, 2016, at 7 p.m. for Item 31.

Vote to set a date: 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.

Set a date of hearing and 2nd Reading for Tuesday, March 1, 2016, at 7 p.m. for

Item 32:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT SOUTHEAST CORNER OF E. RICE ST. AND N. BAHNSON AVE. FROM THE 32. UNZONED DISTRICT TO THE I-1 LIGHT INDUSTRIAL DISTRICT, PETITION NO. 4035-2016, 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 Michelle Erpenbach to set a date of hearing and 2nd Reading for Tuesday, March 1, 2016, at 7 p.m. for Item 32.

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, March 1, 2016, at 7 p.m. for Item 33:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY AT 1327N. MAIN AVE. FROM THE RT-1 SINGLE-FAMILY 33. RESIDENTIAL-TRADITIONAL DISTRICT TO THE C-2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 4038-2016, 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 Michelle Erpenbach to set a date of hearing and 2nd Reading for Tuesday, March 1, 2016, at 7 p.m. for Item 33.

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.

ADJOURNMENT

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Kenny Anderson Jr. to adjourn the meeting at 8:40 p.m. Mayor Huether called for a voice vote. All members voted yes. 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.