

City Council met at 4:30 p.m., June 21, 2010, for a work session to discuss a new snow and ice control program. No action was taken.

CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, June 21, 2010, 5:30 p.m., Joint City/County meeting, Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, David Bunsness, Todd Campbell, Lloyd Hodgin, Jim Kraft, Jeff Mitchell, Clint Rux, and Jennifer Slaughter-Hansen. Staff members present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, Karl Alberts, Don Lanpher, Neil Bittner, Ken Van Dyne, Ken Hubbard, and Doug Johnson.

County Commissioners present were Fischbach, Wiese, Sutton and Elliot. Commissioners Hansen was absent.

ORDINANCE NO. 10-06-05-386

Ordinance amending Appendix A of the Municipal Code regarding Alternative Energy Systems was presented. Rux moved, Mitchell seconded to approve first reading on Ordinance No. 10-06-05. Bunsness moved, Rux seconded to have Section 1105.5 subsection 7 read "1.1 times rather than 2 times". All voting aye, motion carried. Campbell moved, Bunsness seconded to remove Section 1105.2 subsection 2 (d). All voting aye, motion carried. Slaughter-Hansen moved, Campbell seconded to change Section 1105.3 subsection 1 (e) from "8 feet to 12 feet". Failed by voice vote. On the original motion, all voting aye, motion carried.

County Commissioner Sutton moved, Commissioner Wiese seconded to approve first reading of Ordinance No. 10-06-05-386. All present voting aye, motion carried.

There being no further business before the Joint Council, Commissioner Wiese moved, Commissioner Sutton seconded that the meeting be adjourned. All present voting aye, motion carried.

Prepared by Cathy Feickert
For the Finance Office

Finance Officer

CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, June 21, 2010, 5:30 p.m., regular meeting, Mayor Levsen proceeding. Present at roll call were Council Members Tom Agnitsch, David Bunsness, Todd Campbell, Lloyd Hodgins, Jim Kraft, Jeff Mitchell, Clint Rux and Jennifer Slight-Hansen. Staff members present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, Karl Alberts, Don Lanpher, Neil Bittner and Doug Johnson.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Bunsness moved, Mitchell seconded to approve the minutes of June 10 and 14, 2010. All voting aye, motion carried.

OPEN FORUM – no one was present.

CONSENT CALENDAR

Mitchell moved, Kraft seconded to approve the following items from the consent calendar with the exception of 4 A. II – Pirates Cove Inc:

SET HEARING DATE – July 6, 2010 at 9:00 a.m. for the following applications for renewal of retail on-off sale malt beverage license: Erickson & Meier Inc. dba Airport Travel Center, 4707 E. Hwy #12.

PETITION TO VACATE – public right-of-way - that portion of the right-of-way adjacent to the south boundary line of Lot 3 and Lot 4 of B.B. Ward's First Subdivision of Lots 1, 2, and 3, Block 6, Original Plat of Aberdeen, Brown County, SD – set hearing date of July 12, 2010 at 5:30 p.m.

PETITION OF VOLUNTARY ANNEXATION – Lot 1, Wagner Holdings Second Addition in the W ½ of Section 17, T123N, R63W of the 5th P.M., Brown County, SD and adjacent right-of-way – refer to City Attorney, City Engineer and Planning/Zoning Director for review and recommendations.

PLAT – Swanson Electric Addition to the City of Aberdeen, SD, located in the SW ¼ of Section 14, T123N, R64W of the 5th P.M., Aberdeen, SD.

LICENSES – Residential Building Contractor – Ryan Rivett dba Legacy Builders Inc.; Kyburz-Carlson Construction Co.; Ryan Hanson dba Hub City Service and Fred Ludwig Trucking; Taxi Cab Driver – Lyndsey Marzenell; Joann Jernberg; Alissa Maynard; Transient Merchant – Daniel Fabian dba Fabian Seafood Co.; Private Security – Darrell Stein.

REQUEST FOR STREET USE – Jade Court Block Party on June 26, 2010 – Chris Dohrer.

All voting aye, motion carried.

Mitchell moved, Kraft seconded to approve setting a hearing date of July 6, 2010 at 9:00 a.m. for Pirates Cove Inc. dba Pirates Cove, 337 N. Roosevelt Street. All voting aye, motion carried.

NEW BUSINESS

ORDINANCE NO. 10-06-01

Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 707 (C-2) to Section 712 (R-5), Lot 1, Block 1, Park Village Addition in the NW ¼ of Section 23, T123N, R64W, Aberdeen, Brown County, South Dakota, was presented. Mitchell moved, Agnitsch seconded to approve first reading of Ordinance No. 10-06-01. Upon roll call, all voting aye, motion carried.

ORDINANCE NO. 10-06-02

Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 706 (C-1) and Section 711 (R-4) to Section 705 (R-3) and Section 711 (R-4) – Mobile Oil Corporation Outlot 2 in Block 35, Thomas Addition in the NW ¼ of Section 24, T124N, R64W, Aberdeen, Brown County, South Dakota, was presented. Bunsness moved, Campbell seconded to approve first reading of Ordinance No. 10-06-02. Upon roll call, all voting aye, motion carried.

ORDINANCE NO. 10-06-03

Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 710 (I-2) to Section 708 (C-3) and Section 711 (R-4) – Lot 1 and E. 24.5' of Lot 2, Block 77, Hagerty and Lloyd Addition in the SE ¼ of Section 13, T123N, R64W, Aberdeen, Brown County, South Dakota, was presented. Mitchell moved, Bunsness seconded to approve first reading of Ordinance No. 10-06-03. Upon roll call, all voting aye, motion carried.

ORDINANCE NO. 10-06-06

Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 707 (C-2) and Sections 707 (C-2)/716 (HC) to Sections 707 (C-2)/716 (HC) – Lots 1 and 2, Mutual of Omaha Fifth Addition to Aberdeen in the SW ¼ of Section 17, T123N, R63W, Aberdeen, Brown County, South Dakota, was presented. Upon roll call, all voting aye, motion carried.

RESOLUTION NO. 10-06-04

Mitchell moved, Agnitsch seconded to approve the following resolution:

WHEREAS, the United States of America and the State of South Dakota have authorized the making of grants from the Land and Water Conservation Fund (LWCF) to public bodies to aid in financing the acquisition and/or construction of specific public outdoor recreation projects;

NOW THEREFORE BE IT RESOLVED:

1. That Doug Johnson is hereby authorized to execute and file an application on behalf of the City of Aberdeen, South Dakota with the National Park Service, US Department of the Interior, through the State of South Dakota, Department of Game, Fish and Parks, Division of Parks and Recreation, for a LWCF Grant to aid in financing Melgaard Park playground improvements for the City of Aberdeen, South Dakota and its Environs.
2. That Doug Johnson, Director is hereby authorized and directed to furnish such information as the above mentioned federal and/or state agencies may reasonably request in connection with the application which is hereby authorized to be filed.
3. That the City of Aberdeen shall provide 50% of the total cost of the project; and will assume all responsibility in the operation and maintenance of the project upon completion of construction, for the reasonable life expectancy of the facility.
4. That the City of Aberdeen shall dedicate for park and recreation purposes in perpetuity, or for the length of the lease if land is leased, the real property identified in the authorized application.

All voting aye, motion carried.

PUBLIC HEARING

This being the time and place set for a hearing for Edward Byrne Memorial Jag-Program FY2010 – allocation of \$11,899.00 to Aberdeen Police Department and Brown County Sheriff's Office, the Mayor opened the hearing for comments. No one was present to testify, Mayor closed the hearing.

POLICE DEPARTMENT MONUMENT

Rux moved, Mitchell seconded to approve authorization for the Police Department to solicit donations for the commission of a bronze monument and granite base from artist Benjamin Victor.

All voting aye, motion carried.

HEARING – ALCOHOLIC BEVERAGE LICENSES

Hodgin moved, Campbell seconded to continue for one week, the hearing scheduled today on applications for Renewal of Retail On-Off Sale Malt Beverage Licenses so that the Health Department can complete inspections. All voting aye, motion carried.

SPECIAL LICENSE

Agnitsch moved, Kraft seconded to approve Special Two-Day Retail On-Off Sale Malt Beverage License on July 2 and 3, 2010 for NESD Celtic Faire and Games, Inc. dba Country Jamboree USA, Old Swisher Field on 8th Avenue NE and County Hwy #19. All voting aye, motion carried.

REVOCAION OF DAY CARE LICENSE – AMANDA R. SIMONS

No action taken, item withdrawn.

RECOMMENDATION ON BIDS

Bunsness moved, Hodgins seconded to award the bid for Main Street Restoration to JDH Construction in the amount of \$1,357,850.11 including add alternates and authorize the City Manager and Finance Office to sign all necessary documents after approval by the City Attorney. All voting aye, motion carried.

PAY ESTIMATES

Bunsness moved, Mitchell seconded to approve payment and authorize the City Manager to sign the following pay estimates: Pay Est #3 – Northwest Holding Pond – B & B Contracting in the amount of \$96,407.01 and Pay Est #9 (Final) Fire Station #1 – Huff Construction in the amount of \$2,250.00. Upon roll call, all voting aye, motion carried.

BILLS

Bunsness moved, Agnitsch seconded to approve the following audited claims for services, supplies, repairs and maintenance: Aberdeen Improvement District 9,815.47; Dakotacare Administrative Services 34,038.90; Guardian 161.94; Northwestern Energy 18,103.04. Upon roll call, all voting aye, motion carried.

PAYROLL

Rux moved, Bunsness seconded to approve payroll from June 6 – 19, 2010 and city share of social security, old age & survivor's insurance, retirement and health/life insurance: Governing Body 4,698.68; City Manager 4,707.51; Governing Body 3,771.60; Finance 14,072.00; HR 7,800.00, Laura Millett 1,703.69/bw; Building 205.88; Computer 3,334.40; Planning/Zoning 11,025.60; Engineer 10,784.43; Police 84,314.81; Fire 76,186.77, John D. Premus 1,469.09/bw; Fire Prevention 2,408.00; Housing/Building 4,717.60; Street 23,950.33; Traffic 5,393.15; Solid Waste 22,040.89; Transportation 11,446.78; Library 21,656.67; Parks, Recreation & Forestry 169,048.13, Kristen Arnoldy 8.75/hr, Michael Babcock 7.50/hr or 13-21/game, Dustin Barvels 8.75/hr, Stewart Bohle 10.00/hr or 340/wk, Kassie Brandt 8.50/hr, Caleb Carr 8.75/hr, Paul Conklin

9.25/hr, Ashley Daughters 8.75/hr, Tage Hanson 7.50/hr, Taylor Hanson 7.50/hr, Justin Kline 7.50/hr or 13-21/game, Jerome Letcher 500/wk, Lauren McCafferty 7.50/hr or 38/team/wk, Douglas Metz 7.50/hr or 13-21/game, Virginia Needham 9.50/hr, Taylor Ogdahl 9.00/hr, Lisa Osman 7.50/hr or 400/wk, Julie Pengilly 8.50/hr, Brendan Roso 7.50/hr or 38/team/wk, Devin Severson 8.75/hr, Adrienne Skaggs 7.50/9.75/12.00/hr, Mariah Stolle 8.50/hr, Alex Sutton 7.50/hr or 38/team/wk, Sydnee Torrence 7.50/hr, Jordan Voss 8.50/hr, Jessica Walworth 8.25/hr, Airport 10,113.73; Pipe 22,423.96; Water Treatment 15,967.66; Meter 5,089.75; Wastewater 16,134.02; Pump 5,446.98; Wells Fargo 119,856.59; SD Retirement System 55,349.67. Upon roll call, all voting aye, motion carried.

OTHER

Bunsness moved, Kraft seconded to authorize Jeff Mitchell to preside over the June 28, 2010, City Council meeting. All voting aye, motion carried.

Work session was set for Thursday, June 24, 2010 at 4:00 p.m. to hear public comments on the new snow and ice control program.

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

Prepared by Cathy Feickert
For the Finance Office

Finance Officer