

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, January 16, 2018, at 7 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT ABSENT

Council Member Rex Rolwing

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

Council Member Greg Neitzert

Mayor Mike T. Huether

INVOCATION

Pastor Phill Tague, The Ransom Church

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PLEDGE OF ALLEGIANCE

RECOGNITION/AWARDS

Cub Scout Pack 46

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CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Marshall Selberg to approve the Consent Agenda.

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

Motion Passed.

MINUTES

Informational Meeting of Tuesday, January 9, 2018, at 4 p.m.

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City Council Meeting of Tuesday, January 9, 2018, at 7 p.m.

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COMMUNICATIONS

1. Approval of contracts/agreements on the January 12, 2018, memo.
2. Approval of the notice of change orders on the January 12, 2018, memo.

- Report of Requests for Quotes for Fuel, dated: January 8, 2018; #1 Dyed Diesel & #2 Dyed Diesel; 22,500 Gallons (11,250 Gallons each); Midway Service (\$2.5845 #1 DM and \$2.0940 #2 DM at the Landfill); Cole's Petroleum
3. (\$2.4726 #1 DM and \$2.097 #2 DM at Chambers; \$2.4940 #1 DM & \$2.1015 #2 DM at the Landfill & Parks); Harms Oil (\$2.2481 #1 DM and \$2.1175 #2 DM); Howes Oil (\$2.4715 for # 1 DM and 2.0935 for #2 DM at Chambers; \$2.5065 #1 DM & \$2.1060 #2 DM at the Landfill & Parks); Stern Oil, CHS, Inc., and Olson Oil, all no bid. Bid awarded to: Harms Oil.

- Pursuant to SDCL 9-20-1 and 9-20-8, on Tuesday, January 9, 2018, the Lincoln County Auditor and the Minnehaha County Auditor furnished the office of the
4. City Clerk with the total number of registered Sioux Falls voters in their respective counties. Lincoln County reported 18,655 registered voters and Minnehaha County reported 88,154 registered voters for a total of 106,809 registered voters in the City of Sioux Falls.

NOTICE OF HEARINGS

Set a date of hearing for Monday, February 5, 2018, at 7 p.m. for Items 5 through 15:

- New 2017-18 Retail Malt Beverage License for Adanech Abraham, Hibir Ethiopia
5. Restaurant, 323 North West Avenue, with Conditional Use Permit (7870-2017) being approved on January 3, 2018.

- New 2018 Retail Wine License for Adanech Abraham, Hibir Ethiopia Restaurant,
6. 323 North West Avenue, with Conditional Use Permit (7870-2017) being approved on January 3, 2018.

- New 2017-18 Package Malt Beverage/South Dakota Farm Wine License for Dakota
7. Seafood Sioux Falls LLC, Dakota Seafood, 5009 South Western Avenue, Suite 200, with Conditional Use Permit (7688-2017) being approved on December 6, 2017.

- Transfer of 2017-18 Retail Malt Beverage License from Dakota Golf Management
8. Inc., Kuehn Park Golf Course, 2901 South Kuehn Park Road, to Landscapes Management Company LLC, Kuehn Park Golf Course, 2901 South Kuehn Park Road.

- Transfer of 2017-18 Retail Malt Beverage License from Dakota Golf Management
9. Inc., Elmwood Golf Course, 2600 West Russell Street, to Landscapes Management Company LLC, Elmwood Golf Course, 2600 West Russell Street.

- Transfer of 2017-18 Retail Malt Beverage License from Dakota Golf
10. Management Inc., Prairie Green Golf Course, 600 East 69th Street, to

Landscapes Management Company LLC, Prairie Green Golf Course, 600 East 69th Street.

11. New 2018 Retail Wine License for Landscapes Management Company LLC, Kuehn Park Golf Course, 2901 South Kuehn Park Road.
12. New 2018 Retail Wine License for Landscapes Management Company LLC, Elmwood Golf Course, 2600 West Russell Street.
13. New 2018 Retail Wine License for Landscapes Management Company LLC, Prairie Green Golf Course, 600 East 69th Street.

- Special One Day Malt Beverage and Special One-Day Wine Licenses for Multi-
14. Cultural Center of Sioux Falls, 515 North Main Avenue, for a fundraiser on February 10, 2018.

- Special One-Day Malt Beverage and Special One-Day Wine Licenses for
15. Minnehaha Country Club Inc., Minnehaha Country Club, to be operated at 200 East 10th Street, Suite 100, for a Chamber Mixer on February 13, 2018.

#### REGULAR AGENDA ITEMS

#### APPROVAL OF REGULAR AGENDA

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

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

Motion Passed.

#### PUBLIC INPUT

Joy Tuscherer spoke about the Women's March scheduled for Saturday, January 20, 2018 and acknowledged the Sioux Falls Police Department for granting a permit to conduct the march.

Tim Stenga spoke about the siding report presentation from the 4 p.m. Informational Meeting and trust in government.

Steven Siano spoke about a series of e-mails he forwarded to the Council over the past several days.

#### UNFINISHED BUSINESS

16. New 2017-18 Retail Malt Beverage License for Josiah's Limited Partnership, Josiah's Coffeehouse & Caf, 104 West 12th Street (CUP not required). Pending final inspections per Fire, Health, and Building Services.

17. New 2018 Retail Wine License for Josiah's Limited Partnership, Josiah's Coffeehouse & Caf, 104 West 12th Street (CUP not required). Pending final inspections per Fire, Health, and Building Services.

18. Special One-Day Liquor License for Westward Ho Country Club Inc., The Country Club of Sioux Falls, to be operated at 316 South Phillips Avenue, for a Parent Advocates for Spanish Immersion fundraiser on January 27, 2018.

19. Special One-Day Wine License for Butterfly House & Aquarium to be operated at 4320 South Oxbow Avenue, for a fundraiser on February 1, 2018.

Special One-Day Liquor License for Philanthropy Promotions Inc., to be operated at 2101 West Burnside, for a Pheasant Fest Vendor Reception on February 15, 2018.

A motion was made by Council Member Rex Rolwing and seconded by Council Member Michelle Erpenbach to approve Items 16 through 20.

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

Motion Passed.

#### INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Monday, February 5, 2018, at 7 p.m. for Item 21:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 1108, 1116, AND 1120 E. 6TH ST. FROM THE RT-1 SINGLE-FAMILY  
21. RESIDENTIAL-TRADITIONAL AND RT-2 TOWNHOME RESIDENTIAL-TRADITIONAL DISTRICTS TO THE  
C-2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR DISTRICT, PETITION NO. 7732-2017,  
AND  
AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-0).

A motion was made by Council Member Rick Kiley and seconded by Council Member Rex Rolwing to set a date of hearing and 2nd Reading for Monday, February 5, 2018, at 7 p.m. for Item 21.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Monday, February 5, 2018, at 7 p.m. for Item 22:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 6161 S. MOGEN AVE. FROM THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN  
22. DISTRICT TO THE O OFFICE DISTRICT, PETITION NO. 7756-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-0).

A motion was made by Council Member Rex Rolwing and seconded by Council Member Marshall Selberg to set a date of hearing and 2nd Reading for Monday, February 5, 2018, at 7 p.m. for Item 22.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Monday, February 5, 2018, at 7 p.m. for Item 23:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 605 AND 607 S. DULUTH AVE. FROM THE RT-1 SINGLE-FAMILY  
23. RESIDENTIAL-TRADITIONAL DISTRICT TO THE RT-2 TOWNHOME RESIDENTIAL-TRADITIONA  
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DISTRICT, PETITION NO. 7758-2017, AND AMENDING THE OFFICIAL ZONING MAP OF TH  
E  
CITY OF SIOUX FALLS. Planning Commission recommends approval (7-0).

A motion was made by Council Member Rex Rolwing and seconded by Council Member Rick Kiley to set a date of hearing and 2nd Reading for Monday, February 5, 2018, at 7 p.m. for Item 23.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Monday, February 5, 2018, at 7 p.m. for Item 24:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED SOUTH OF E. 45TH ST. AND EAST OF S. OUTFIELD AVE. FROM THE AG  
24. AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN DISTRICT, PETITION NO. 7817-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-0).

A motion was made by Council Member Rex Rolwing and seconded by Council Member Greg Neitzert to set a date of hearing and 2nd Reading for Monday, February 5, 2018, at 7 p.m. for Item 24.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Monday, February 5, 2018, at 7 p.m. for Item 25:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT THE SOUTHEAST CORNER OF E. 69TH ST. AND S. BAHNSON AVE. FROM THE  
AG  
25. AGRICULTURE DISTRICT TO THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN, RD-1 TWIN  
HOME/DUPLEX RESIDENTIAL-SUBURBAN, AND O OFFICE DISTRICTS, PETITION NO. 7855-  
2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS.  
Planning Commission recommends approval (6-0).

A motion was made by Council Member Rick Kiley and seconded by Council Member Rex Rolwing to set a date of hearing and 2nd Reading for Monday, February 5, 2018, at 7 p.m. for Item 25.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Monday, February 5, 2018, at 7 p.m. for Item 26:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY LOCATED AT 209 S. JEFFERSON AVE. FROM THE RS SINGLE-FAMILY  
26. RESIDENTIAL-SUBURBAN DISTRICT TO THE RT-1 SINGLE-FAMILY  
RESIDENTIAL-TRADITIONAL DISTRICT, PETITION NO. 7872-2017, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS. Planning Commission recommends approval (7-0).

A motion was made by Council Member Michelle Erpenbach and seconded by Council Member Marshall Selberg to set a date of hearing and 2nd Reading for Monday, February 5, 2018, at 7 p.m. for Item 26.

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

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, February 13, 2018, at 7 p.m. for Item 27:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, AMENDING THE CODE  
27. OF ORDINANCES OF THE CITY BY AMENDING CHAPTER 32: CITY ORGANIZATIONS, SUBCHAPTER CHARTER REVISION COMMISSION, ESTABLISHING THE VOTES NECESSARY TO APPROVE A CHARTER REVISION COMMISSION REPORT.

A motion was made by Council Member Greg Neitzert and seconded by Council Member Christine M. Erickson to set a date of hearing and 2nd Reading for Tuesday, February 13, 2018, at 7 p.m. for Item 27.

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

Motion Passed.

#### HEARINGS AND RESOLUTIONS

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

A motion was made by Council Member Greg Neitzert and seconded by Council Member Christine M. Erickson to adopt said Resolution No. 6-18.

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

Motion Passed.

RESOLUTION NO. 6-18

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
Jay Buchholz	Infrastructure Review Advisory Board	Appointed for a term from January 2018 to January 2021 (to replace Timothy Galbraith for local utility representative).
Pat Reagan	Zoning Board of Adjustment	Appointed for a term from January 2018 to August 2018 (to fill the unexpired term of Bob Everett).

Date adopted: 01/16/18 .

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 7:36 p.m.

Mayor Mike 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](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.