

City of Sioux Falls Council Meeting

Minutes

Carnegie Town Hall, 235 West 10th Street

MEETING OF Tuesday, November 18, 2014, at 7:00 PM

ROLL CALL

MEMBERS PRESENT/ABSENT OFFICIAL AGENDA

PRESENT

ABSENT

Council Member Greg Jamison

Council Member Michelle Erpenbach

Council Member Kermit L. Staggers

Council Member Dean Karsky

Council Member Kenny Anderson Jr.

Council Member Rick Kiley

Council Member Christine M. Erickson Council Member Rex Rolfing

Mayor Mike T. Huether

INVOCATION

Dr. Ron Tottingham, Empire Baptist Temple

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PLEDGE OF ALLEGIANCE

PROCLAMATIONS

Hunger and Homelessness Awareness Month - November 2014

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Giving Tuesday Day - December 2, 2014

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CONSENT AGENDA ITEMS

APPROVAL OF CONSENT AGENDA

A request was made by Council Member Kermit L. Staggers to move the following agreement from Item 1 to the Regular Agenda for discussion purposes:

Police, Detoxification Services, Agreement for Services, Minnehaha County, \$157,500.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Greg Jamison to approve the Consent Agenda.

Vote to approve: Roll Call: Yeses, Greg Jamison, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, 4. Noes, 0.

Motion Passed.

MINUTES

Informational Meeting of Wednesday, November 12, 2014, at 4:00 p.m.

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City Council Meeting of Wednesday, November 12, 2014, at 4:00 p.m.

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COMMUNICATIONS

1. Approval of Contracts/Agreements on November 13, 2014 memo.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Greg Jamison to approve the agreement for Police, Detoxification Services, Agreement for Services, Minnehaha County, \$157,500.

Vote to approve : Roll Call: Yeses, Greg Jamison, Kenny Anderson Jr., Christine M. Erickson, 3. Noes, Kermit L. Staggers, 1.

Motion Passed.

2. Approval of Change Orders on the November 13, 2014 memo.

3. A memorandum dated November 7, 2014, declaring surplus capital items that will be traded in for another asset.

4. A memorandum dated November 10, 2014, declaring surplus capital items that will be sold via online auction.

Report of Requests for Quotes for Fuel dated: November 12, 2014; #2 Dyed Diesel; 7,500 gallons; Howes Oil (\$2.8870); CHS, Inc. Harms Oil, Midwest Oil, and Olson Oil, all no bids. Bid awarded to: Howes Oil.

Report of Requests for Quotes for Fuel dated: November 12, 2014; #2 Dyed Diesel; 2,000 gallons; Stern Oil (\$3.140); Midwest Oil (\$3.399); Midway Service (\$2.983). Bid awarded to: Midway Service.

Report of Requests for Quotes for Fuel dated: November 13, 2014; E-10 Unleaded Ethanol/87 Octane; 8,500 gallons; Howes Oil (\$2.2885); CHS, Inc., Harms Oil, and Olson Oil, all no bids. Bid awarded to: Howes Oil.

APPLICATIONS

Various Retail Liquor, Package Liquor, and Retail Wine License renewals for 8. 2015 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit C.

NOTICE OF HEARINGS

Set a date of hearing for Tuesday, December 2, 2014, at 7:00 p.m. on Items 9 through 12:

New 2014-15 Retail Malt Beverage License, including video lottery terminals, 9. for Quan Holdings, Inc., Crown Casino II on Cliff, to be operated at 902 South Cliff Avenue, with Conditional Use Permit (1798-2014) being approved on November 5, 2014.

New 2014-15 Retail Malt Beverage License, including video lottery 10. terminals, for Crown Gaming, Inc., Crown 41st Street Casino II, to be

operated at 2516 West 41st Street, Suite 103, with Conditional Use Permit (1797-2014) being approved on November 5, 2014.

- Special One-Day Malt Beverage and Special One-Day Wine Licenses for Holy Spirit Knights of Columbus to be operated at Holy Spirit Catholic Church, 3601 East Dudley Lane, for a fundraiser dance on January 24, 2015.

- Various Retail Liquor, Package Liquor, and Retail Wine License renewals for 2015 to be operated at various locations in the City of Sioux Falls, SD, identified as Exhibit E.

REGULAR AGENDA ITEMS

APPROVAL OF REGULAR AGENDA

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

Vote to approve: Roll Call: Yeses, Greg Jamison, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, 4. Noes, 0.

Motion Passed.

PUBLIC INPUT

Melanie Bliss, Coordinator of the Sioux Empire Homeless Coalition, spoke regarding homelessness and poverty in Sioux Falls.

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

UNFINISHED BUSINESS

- Transfer of 2014-15 Retail Malt Beverage License from Howell Extended Stay Inc., Staybridge Suites, 2505 South Carolyn Avenue, to Kelly Midwest Ventures LP, Staybridge Suites, 2505 South Carolyn Avenue (CUP not required).

- Transfer of 2014 Retail Wine License from Howell Extended Stay Inc., Staybridge Suites, 2505 South Carolyn Avenue, to Kelly Midwest Ventures LP, Staybridge Suites, 2505 South Carolyn Avenue (CUP not required).

15. Renewal of 2015 Retail Wine license for Kelly Midwest Ventures LP, Staybridge Suites, 2505 South Carolyn Avenue.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Christine M. Erickson to approve Items 13 through 15.

Vote to approve: Roll Call: Yeses, Greg Jamison, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, 4. Noes, 0.

Motion Passed.

INTRODUCTION AND ADOPTION OF ORDINANCES

Set a date of hearing and 2nd Reading for Tuesday, December 2, 2014, at 7:00 p.m. for Item 16:

- 1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, CONVEYING LOT 2 OF BAKKER TRACT NO. 1 IN GOVERNMENT LOTS 2 AND 3 OF SECTION 12-T100N-R50W OF THE 5TH P.M., LINCOLN COUNTY, SOUTH DAKOTA.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Christine M. Erickson to set a date of hearing and 2nd Reading for Tuesday, December 2, 2014, at 7:00 p.m. for Item 16.

Vote to set a date: Roll Call: Yeses, Greg Jamison, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, 4. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 2, 2014, at 7:00 p.m. for Item 17:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
17. PROPERTY AT 1908 S. MELANIE AVE. AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS, PETITION NO. 1875-2014. Planning Commission recommends approval.

A motion was made by Council Member Greg Jamison and seconded by Council Member Kenny Anderson Jr. to set a date of hearing and 2nd Reading for Tuesday, December 2, 2014, at 7:00 p.m. for Item 17.

Vote to set a date: Roll Call: Yeses, Greg Jamison, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, 4. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 2, 2014, at 7:00 p.m. for Item 18:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
18. PROPERTY AT 1400 N. MINNESOTA AVE. AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS, PETITION NO. 1876-2014. Planning Commission recommends approval.

A motion was made by Council Member Greg Jamison and seconded by Council Member Christine M. Erickson to set a date of hearing and 2nd Reading for Tuesday, December 2, 2014, at 7:00 p.m. for Item 18.

Vote to set a date: Roll Call: Yeses, Greg Jamison, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, 4. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 2, 2014, at 7:00 p.m. for Item 19:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
19. PROPERTY AT 4545 W. HOMEFIELD DR. AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS, PETITION NO. 1877-2014. 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, December 2, 2014, at 7:00 p.m. for Item 19.

Vote to set a date: Roll Call: Yeses, Greg Jamison, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, 4. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 2, 2014, at 7:00 p.m. for Item 20:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
20. PROPERTY AT 6501 W. 41ST ST. AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF SIOUX FALLS, PETITION NO. 1878-2014. 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, December 2, 2014, at 7:00 p.m. for Item 20.

Vote to set a date: Roll Call: Yeses, Greg Jamison, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, 4. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 2, 2014, at 7:00 p.m. for Item 21:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
PROPERTY SOUTH OF W. 85TH ST. AND EAST OF S. MINNESOTA AVE. FROM THE AG
21. AGRICULTURE DISTRICT TO THE RA-1 APARTMENT RESIDENTIAL-LOW DENSITY, O OFFICE
,
AND C-4 COMMERCIAL-REGIONAL DISTRICTS, PETITION NO. 1755-2014, 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 Christine M. Erickson to set a date of hearing and 2nd Reading for Tuesday, December 2, 2014, at 7:00 p.m. for Item 21.

Vote to set a date: Roll Call: Yeses, Greg Jamison, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, 4. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 2, 2014, at 7:00 p.m. for Item 22:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING
PROPERTY EAST OF S. FAITH AVE. AND SOUTH OF E. 41ST ST. FROM THE RS SINGLE-
22. FAMILY RESIDENTIAL-SUBURBAN DISTRICT TO THE RD-1 TWIN HOME/DUPLEX
RESIDENTIAL-SUBURBAN AND RA-3 APARTMENT RESIDENTIAL-HIGH DENSITY DISTRICTS,
PETITION NO. 1817-2014, AND AMENDING THE OFFICIAL ZONING MAP OF THE CITY OF
SIOUX FALLS. Planning Commission recommends approval.

A motion was made by Council Member Kenny Anderson Jr. and seconded by Council Member Greg Jamison to set a date of hearing and 2nd Reading for Tuesday, December 2, 2014, at 7:00 p.m. for Item 22.

Vote to set a date: Roll Call: Yeses, Greg Jamison, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, 4. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 2, 2014, at 7:00 p.m. for Item 23:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY NORTH OF E. 69TH ST. AND WEST OF S. SOUTHEASTERN AVE. FROM THE C-23. 2 COMMERCIAL-NEIGHBORHOOD AND STREETCAR AND S-1 GENERAL INSTITUTIONAL DISTRICTS TO THE CN CONSERVATION DISTRICT, PETITION NO. 1821-2014, 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 Kenny Anderson Jr. to set a date of hearing and 2nd Reading for Tuesday, December 2, 2014, at 7:00 p.m. for Item 23.

Vote to set a date: Roll Call: Yeses, Greg Jamison, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, 4. Noes, 0.

Motion Passed.

Set a date of hearing and 2nd Reading for Tuesday, December 2, 2014, at 7:00 p.m. for Item 24:

1st Reading: AN ORDINANCE OF THE CITY OF SIOUX FALLS, SD, REZONING PROPERTY NORTH AND SOUTH OF E. TENTH ST. AND WEST OF SIX MILE RD. FROM THE A G AGRICULTURE, RR SINGLE-FAMILY RESIDENTIAL-RURAL, AND POPUD PEDESTRIAN-ORIENT ED 24. PLANNED UNIT DEVELOPMENT DISTRICTS TO THE RS SINGLE-FAMILY RESIDENTIAL-SUBURBAN, RD-2 TOWNHOME RESIDENTIAL-SUBURBAN, CN CONSERVATION, O OFFICE, C-4 COMMERCIAL-REGIONAL, AND RA-2 APARTMENT RESIDENTIAL-MODERATE DENSITY DISTRICTS, PETITION NO. 1820-2014, AND AMENDING THE OFFICIAL ZONING MAP OF T HE CITY OF SIOUX FALLS. Planning Commission recommends approval.

A motion was made by Council Member Greg Jamison and seconded by Council Member Kenny Anderson Jr. to set a date of hearing and 2nd Reading for Tuesday, December 2, 2014, at 7:00 p.m. for Item 24.

Vote to set a date: Roll Call: Yeses, Greg Jamison, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, 4. Noes, 0.

Motion Passed.

HEARINGS AND RESOLUTIONS

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, CORRECTING THE LEGAL 25. DESCRIPTION OF ANNEXATION RESOLUTION NO. 16-14. PREANNEXATION LEGAL DESCRIPTION CORRECTION CACTUS HEIGHTS IMPROVEMENT ASSOCIATION INC.

A motion was made by Council Member Greg Jamison and seconded by Council Member Kenny Anderson Jr. to adopt said Resolution No. 126-14.

Vote to adopt: Roll Call: Yeses, Greg Jamison, Kermit L. Staggers, Kenny Anderson Jr., Christine M. Erickson, 4. Noes, 0.

Motion Passed.

RESOLUTION NO. 126-14

PREANNEXATION LEGAL DESCRIPTION CORRECTION

CACTUS HEIGHTS IMPROVEMENT ASSOCIATION INC.

A RESOLUTION OF THE CITY OF SIOUX FALLS, SD, CORRECTING THE LEGAL DESCRIPTION OF ANNEXATION RESOLUTION NO. 16-14.

WHEREAS, on February 18, 2014, the City Council of the City of Sioux Falls adopted Resolution No.16-14 to establish a preannexation agreement with the Cactus Heights Improvement Association Inc.; and

WHEREAS, the preannexation map boundaries have been approved by the City Council and are still accurate; and

WHEREAS, the legal descriptions as set forth in Resolution16-14, Exhibit A, were not accurate;

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

That the legal descriptions as set forth in Resolution 16-14 hereby are amended to include Exhibit D providing for all legal descriptions that shall be included within Resolution 16-14 and the preannexation agreement map shall be included as a part of Resolution 16-14;

And that the City Clerk shall cause to be filed with the Register of Deeds, Minnehaha County, South Dakota, a duly certified transcript of this resolution.

Date adopted: 11/18/14 .

Mike T. Huether

Mayor

ATTEST:

Lorie Hogstad

City Clerk

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

Council Member Christine M. Erickson took a moment of personal privilege to introduce her son, Braylon Erickson.

ADJOURNMENT

A motion was made by Council Member Christine M. Erickson and seconded by Council Member Greg Jamison to adjourn at 7:42 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.