

MINUTES	Thursday, April 25, 2019 at 10:30 a.m.	 CITY OF SIOUX FALLS
Board of Ethics Meeting	Commission Room 1st Floor ~ City Hall 224 West Ninth Street Sioux Falls, South Dakota	

BOARD MEMBERS PRESENT: Jeff Gednalske, Wanda Harris, Jack Marsh and Sue Roust

BOARD MEMBERS ABSENT: Greg LaFollette

STAFF PRESENT: Stacy Kooistra, City Attorney, and Cari Hanzel, Recording Clerk

CALL TO ORDER

A quorum being present, the meeting was called to order by Board Chair Jack Marsh at 10:31 a.m.

APPROVAL OF MINUTES

A motion was made by Jeff Gednalske and seconded by Sue Roust to approve the minutes from the meeting on March 28, 2019, which includes Advisory Opinion 19-1 previously approved and signed by the Board Chair on behalf of the Board. Vote to approve: 4 Yeses. Motion passed.

BUSINESS OR PENDING ISSUES BROUGHT BEFORE THE BOARD

1. REQUEST FOR ADVISORY OPINION 19-2 FILED APRIL 17, 2019.

Jack Marsh introduced Request for Advisory Opinion 19-2 submitted by City Councilor Theresa Stehly. As no objection to the Request was made by any member of the Board, the Request was accepted. Marsh read the Request for Advisory Opinion on the record.

Theresa Stehly appeared before the Board and was sworn in.

Copies of the invitation received by Councilor Stehly and described in the Request were distributed to the Board and made available to the public.

Councilor Stehly informed the Board that she had been told that Sioux Steel and Lloyd Companies are partnering together on the development of the Sioux Steel property and plan to come before the City Council to ask for a TIF in that regard at a future date.

Councilor Stehly provided testimony before the Board regarding her knowledge of the event in question as well as numerous other examples of events Council members are routinely invited to where food and or beverages may be served.

Councilor Stehly clarified that Sioux Steel is organizing the event in question and that Lloyd Companies informed her that they were not encouraging it.

The invitation identified that the event is in two parts: the presentations at 4:00 p.m. at the Receiving Building of Sioux Steel Company and heavy appetizers and drinks at 5:00 p.m. at The Market.

Councilor Stehly informed the Board that she is not questioning the attendance at the presentations at 4:00 p.m., only the event following where heavy appetizers and drinks will be served.

Stacy Kooistra advised the Board on the pertinent ordinances they should consider and what the Board would need to determine as they discussed the Request for Advisory Opinion.

Discussion regarding the Request for Advisory Opinion was held by the Board.

The Board opened the matter up to public input.

Bruce Danielson was sworn and provided input.

Cheryl Rath was sworn and provided input.

Further discussion was held by the Board, including whether the event would be open to the public and the timing of a potential request for a TIF and subsequent vote of the City Council.

A motion was made by Jeff Gednalske and seconded by Sue Roust that the Board of Ethics has insufficient facts to render an advisory opinion on the question whether a council member may consume free food or drink from an individual or private entity requesting or expected to request Council action that benefits them, and further moved that the Board of Ethics remind Councilors of their obligation to refrain from any appearance of impropriety. Vote to approve: 4 Yeses. Motion passed.

A motion was made by Sue Roust and seconded by Wanda Harris to authorize the Board's legal advisor, Stacy Kooistra, to draft an Advisory Opinion consistent with the discussions and motion of the Board and to authorize the Board Chair to both approve

and sign the opinion as drafted on behalf of the Board. Vote to approve: 4 Yeses.
Motion passed.

PUBLIC INPUT

Bruce Danielson appeared before the Board and commented on the Board's decision.

NEXT MEETING

No specific date for the next meeting was scheduled.

ADJOURNMENT

A motion was made by Wanda Harris and seconded by Jeff Gednalske to adjourn the meeting.
Meeting adjourned at 11:54 a.m.

Respectfully submitted,

Cari Hanzel
Recording Clerk