

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

REGULAR MEETING OF Wednesday, July 5, 2017, at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Michelle Erpenbach

Council Member Rick Kiley

Council Member Greg Neitzert

Council Member Rex Roling

Council Member Christine M. Erickson

Council Member Marshall Selberg

Council Member Pat Starr

Council Member Theresa Stehly

Mayor Mike T. Huether

INVOCATION

Dr. Ron Tottingham, Empire Baptist Temple

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PLEDGE OF ALLEGIANCE

CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

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

Vote to approve: Roll Call: Yeses, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, 7. Noes, 0.

Motion Passed.

MINUTES

Informational Meeting of Tuesday, June 20, 2017, at 4 p.m.

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City Council Meeting of Tuesday, June 20, 2017, at 7 p.m.

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Informational Meeting of Tuesday, June 27, 2017, at 4 p.m.

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Joint City Council/Minnehaha County Commission Meeting of Tuesday,  
\* June 27, 2017, at 5 p.m.

#### COMMUNICATIONS

1. Approval of contracts/agreements on the June 30,2017, memo.
2. Approval of the notice of change orders on the June 30,2017, memo.

A communication was received from the Great Plains Zoo and Delbridge Museum of Natural History requesting permission to consume, but not sell, liquor,  
3. wine and/or malt beverages at the Great Plains Zoo, 805 South Kiwanis Avenue on the following dates in 2017 for supporter and donor appreciation events: July 6, 7, 8, 13, 14, 15, 20, 21, 22, 27, 28, 29; and August 10, 11, 12, 17, 18, 19, 24, 25, 26.

- A communication was received from the Great Plains Zoo and Delbridge Museum  
4. of Natural History requesting permission to consume, but not sell, liquor, wine and/or malt beverages at the Great Plains Zoo, 805 South Kiwanis Avenue on July 26, 2017, for a supporter and donor appreciation event.

- A communication was received from Alyssa Walker, on behalf of Ashley  
5. Schelling and Farzin Farajzadeh, requesting permission to consume, but not sell, wine and malt beverages at the Old Courthouse Museum, 200 West 6th Street on September 16, 2017, from 12 p.m. until 11:30 p.m. for a wedding.

- Report of Requests for Quotes for Fuel dated: June 19, 2017; E-10 Unleaded  
6. Ethanol/87 Octane; 8,500 gallons; Cole's Petroleum (\$1.6773); Harms Oil (\$1.6852); Stern Oil (\$1.6977); Vollan Oil, Howes Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Cole's Petroleum.

- A Report of Requests for Quotes for Fuel dated: June 23, 2017; #2 Clear  
7. Diesel; 7,500 gallons; CHS Inc. (\$1.727); Howes Oil (\$1.716); Harms Oil (\$1.7358); Midwest Oil, no bid. Bid awarded to: Howes Oil.

- A Report of Requests for Quotes for Fuel dated: June 26, 2017; E-10 Unleaded  
8. Ethanol/87 Octane; 8,500 gallons; Midway Service (\$1.6382); Harms Oil (\$1.6418); Cole's Petroleum (\$1.6484); Stern Oil (\$1.6529); CHS, Inc., Howe Oil, and Olson Oil, all no bid. Bid awarded to: Midway Service.

- A Report of Requests for Quotes for Fuel dated: June 26, 2017; #2 Dyed  
9. Diesel Fuel; 15,000 gallons; Harms Oil (\$1.4281); Stern Oil (\$1.4320); Cole's Petroleum (\$1.4418); CHS, Inc., Howes Oil, Midway Service, and Olson Oil, all no bid. Bid awarded to: Harms Oil.

- A Report of Requests for Quotes for Fuel dated: June 27, 2017; Unleaded Ethanol and #2 Dyed Diesel; 3,500 gallons Unleaded and 4,500 gallons #2 Dyed Diesel; Midway Services (\$1.6401 Unleaded and \$1.4348 #2 Diesel);  
10. Harms Oil (\$1.6788 Unleaded and \$1.4649 #2 Diesel); CHS, Inc. (\$1.6900 Unleaded and \$1.4690 #2 Diesel); Stern Oil (\$1.7003 Unleaded and \$1.4753 #2 Diesel); Cole's Petroleum, Howes Oil and Olson Oil, all no bid. Bid awarded to: Midway Service.

#### NOTICE OF HEARINGS

Set a date of hearing for Tuesday, July 18, 2017, at 7 p.m. for Items 11 through 16:

Special One-Day Malt Beverage Licenses for Sickies ND Inc, Sickies Garage  
11. to be operated in Sickies Garage parking lot, 2616 South Louise Avenue, for Bike Nights on July 19 & 26, August 2, 9 & 16, 2017.

Special One-Day Liquor License for IJK Inc., Stogeez Cigar Lounge to be  
12. operated in the Avera Health parking lot, 212 East 11th Street, for Stogeez Steakout on July 29, 2017.

Special One-Day Malt Beverage License for Sioux Falls Roller Dollz to be  
13. operated at Sherman Park rink, 2705 West 12th Street, for a roller derby game on August 5, 2017.

Special One Day Malt Beverage Licenses for Siouxland Heritage Museums to be  
14. operated at Pettigrew Home & Museum, 131 North Duluth Avenue, for History Happy Hour on August 24 and September 28, 2017.

Special One-Day Liquor License for Pave LLC to be operated at the 8th &  
15. Railroad Shopping Center parking lot, 401 East 8th Street, for a Bump Underground Block Party on September 9, 2017.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for Catering  
16. America, Chef Dominique's Caring to be operated at Old Courthouse Museum, 200 West 6th Street, for a holiday party on December 1, 2017.

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Pat Starr to approve the Regular Agenda.

Vote to approve: Roll Call: Yeses, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, 7. Noes, 0.

Motion Passed.

#### PUBLIC INPUT

There was none.

#### UNFINISHED BUSINESS

New 2017-18 Retail Malt Beverage license for Burrito Brothers Inc.,  
17. Pancheros Mexican Grill, 1503 West 41st Street (CUP not required). Pending final inspections per Fire, Health & Building Services.

Special One-day Malt Beverage Licenses for JAM Art & Supplies to be  
18. operated at 1001 East 8th Street, for an Art Show on July 7 & 8, 2017.

Special One-Day Liquor license for the Zoological Society Sioux Falls to be  
19. operated at the Great Plains Zoo and Delbridge Museum of Natural History, 805 South Kiwanis Avenue, for the Jungle Jubilee on August 3, 2017.

Special One-Day Malt Beverage and Special One-Day Wine Licenses for  
20. Commemorative Air Force Joe Foss Squadron to be operated at Maverick Air  
Center, 4201 North Maverick Place, for a fundraiser on September 16, 2017.

A motion was made by Council Member Rex Roling and seconded by Council Member  
Rick Kiley to approve Items 17 through 20.

A motion was made by Council Member Rick Kiley and seconded by Council Member  
Rex Roling to amend Item 18 by replacing "1001 East 8th Street" with "401  
North Phillips Avenue".

Vote to amend: Roll Call: Yeses, Michelle Erpenbach, Rick Kiley, Greg Neitzert,  
Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, 7. Noes, 0.

Motion Passed.

Vote to approve, as amended: Roll Call: Yeses, Michelle Erpenbach, Rick Kiley,  
Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly,  
7. Noes, 0.

Motion Passed.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

2nd Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY  
LOCATED AT 1000 E. 60TH ST. NORTH FROM THE C-2 COMMERCIAL-NEIGHBORHOOD AND  
21. STREETCAR DISTRICT, TO THE I-1 LIGHT INDUSTRIAL DISTRICT PETITION NO. 6589-  
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 adopt said Ordinance No. 53-17.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Rick Kiley, Greg Neitzert,  
Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, 7. Noes, 0.

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING  
PROPERTY LOCATED AT 400 N. WEST AVE. FROM THE REC, RECREATION AND RA-  
22. 2 APARTMENT RESIDENTIAL-MODERATE DENSITY DISTRICTS TO THE C-  
2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR DISTRICT PETITION NO. 6591-2017, 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 adopt said Ordinance No. 54-17.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Rick Kiley, Greg Neitzert,  
Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, 7. Noes, 0.

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING  
PROPERTY LOCATED AT 2308 S. DULUTH AVE. FROM THE S-2 INSTITUTIONAL CAMPUS PU  
D  
23. DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL-LOW DENSITY DISTRICT PETITION NO.  
6604-2017, 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 Rick Kiley and seconded by Council Member Rex Rolwing to adopt said Ordinance 55-17.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Rolwing, Marshall Selberg, Pat Starr, Theresa Stehly, 7. Noes, 0.

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 3008 E. 26TH ST. FROM THE RA-1 APARTMENT RESIDENTIAL-LOW

24. DENSITY DISTRICT TO THE RA-2 APARTMENT RESIDENTIAL-MODERATE DENSITY DISTRICT

PETITION NO. 6704-2017, 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 Rolwing and seconded by Council Member Rick Kiley to adopt said Ordinance No. 56-17.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Rolwing, Marshall Selberg, Pat Starr, Theresa Stehly, 7. Noes, 0.

Motion Passed.

2ndReading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 1826 S. GRANGE AVE. FROM THE S-2 INSTITUTIONAL CAMPUS PU

D

25. DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN DISTRICT PETITION NO. 6726-2017, 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 Marshall Selberg to adopt said Ordinance No. 57-17.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Rolwing, Marshall Selberg, Pat Starr, Theresa Stehly, 7. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, July 11, 2017, at 7 p.m. for Item 26:

26. 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, PROVIDING SUPPLEMENTAL APPROPRIATIONS FOR AFFORDABLE HOUSING PROJECTS. (\$2,315,650).

A motion was made by Council Member Rex Rolwing and seconded by Council Member Pat Starr to set a date of hearing and 2nd reading for Tuesday, July 11, 2017, at 7 p.m. for Item 26.

Vote to set a date: Roll Call: Yeses, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Rolwing, Marshall Selberg, Pat Starr, Theresa Stehly, 7. Noes, 0.

Motion Passed.

#### HEARINGS AND RESOLUTIONS

27. A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF

CARDINAL COVE ADDITION. Planning Commission recommends approval (8-0).

A motion was made by Council Member Rick Kiley and seconded by Council Member Pat Starr to adopt said Resolution No. 58-17.

Vote to adopt: Roll Call: Yeses, Michelle Erpenbach, Rick Kiley, Greg Neitzert, Rex Roling, Marshall Selberg, Pat Starr, Theresa Stehly, 7. Noes, 0.

Motion Passed.

RESOLUTION NO. 58-17

A RESOLUTION OF THE CITY OF SIOUX FALLS APPROVING THE PRELIMINARY PLAN OF [CARDINAL COVE ADDITION].

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

That the preliminary plan of [Cardinal Cove Addition] to the City of Sioux Falls, [Minnehaha ] County, SD, is hereby approved, and the City Clerk of the City of Sioux Falls is hereby directed to endorse on such plan a copy of this resolution and certify the same thereon.

Date adopted: 07/05/17 .

Mike T. Huether

Mayor

ATTEST:

Thomas M. Greco

City Clerk

REPORT OF OFFICERS/BOARDS/COMMITTEES/TRANSFERS OF UNENCUMBERED APPROPRIATION BALANCES AMONG PROGRAMS WITHIN A DEPARTMENT OR ORGANIZATIONAL UNIT AS PROVIDED IN THE SIOUX FALLS CITY CHARTER SECTION 5.07(d)

28. REPORT OF THE JUNE 30,2017, NOTICE OF TRANSFER OF APPROPRIATIONS WITHIN MAJOR ORGANIZATIONAL UNITS.

ADJOURNMENT

A motion was made by Council Member Rex Roling and seconded by Council Member Michelle Erpenbach to adjourn the meeting at 7:55 p.m.

A voice vote was taken and all members present 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](http://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](http://WWW.SIOUXFALLS.ORG) FOR SPECIFIC PROGRAMMING TIMES.