

CITY COUNCIL PROCEEDINGS

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, November 26, 2018 at 5:30 p.m., regular meeting of the Board of City Council Members, Mayor Mike Levsen presiding. Present at roll call were City Council Members David Bunsness, Alan Johnson, Dave Lunzman, Dennis "Mike" Olson, Mark Remily, Rob Ronayne, Clint Rux, and Jennifer Slight-Hansen. City Staff present were Lynn Lander, Ron Wager, Robin Bobzien, Brett Bill, Karl Alberts, Dave McNeil, and Mark Hoven.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Johnson moved, Slight-Hansen seconded to approve the minutes of November 19, 2018, as circulated. All voting aye, motion carried.

OPEN FORUM

Melissa White of the Exchange Club presented Law Enforcement Office of the Year Award to Police Officer Jordan Majeske and Firefighter/Paramedic of the Year Award to Geoff Stoltenburg.

OLD BUSINESS

ORDINANCE NO. 18-11-02

Bunsness moved, Rux seconded to approve second reading and final adoption of Ordinance No. 18-11-02 revising Chapter 36 of the City Code regarding park closing hours. Upon roll call, all voting aye, motion carried.

CONSENT CALENDAR

Ronayne moved, Remily seconded to approve the following items on the consent calendar:

PETITION OF VOLUNTARY ANNEXATION – for proposed Lot 1, Prairies Edge Thirteenth Addition to the City of Aberdeen in the NW ¼ of Section 8, T123N, R63W of the 5th P.M., Brown County, SD (3004 – 24th Ave., NE) – refer petition to the City Attorney, City Engineer, and Planning/Zoning Director for review and recommendations.

SET HEARING DATE – of December 17, 2018 at 5:30 p.m. for a petition to vacate public right-of-way for the entire 99' wide Lancelot Drive North public right-of-way commencing at the North Side of Jones Ave., NE public right-of-way and continuing North 346.5' to a point of termination, adjacent to the East of Lot 3, Hedgers Outlots and to the West of Sacred Heart Roman Catholic Church Cemetery. (114 and 125 Lancelot Drive North).

PLATS – 1) John J. Young Consolidation Subdivision in Block 37, Second Addition, Aberdeen, South Dakota in the NW ¼ of Section 24, T123N, R64W of the 5th P.M., Brown County, SD (107 and 109 – 6th Ave., SW); 2) Beadle First Consolidation Subdivision in Block 37, Second Addition, Aberdeen, SD in the NW ¼ of Section 24, T123N, R64W of the 5th P.M., Brown County, SD (111 and 119 – 6th Ave., SW); 3) Wagner Holdings Subdivision of Lot 1, Pheasant Run Second Subdivision in the SW ¼ of Section 11, T123N, R64W of the 5th P.M., Brown County, SD with stipulation that petitioner has sidewalks installed where missing along all adjacent rights-of-way within five years of the plat filing date (1702 – 8th Ave., NW); 4) HHS Properties Fourth Subdivision to the City of Aberdeen in the W ½ of the NE ¼ of Section 30, T123N, R63W of the 5th P.M., Brown County, SD with stipulation that Aberdeen Board of Zoning Adjustment grants a lot width variance for Lot 2, and that each individual premise has its own water and sewer service (1908, 1914, and 1920 Miller Lane); 5) J and J Gross Addition in the NE ¼ of Section 33, T124N, R64W of the 5th P.M., Brown County, SD with stipulation that the Aberdeen Board of Zoning Adjustment grants a lot width variance for Lot 1 (12945 and 12949 – 385th Ave.)

REQUEST FOR STREET USE – on 5th Avenue from the alley to South Lincoln Street for First Methodist Church's Living Nativity on December 8, 2018.

DEPARTMENTS' BOARD REPORTS AND MINUTES – K.O. Lee Aberdeen Public Library Board of Trustees Meeting Minutes; Brown County/Aberdeen City Planning Commission Meeting Minutes; and Aberdeen City Planning Commission Meeting Minutes – receive and place on file.

All voting aye, motion carried.

NEW BUSINESS

ORDINANCE NO. 18-11-01

Remily moved, Rux seconded to approve first reading of Ordinance No. 18-11-01 revising Chapter 26 of the City Code relating to public nuisances. Council Member Johnson presented amendments to the Ordinance. Johnson moved, Rux seconded the deletion of the second and last sentences of Sec. 26-118 (c) (18) “Parking or storing more than four (4) vehicles per lawful dwelling unit anywhere outside on residential property, excluding vehicles of occasional guests who do not reside on the property.” and “Placing, storing, or allowing the placement or storage of ice fishing houses, skateboard ramps, playhouses, or other similar non-permanent structures outside continuously for longer than twenty-four (24) hours on residential property in the yard areas adjacent to a street unless more than one hundred feet (100’) from the property line.” and inserting “Yard area adjacent to a street” means the horizontal distance between the right-of-way of a street to the foundation of the primary structure on the lot.” All voting aye, motion carried. Slight-Hansen moved, Olson seconded to delete the definition of “Disused” in Sec. 26-117 and use existing language in sections where “Disused” is used. Upon roll call, Remily, Ronayne, Lunzman, Johnson, Rux, and Mayor Levsen voting nay, Slight-Hansen, Bunsness, and Olson voting aye, 6 voting nay and 3 voting aye, motion failed. On the original motion for first reading of Ordinance No. 18-11-01 as amended, upon roll call, Bunsness, Johnson, Lunzman, Olson, Remily, Rux, and Mayor Levsen voting aye, Ronayne and Slight-Hansen voting nay, 7 voting aye and 2 voting nay, motion carried.

ORDINANCE NO. 18-11-03

Ronayne moved, Bunsness seconded to approve first reading of Ordinance No. 18-11-03 setting the salaries and wages of City Officials and Employees for the upcoming year. Upon roll call, all voting aye, motion carried.

HEARING ON SPECIAL LIQUOR LICENSE FOR AVERA ST. LUKE’S

This being the time and place set for a hearing on an application for a Special One-Day Retail Liquor License on December 1, 2018 for Avera St. Luke’s Foundation’s Deck The Halls Event at the Avera Cancer Center, 310 South Penn Street, Remily moved, Lunzman seconded to approve the Special One-Day Liquor License on December 1st for Avera St. Luke’s Foundation at 310 South Penn Street. All voting aye, motion carried.

REQUEST FOR TEMPORARY PLACEMENT OF SIGNS

Johnson moved, Bunsness seconded to approve a request for the temporary placement of two fundraising signs at 3312 – 6th Avenue, SE and 524 South Dakota Street until January 10, 2019 for The Journey Home. All voting aye, motion carried.

WORK ORDER FOR ENGINEERING FOR 10TH AVE. BRIDGE

City Engineer Robin Bobzien presented a work order between the SD Department of Transportation and Clark Engineering for the preliminary engineering related to the 10th Avenue, SE Bridge. Rux moved, Olson seconded to approve concurring with the SD Department of Transportation on the issuance of a work order related to preliminary engineering for the design of the 10th Avenue, SE Bridge. All voting aye, motion carried.

AGREEMENTS FOR RAILROAD CROSSING SIGNAL IMPROVEMENTS

City Engineer Robin Bobzien presented agreements with the SD Department of Transportation for two railroad crossing signal improvements at Roosevelt Street and 8th Avenue, NE. Ronayne moved, Remily seconded to approve the agreements with the SD

Department of Transportation for installation of new signal equipment at the railroad crossing near the intersection of Roosevelt Street and 8th Avenue, NE. All voting aye, motion carried.

BILLS

Rux moved, Bunsness seconded to approve the following audited bills for services, supplies, repairs, and maintenance: Northwestern Energy 18,369.57; ETS Corp. 1,500.00; Dacotah Bank 5,000.00; Plug N Pay 1,000.00; Infintech 1,000.00; NVC 82.15; Verizon Wireless 31.93; Business Improvement District 18,815.11; J & K Mowing Service 25.00; Ferguson Waterworks 33,162.99; Ferguson Enterprises, Inc. 167.24; Cross Country Freight Solution, Inc. 95.93; CVB 31,989.16. Upon roll call, all voting aye, motion carried.

PAYROLL

Ronayne moved, Remily seconded to approve the payroll for the period from November 11, 2018 through November 24, 2018 and city share of social security, old age & survivor's insurance, retirement, health and life insurance: Wells Fargo 135,809.38; SD Retirement 76,165.89; Governing Body 3,192.28; City Manager 8,113.11; City Attorney 6,256.39; Finance 13,821.35; HR 7,457.60, Building 1,669.75; Computer 4,468.55; Planning/Zoning 14,544.15; Engineering 12,691.22; Police 127,182.78, Fire 112,503.72, Alex Anderson 14.41 hr, Daniel Mount 14.41 hr, Tanner Venard 14.41 hr, Housing/Building 6,486.55; Street 32,366.12; Traffic 6,512.06; Solid Waste 20,611.62; Transportation/Ride Line 16,965.43, Library 25,444.49, Culver Lewis 9.00 hr; Parks, Rec & Forestry 93,342.70, Bronson Heier 11.00 hr, Jordan Hillesheim 11.00 hr, Lynn Holzkamm 9.75 hr, William Olander 11.00 hr, Morgan Reich 9.00 hr, Brady Thielges 9.25 hr; Airport 15,113.19, Mark Hanley 24.57 hr; Pipe 24,108.43; Water Treatment 19,248.10; Meter 1,536.00; Water Reclamation 21,563.26; Pump 8,417.69, Old Federal Crths Bldg 1,886.15. Upon roll call, all voting aye, motion carried.

CITY MANAGER'S REPORT

Lynn Lander presented the City Manager's Report including discussion on arterial road improvements.

EXECUTIVE SESSION

Slaight-Hansen moved, Bunsness seconded to move into executive session to discuss contractual matters with legal counsel pursuant to SDCL §1-25-2(3). All voting aye, motion carried. Rux moved, Lunzman seconded to move out of executive session. All voting aye, motion carried.

ACCEPTANCE OF OFFER TO PURCHASE LIBRARY PROPERTY

Bunsness moved, Rux seconded to accept an offer to purchase the former Alexander Mitchell Library surplus property in the amount of \$525,000. Pending closing of the sale and any issues that may arise, City Attorney Wagner mentioned that the City is not disclosing the identity of the buyer until further notice. All voting aye, motion carried.

There being no further business, Bunsness moved, Rux seconded that the meeting be adjourned. All voting aye, motion carried.

Prepared by Mary Campton for the Finance Office. /s/ Karl Alberts, Finance Officer.