

## CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, August 27, 2012, 5:30 p.m., regular meeting of the Board of Council Members, Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, David Bunsness, Todd Campbell, Mark Remily, Clint Rux, Jennifer Slaughter-Hansen, and Laure Swanson. Council Member Jeff Mitchell was absent. City staff present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, Karl Alberts, Stuart Nelson, Mike Wilson, Clarence Fjeldheim, Al Ruhlman, Don Lanpher, Doug Johnson, Gene Morsching, and David Eckert.

Mayor Levsen led the Pledge of Allegiance.

## MINUTES

Rux moved, Slaughter-Hansen seconded to approve the minutes of August 20, 2012, as circulated. All present voting aye, motion carried.

OPEN FORUM – John Aman was present to discuss the Air Show for 2013. Lana Goehring was present to discuss the landscape ordinance and building permits.

City Manager Lynn Lander introduced Kevin Van Meter as the new City Fire Chief.

OLD BUSINESS

## ORDINANCE NO. 12-08-05

Campbell moved, Bunsness seconded to approve second reading and final adoption of Ordinance No. 12-08-05 supplementing the 2012 Budget for various unanticipated projects, activities, and expenses. Upon roll call, all present voting aye, motion carried.

CONSENT CALENDAR

Bunsness moved, Rux seconded to approve the following items on the consent calendar:

SET HEARING DATE – of September 17, 2012 at 5:30 p.m. for a petition to vacate public right-of-way described as that portion of Center Drive lying between Lots 21 and 22, Auto Plaza Addition in the NE ¼ of Section 14, T123N, R64W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota.

PLATS – 1) Battest First Consolidation Subdivision in Aberdeen, South Dakota in the SW ¼ of Section 17, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota; 2) Prairie's Edge 7<sup>th</sup> Addition to the City of Aberdeen in the NW ¼ of Section 8, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota; 3) Lot 1, Brockel 1<sup>st</sup> Consolidation Subdivision in Aberdeen in the NE ¼ of Section 13, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota; 4) Lot 1, Lout 1<sup>st</sup> Consolidation Subdivision in Aberdeen, in the NW ¼ of Section 23, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota; 5) Lot 1, S & V First Consolidation Subdivision in Aberdeen, South Dakota in the NW ¼ of Section 19, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota; 6) Lot 1, Haak 1<sup>st</sup> Consolidation Subdivision in Aberdeen in the NW ¼ of Section 19, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota; 7) Lot 1, James Garden Park Subdivision in Aberdeen in the NE ¼ of Section 23, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota; 8) Lot 1 and Lot 2, Mutual of Omaha Sixth Addition to the City of Aberdeen in the SW ¼ of Section 17, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota; 9) HAPI 2<sup>nd</sup> Central Subdivision to Aberdeen in the W ½ of the NE ¼ of Section 30, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota; 10) Lots 21A and 21B, Stevenson Replat of Lot 21, Rolling Hills Village 6<sup>th</sup> Addition to the City of Aberdeen in the NW ¼ of Section 14, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota; 11) Lots 1 and 2, Mohr's 3<sup>rd</sup> Subdivision in the SW ¼ of the SW ¼ of Section 36, T124N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota with the stipulation that a petition to rezone is submitted and approved in conjunction with plat. 12) Dixon Outlots 3 – 6 in the NE ¼ of Section 26, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota with the

stipulation that existing outbuilding be demolished prior to plat being filed with the Brown County Register of Deeds.

COMMUNITY EVENT PERMIT – for Aberdeen Fire & Rescue’s “Pink Heals Tour” on September 1, 2012 at former Econofoods parking lot on 6<sup>th</sup> Avenue, SE from 7:00 a.m. until 3:30 p.m.

LOTTERY NOTICE – Aberdeen Abate, Inc. – receive and place on file.

DEPARTMENTS’ REPORTS – Aberdeen Regional Airport Board Minutes; Alexander Mitchell Library Board Minutes; Board of Zoning Adjustment Minutes; Brown County/Aberdeen City Planning Commission Minutes; Aberdeen City Planning Commission Minutes.

REQUEST FOR STREET USE – Betty Kukla for a Block Party on 18<sup>th</sup> Avenue, NE.

All present voting aye, motion carried.

#### NEW BUSINESS

##### ORDINANCE NO. 12-08-02

An Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 708 (C-3) to Section 705 (R-3) described as the West 34’ of Lot 10 and the East 16’ of Lot 11, Block 53, Second Addition and Lot 3, Block 40, Thomas Addition all in the NW ¼ of Section 24, T123N, R64W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota was presented. Rux moved, Swanson seconded to approve first reading of Ordinance No. 12-08-02. Upon roll call, all present voting aye, motion carried.

##### RESOLUTION NO. 12-08-03R

Swanson moved, Rux seconded to approve the following Resolution No. 12-08-03R:

#### RESOLUTION DECLARING REAL ESTATE SURPLUS PROPERTY

BE IT RESOLVED by the Aberdeen City Council, that the following described real property is declared surplus property and may be disposed of according to law, said property to be described as follows:

Lot 4, Aberdeen Central Complex Addition to Aberdeen in the S ½ of Section 13, T123N, R64W, Aberdeen, Brown County, South Dakota.

More Commonly known as 255 3<sup>rd</sup> Avenue, SE, within the Hagerty and Lloyd District, Aberdeen, Brown County, South Dakota.

The property being declared surplus is shown on the map attached hereto.

All present voting aye, motion carried.

#### DEVELOPMENT AGREEMENT – REUSE OF ROOSEVELT MIDDLE SCHOOL

A Development Agreement with Roosevelt Apartments, LLC for the adaptive reuse of the Roosevelt Middle School currently owned by the City into rental housing was presented. Heath Johnson was present to discuss the methodology used to pick the developer for this project. Rux moved, Remily seconded the motion to continue the discussion to the September 4<sup>th</sup> City Council Meeting. Motion passed by voice vote.

#### REQUEST FOR WAIVER OF BUILDING PERMIT FEES

A request for two building permit waiver fees for the Aberdeen Housing Authority Renovation Project and for the Sherman Apartments Renovation Project was presented. Rux moved, Bunsness seconded the approval of the two building permit waiver fees for the Aberdeen Housing Authority Projects. Motion passed by voice vote.

#### HEARING – SPECIAL ONE-DAY RETAIL WINE LICENSE

This being the time and place set for a hearing on an application for a Special One-Day Retail On-Off Sale Wine License on September 6, 2012 for Avera Health Plans dba 522 South Arch Street. Item was discussed. No action taken.

#### ROADWAY REPAIRS AT AIRPORT

Slaight-Hansen moved, Bunsness seconded to approve to use Wright and Sudlow’s

Bid Proposal for the Aberdeen Regional Airport Roadway Repair based on their February 28, 2012 Bid for City Project (CONC-2012-1) Annual Concrete Work in the amount of \$16,419.00.

#### BIDS FOR ROADWAY DEICING SALT

Bids were opened and publicly read for 2012-2013 Roadway Deicing Salt. A detailed list is on file in the Finance Office. Bunsness moved, Rux seconded to approve to award the Deicing Salt Bid to Cargill, Inc. of North Olmsted, OH in the amount of \$100,620.00 as lowest responsible bidder and authorize the City Manager and Finance Officer to sign the necessary documents after approval by the City Attorney. All present voting aye, motion carried.

#### BIDS FOR MOTOR GRADER RENTALS

Bids were opened and publicly read for Motor Grader Rentals. A detailed list is on file in the Finance Office. Bunsness moved, Agnitsch seconded to approve to award the Motor Grader Rental Bid to Butler Machinery for the 2012-2013 Snow Removal Season and authorize the City Manager and Finance Officer to sign the necessary documents after approval by the City Attorney. All present voting aye, motion carried.

#### PAYMENT REQUESTS

Rux moved, Bunsness seconded to approve and authorize the City Manager to sign the following: Payment #6 (Final) – work/retainage on the 8<sup>th</sup> Ave., NE Reconstruction Project – Dahme Construction in the amount of \$6,579.55 and Pay Estimate #1 – work on Holgate Pond Sheet Piling – Dahme Construction in the amount of \$103,944.33. Upon roll call, all present voting aye, motion carried.

#### BILLS

Rux moved, Swanson seconded to approve the following audited bills for services, supplies, repairs and maintenance: Dakotacare 150,532.83; CVB 34,072.64; Northwestern 20,450.88; United Parcel Service 54.65; Jefferson Partners LP 1,396.68; J & K Mowing Service 324.23; Aberdeen Housing Authority 6,320.12; Guardian 482.60. Upon roll call, all present voting aye.

#### PAYROLL

Bunsness moved, Agnitsch seconded to approve the payroll for the period from August 12, 2012 through August 25, 2012 and city share of social security, old age and survivor's insurance, retirement, health and life insurance: Wells Fargo 114,802.58; SD Retirement System 58,016.07; Governing Body 3,192.28; City Manager 6,232.19; City Attorney 3,574.40; Finance 12,975.99; HR 6,810.40; Building 253.76; Computer 3,503.20; Planning/Zoning 11,847.64; Engineering 11,299.73; Police 90,227.56; Fire 79,001.86, Mariah Mougey 15.99/hr; Fire Prevention 2,529.60; Housing/Building 4,956.80; Street 23,519.57; Traffic 5,284.97; Solid Waste 20,753.87; Transportation 12,089.45; Library 21,247.95; Parks, Recreation & Forestry 129,423.16, India Aderhold 10.00/hr or 16.50/class, Paula Beckler 10.25/hr, Ashton Bjur 7.50/hr, Tabitha Bullard 9.75/hr or 16.25/class, Kaitlin O'Neill 7.50/hr, Krstine Orr 10.00/hr or 16.50/hr, Tim Price 9.50/hr, Mairghead Rigg 9.25/hr or 15.50/class, Melissa Sletto 9.75/hr or 16.00/class, Kyle Stugelmayer 9.25/hr or 15.50/class, Dacotah Weisenburger 9.00/hr or 15.50/class; Airport 11,724.58; Pipe 22,283.80; Water Treatment 15,948.43; Meter 3,823.93; Wastewater 17,393.82; Pump 5,134.68. Upon roll call, all present voting aye, motion carried.

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

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

#### JOINT CITY/COUNTY PROCEEDINGS

Brown County Commission Chambers, 25 Market Street, Aberdeen South Dakota, August 28, 2012, 8:45 a.m., Joint City/County Meeting, Mayor Mike Levsen presiding.

Present at roll call were Council Members Tom Agnitsch, David Bunsness, Todd Campbell, and Mark Remily. Council Members Jeff Mitchell, Clint Rux, Jennifer Slight-Hansen and Laure Swanson were absent. County Commissioners present were Tom Fischbach, Mike Wiese, Nancy Hansen, Duane Sutton, and Burt Elliot. City staff present were Brett Bill and Karl Alberts.

ORDINANCE NO. 12-07-01

An Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 710 (I-2) to Section 714 (M-AG) Wahlen's First Subdivision in the NE ¼ of Section 8, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota was presented. Bunsness moved, Campbell seconded first reading of Ordinance No. 12-07-01. Upon roll call, all present voting aye, motion carried.

Fischbach moved, Wiese seconded to approve first reading of Ordinance No. 12-07-01-407 as presented. All voting aye, motion carried.

ORDINANCE NO. 12-08-01

An Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) to Section 714 (M-AG) Lots 1 and 2, Mohr's Third Subdivision in the SW ¼ of the SW ¼ of Section 36, T124N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota. Agnitsch moved, Remily seconded to approve first reading of Ordinance No. 12-08-01. Upon roll call, all present voting aye, motion carried.

Elliot moved, Hansen seconded to approve first reading of Ordinance No. 12-08-01-408 as presented. All voting aye, motion carried.

There be no further business before the Joint Council, Bunsness moved, Agnitsch seconded that the meeting be adjourned. All present voting aye, motion carried.

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