

CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, , 5:30 p.m., April 16, 2012, regular meeting of the Board of Council Members, Mayor Levsen presiding. Present at roll call were Council Members Tom Agnitsch, David Bunsness, Todd Campbell, Jim Kraft, Jeff Mitchell, Clint Rux, Jennifer Slight-Hansen, and Laure Swanson. City staff members present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, Karl Alberts, Don Lanpher, and Stuart Nelson.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Mitchell moved, Bunsness seconded to approve the minutes of April 9, 2012, as circulated. All voting aye, motion carried.

PROCLAMATION

Mayor Levsen read and proclaimed April 21, 2012 as “Day of Champions”.

OPEN FORUM – Jason Hepola was present to discuss alcohol laws.

CONSENT CALENDAR

Agnitsch moved, Kraft seconded to approve the following items on the consent calendar:

NOTICE OF PUBLIC SALE – City will hold a public auction to sell surplus items at 5:30 p.m., May 4, 2012, at the Public Works Shop, 1000 Block of 3rd Avenue, SW, Corner of South 10th Street and 3rd Avenue., SW.

LICENSES – Taxi Cab Drivers – Mychal Rydeen, Kathleen Cady, Linda S. Flier; Transient Merchant – Daniel Fabian dba Fabian Seafood Company; Residential Building Contractor – Jim Hofer dba Heartland Construction.

LOTTERY NOTICES – Simmons Elementary, Whitetail Bowmen Archery Club, Aberdeen Chapter of FM Crusaders MC – receive and place on file.

COMMUNITY EVENT PERMIT – for Presentation College - “End Of Year” Picnic at the Presentation College Student Center on April 19, 2012 until 10:00 p.m.

All voting aye, motion carried.

NEW BUSINESSORDINANCE NO. 12-04-03

Mitchell moved, Rux seconded to approve first reading of Ordinance No. 12-04-03 amending Article II of the Aberdeen Municipal Code dealing with Building Codes. Upon roll call, all voting aye, motion carried.

RESOLUTION NO. 12-04-01R

Campbell moved, Bunsness seconded to approve Resolution No. 12-04-01R to vacate public right-of-way between 6 South State Street, South of Railroad Avenue, SE, West of South State Street, North of 1st Avenue, SE and East of South Kline Street. All voting aye, motion carried.

RESOLUTION NO. 12-04-02R

Rux moved, Swanson seconded to approve the following Resolution No. 12-04-02R:

**RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH
PROCEEDS OF INCREMENTAL REVENUE**

WHEREAS, the City of Aberdeen (the “City”), by virtue of the laws of the State of South Dakota, particularly SDCL 11-9 (the “Act”), and the authorities therein mentioned, wishes to take the necessary actions to assist in the financing of public works and improvements located in City of Aberdeen in connection with Tax Increment District #15 (the “Project”); and

WHEREAS, SDCL 11-9-30 (2) allows a municipality to pay project cost of the Project from municipal funds; and

WHEREAS, SDCL 11-9-15 (2) allows financing charges to holders of evidences of indebtedness as specific costs of the Project; and

WHEREAS, SDCL 11-9-45 allows reimbursement to the municipality of any monies which represent voluntary deposits of the municipality into the Project; and

WHEREAS, this City Council wishes to take steps to comply with the SDCL's governing tax incremental districts;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

This City Council hereby declares that the City will pay project costs as outlined in the approved project plan of the Project not to exceed \$1,750,000.

Any municipal funds used to pay project costs will accrue interest at a rate of two percent (2.0%) plus the current one year LIBOR rate as determined by the City Finance Officer at the time of payment of project costs.

Tax incremental revenue received by the City will be credited against the outstanding project costs payments as the revenue is received by the City.

This City Council finds and determines that all formal actions of this City Council concerning and relating to the adoption of this resolution were taken in an open meeting of this City Council and that all deliberations of this City Council and of any committees that resulted in those formal actions were in meetings open to the public in compliance with the law.

This resolution shall take effect and be in force immediately upon its adoption.

All voting aye with Mitchell and Slaughter-Hansen abstaining, motion carried.

RESOLUTION NO. 12-04-03R

Bunsnung moved, Campbell seconded to approve the following Resolution No. 12-04-03R:

RESOLUTION DECLARING INTENT TO REIMBURSE EXPENDITURES WITH
PROCEEDS OF INCREMENTAL REVENUE

WHEREAS, the City of Aberdeen (the "City"), by virtue of the laws of the State of South Dakota, particularly SDCL 11-9 (the "Act"), and the authorities therein mentioned, wishes to take the necessary actions to assist in the financing of public works and improvements located in City of Aberdeen in connection with Tax Increment District #14 (the "Project"); and

WHEREAS, SDCL 11-9-30 (2) allows a municipality to pay project cost of the Project from municipal funds; and

WHEREAS, SDCL 11-9-15 (2) allows financing charges to holders of evidences of indebtedness as specific costs of the Project; and

WHEREAS, SDCL 11-9-45 allows reimbursement to the municipality of any monies which represent voluntary deposits of the municipality into the Project; and

WHEREAS, this City Council wishes to take steps to comply with the SDCL's governing tax incremental districts;

NOW, THEREFORE, IT IS HEREBY RESOLVED:

This City Council hereby declares that the City will pay project costs as outlined in the approved project plan of the Project not to exceed \$1,700,000.

Any municipal funds used to pay project costs will accrue interest at a rate of two percent (2.0%) plus the current one year LIBOR rate as determined by the City Finance Officer at the time of payment of project costs.

Tax incremental revenue received by the City will be credited against the outstanding project costs payments as the revenue is received by the City.

This City Council finds and determines that all formal actions of this City Council concerning and relating to the adoption of this resolution were taken in an open meeting of this City Council and that all deliberations of this City Council and of any committees that

resulted in those formal actions were in meetings open to the public in compliance with the law.

This resolution shall take effect and be in force immediately upon its adoption.

All voting aye with Mitchell and Slaughter-Hansen abstaining, motion carried.

HEARING – LICENSE FOR SALE OF MALT BEVERAGES

This being the time and place set for a hearing on an application for a Special One-Day Retail On-Off Sale Malt Beverage License on April 19, 2012 for Aberdeen Chamber of Commerce dba Hangar 9, Inc., 4450 E. Hwy #12, recommendations to approve were received, Mitchell moved, Slaughter-Hansen seconded to approve the Special One-Day Malt Beverage License on April 19, 2012 for Aberdeen Chamber of Commerce. All voting aye, motion carried.

LETTER OF SUPPORT

Bunsness moved, Mitchell seconded to reapprove a motion which formalizes support to Wild Rose Development Corporation for their application to SD Housing Development Authority for tax credits to finance 37 units of affordable new senior housing after adjusting rental rates to meet SD Housing Development Authority requirements. All voting aye, motion carried.

RECOMMENDATION ON BIDS

Bids were opened and publicly read on April 10, 2012 for the Construction of the Kindelspire Barn Project. A detailed list of the bids is available at the Finance Office. Mitchell moved, Bunsness seconded to reject all bids for the Kindelspire Barn Project as recommended by the City Engineer. All voting aye, motion carried.

BILLS

Kraft moved, Bunsness seconded to approve the following audited bills for services, supplies, repairs and maintenance: Dakotacare Administrative Services 23,904.08; Century Link 3,112.95; FSH Communications 7.74; United Parcel Service 115.50; American News 2,319.82; Aberdeen Chamber of Commerce 24,002.50; Aberdeen Development Corp 14,466.67; ASPIRE Inc 1,876.00; MARCO Inc 335.84; Nelson Engineering 640.00; RDO Equipment Co 738.95; Brown County Landfill 16,744.50; Larsen Design 16,222.75; Adam Grant 72.00; MES-MIDAM 310.00; R & K Computers 4,130.00; Hawkins Inc 2,408.42; Dakota Electronics 2,387.20; Johnson Feed Inc 10,227.42; Don's Builders Hardware 283.55; One Source 75.00; C J Huber 45.00; Quality Welding Inc 251.70; Shelby Tice 20.00; Evergreen Supply 573.78; Cole Papers Inc 3,052.35; Farm Power Mfg Inc 235.03; University of Minnesota 190.00; GCR Tire Centers 622.13; Officemax Inc 230.38; Flexible Pipe Tool Co 516.25; Carlyle E Richards, PC 221.73; Jensen Rock & Sand Inc 10,826.70; Carquest Auto 1,723.80; Vander Haags Inc 1,473.85; SD Assn Conservation Dist 50.00; The Groove Club 237.50; Clare Hink 52.32; Brian Hink 52.32; Graham Tire Co 755.40; Patty Holm 50.00; Vicki Scepaniak 73.89; Nikolas Zimney 39.75; HACH Co 1,119.23; Hedahls Inc 1,870.48; House of Glass 1,913.27; Kesslers Inc 202.20; Aberdeen Taxi Service 264.75; Lawson Products Inc 525.01; MAC's Inc 239.23; Labsourc Inc 102.17; Michael Todd & Co Inc 3,781.18; Farnums Genuine Parts 680.50; Northern Electric 3,742.18; A & B Business Solutions 174.72; Pantorium 26.92; Dakota Supply Group 7,652.93; Graymont Capital Inc 17,879.40; Midstates Printing 1,362.24; Ringgenberg Electric Inc 1,489.80; Rockmount/Nassau 236.47; Safety Service Inc 46.15; Avera St Luke's Hospital 667.78; Light & Siren 2,678.71; SHARE Corp 2,262.00; Sheehan Mack Sales & Equipment Inc 3,997.17; Crawford Trucks & Equipment 1,537.47; River Cities Public Transit 192.00; SD Dept of Transportation 2,353.86; Stan Houston Equipment 87.60; Town & Country Lumber Inc 271.08; Pro-Build 5,035.82; Western Area Power Adm 4,608.65; Aberdeen Area Arts Council 1,647.55; Fastenal Co 196.96; Mitch Johnson 228.00; Scott Kusler

80.00; Newark 89.03; Daren Lorenz 100.00; Dependable Sanitation 281.50; Eric Duven 9.00; S&W Healthcare Corp 189.67; Joe Fitz 33.00; Aberdeen Community Theatre 9,500.00; Taylor Laundry 16.00; Snap-On Tools 411.15; Continental Carbonic Products Inc 2,389.50; Chris Jung 30.00; Custom Cage 70.00; SD Dept Health Lab 572.00; Todd Salfrank 64.00; Titan Access Account 123.91; Dennis Kornder 73.89; Executive Management 202.43; Postmaster 380.00; Danko Emergency Equipment Co 640.00; Mark Berg/Parts Unlimited 220.00; Pierson Ford-Lincoln-Mercury 450.00; West Payment Center 377.44; Metro Fire 364.86; North Central Farmers Elevator 707.76; Fort Sisseton State Park 750.00; Rick's Heating/Air Conditioning 140.54; Northwestern Energy 13,391.42; Jarman's Water Systems 120.00; Dakotaland Autoglass Inc 82.38; Northern Valley Communications 360.72; MTI Distributing 5,986.32; Dwayne Schueller 32.92; Aberdeen Police Dept 10.00; McMaster-Carr Supply Co 442.08; Medcenter One OCC Health Clinic 180.00; Dr Steve Redmond 500.00; Randy Meister 64.00; Northwestern Energy 687.37; Aqualogix 68.00; SD Assn Rural Water Systems 1,160.00; Fire Safety First 128.50; Ken's Superfair Foods 2,267.68; Laura Millett 229.35; Printiss Sizer 45.00; Hub Area Technical School 2,275.00; Century Business Products 26.25; Sanford Health 60.00; Menards Aberdeen 1,423.44; Northstar Safety Inc 1,209.67; Water & Environmental Engineering 40.00; Convention Visitors Bureau 34,325.00; Dakota Fluid Power Inc 520.55; ACME Tools – Fargo 554.00; Borns Group 4,348.96; Mike Levsen 148.00; Volk Upholstery 84.43; Rod Kurtz 180.00; Interstate All Battery Center 514.38; Steve Westby 76.00; US Plastic Corp 95.40; Aberdeen Shuttle 571.25; Neve's Uniforms & Equipment 202.26; Pomp's Tire Service 847.91; Wallwork Truck Center 1,161.53; Locators & Supplies Inc 228.98; Michael Law 9.00; Sewer Equipment Co America 473.06; GALLS Inc 191.98; Premier Specialty Vehicles 58.00; Dakota Oil 163.45; Brad Holm 45.00; Pristine Water Solutions 399.00; DSS Image Apparel 233.00; BNSF Railway Co 760.38; MVTL Laboratories Inc 1,379.00; Steve Markley 260.00; Kerry Wenbourne 40.00; Lynn Hovel 64.00; J R Huebner 64.00; 3D Specialties Inc 565.02; Pro Ag Supply Inc 3.46; Aberdeen Chrysler Center 3,503.57; Thatcher Company of Montana 34,831.09; Newman Traffic Signs 7,755.75; Environmental Resource 560.28; Jerry Ochsner 33.00; Butler Machinery Co 109.20; GRAINGER 914.20; Sanitation Products Inc 1,110.88; Geffdog Designs 623.60; Ameripride Services Inc 637.49; Crescent Electric Supply 196.21; Midwest Pump & Tank 16,492.16; Knight Towing 235.00; Design Solution & Integration Inc 532.80; Harlow's Bus Sales 206.25; BARCO Municipal Products 155.49; Tri-State Water 61.00; Bonn Express LLC 100.00; Domino's Pizza 1,383.84; Swanson Electric 6,485.42; Mike Thompson 64.00; Specialty Mfg Co 86.96; Runnings Supply Inc 2,286.67; Interstate Battery System SD 101.95; Kevin VanMeter 113.38; Jeremy Nowell 287.50; Brenda St John 37.10. Upon roll call, all voting aye, motion carried.

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

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