

CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, June 28, 2010, 5:30 p.m., Joint City/County meeting, Council Member Jeff Mitchell presiding. Present at roll call were Council Members Tom Agnitsch, Todd Campbell, Lloyd Hodgins, Jim Kraft, Clint Rux, and Jennifer Slaughter-Hansen. David Bunsness and Mike Levensen were absent. Staff members present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, Karl Alberts and Ken Hubbart.

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

ORDINANCE NO. 10-06-05-386

Hodgins moved, Rux seconded to approve second reading and final adoption of Ordinance No. 10-06-05 – Ordinance amending Appendix A of the Municipal Code regarding Alternative Energy Systems. Slaughter-Hansen moved, Hodgins seconded to amend motion to include Section 1105.4 Subsection 4 “parapet mount”. Hodgins moved, Rux seconded to amend the amendment to require city approval for parapet mounts in public right-of-way. All present voting aye, motion carried. On the amendment, all present voting aye, motion carried. Campbell moved, Slaughter-Hansen seconded to amend Section 1105.4 subsection 2 to say roof mounts must meet applicable building codes and manufacturing codes. All present voting aye, motion carried. On original motion for second reading and final adoption, upon roll call, all present voting aye. Motion carried.

Commissioner Sutton moved, Commissioner Wiese seconded to approve second reading and final adoption of Ordinance No. 10-06-05-386 with the above amendments. All present voting aye, motion carried.

There being no further business, Commissioner Wiese moved, Commissioner Sutton seconded that the joint 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, Aberdeen, South Dakota, June 28, 2010, 5:30 p.m., regular meeting, Council Member Jeff Mitchell presiding. Present at roll

call were Council Members Tom Agnitsch, Todd Campbell, Lloyd Hodgins, Jim Kraft, Clint Rux and Jennifer Slight-Hansen. David Bunsness and Mayor Levsen were absent.

Chairman Mitchell led the Pledge of Allegiance.

MINUTES

Hodgins moved, Kraft seconded to approve the minutes of June 21, 2010 as circulated. All present voting aye, motion carried.

OPEN FORUM – Mary Jo Maxwell was present to discuss snow removal from driveways. No action was taken.

OLD BUSINESS

ORDINANCE NO. 10-06-01

Rux moved, Agnitsch seconded to approve second reading and final adoption of Ordinance No. 10-06-01. Upon roll call, all present voting aye, motion carried.

ORDINANCE NO. 10-06-02

Hodgins moved, Slight-Hansen seconded to approve second reading and final adoption of Ordinance No. 10-06-02. Upon roll call, all present voting aye, motion carried.

ORDINANCE NO. 10-06-03

Hodgins moved, Agnitsch seconded to approve second reading and final adoption of Ordinance No. 10-06-03. Upon roll call, all present voting aye, motion carried.

ORDINANCE NO. 10-06-06

Slight-Hansen moved, Hodgins seconded to approve second reading and final adoption of Ordinance No. 10-06-06. Upon roll call, all present voting aye, motion carried.

CONTINUED – ORDINANCE NO. 10-06-08

Hodgins moved, Rux seconded to approve second reading as amended and final adoption of Ordinance No. 10-06-08. Grace Norton and Grace Davis were present to support outside displays. On the original motion, upon roll call, all present voting aye, motion carried. Rux moved, Campbell seconded to instruct the City Manager to bring language to Council that would allow outside displays of merchandise. Passed by voice vote.

CONTINUED – HEARING – APPLICATIONS FOR RENEWAL

This being the time and place set for a hearing on applications for renewal of Retail On-Off Sale Malt Beverage Licenses, no one was present to testify, recommendations for approval were received, Rux moved, Agnitsch seconded to approve the following: Larry & Sheryl Franklin dba

AJ's Casino, 624 6th Avenue SW (w/video lottery); Saquirre Inc dba Mazatlan Mexican Restaurant, 1 S. First Street; Jeffrey J Ell dba Jackpot Casino, 1111 6th Avenue SW (w/video lottery); A & T Partnership dba Moccasin Creek Concessions, 1202 10th Avenue SE; Mark Johnson dba Heartland Players Club, 1923 6th Avenue SE #102 (w/video lottery); Mark Johnson dba Heartland Café & Casino, 1923 6th Avenue SE (w/video lottery); Arment Investments LLC dba Rainforest Casino, 3001 6th Avenue SE #4 (w/video lottery); Jason J Miller dba Jake's Pub, 105 North Lincoln Street (w/video lottery); I-90 Fuel Services, Inc dba Starlite Truckstop, 602 S. Hwy #281 (w/video lottery). All present voting aye, motion carried.

CONSENT CALENDAR

Hodgin moved, Slight-Hansen seconded to approve the following items on the consent calendar:

SET HEARING DATE – July 6, 2010 at 9:00 a.m. for application for new Special One-Day Retail On-Off Sale Malt Beverage License on July 8, 2010 for Aberdeen Area Chamber of Commerce dba Healthcare Plus Federal Credit Union, 205 S. Dakota Street.

LICENSE – Residential Building Contractor – Chris Galvin dba Galvin Construction.

LOTTERY NOTICE – American Legion Post 24 – receive and place on file.

DEPARTMENT REPORTS – Aberdeen Regional Airport Board Minutes; Alexander Mitchell Library Board Minutes; Parks & Recreation Board Minutes; Board of Zoning Adjustment Minutes – receive and place on file.

All present voting aye, motion carried.

NEW BUSINESS

RESOLUTION NO. 10-06-05 R

Campbell moved, Rux seconded to approve the following resolution:

RESOLUTION FOR ANNEXATION OF CERTAIN PROPERTY TO THE CITY LIMITS OF THE CITY OF ABERDEEN

BE IT RESOLVED by the Aberdeen City Council, Aberdeen, Brown County, South Dakota, that the Voluntary Petition to annex the following described property filed by Ronald Wagner, is hereby granted and the following described property is hereby added to the municipal boundaries of the City of Aberdeen, South Dakota and shall be within the city limits of said city. Said property described as follows:

Lot 1, Wagner Holdings Second Addition in the W ½ of Section 17, T123N, R63W of the 5th P.M., Brown County, South Dakota and adjacent right-of-way

BE IT FURTHER RESOLVED by the Aberdeen City Council, Brown County, Aberdeen, South Dakota, that the Mayor of the City of Aberdeen shall cause an accurate map of such territory together with a copy of this Resolution duly certified to be recorded in the Office of the Register of Deeds, Brown County.

All present voting aye, motion carried.

HEARING

This being the time and place set for a hearing on application for renewal of Package Off-Sale Malt Beverage License for Target Corporation dba Target Store T-0848, 3316 6th Avenue SE, no one was present to testify, recommendations for approval were received, Hodgkin moved, Rux seconded to approve above application. All present voting aye, motion carried.

BUDGET SUPPLEMENT

A supplement appropriation to allow the leasing of four (4) road graders in the amount of \$33,333.00 for calendar year 2010 for a period of six (6) months from October 15, 2010 to April 15, 2011 was presented. Rux moved, Hodgkin seconded to approve the budget supplement in the amount of \$33,333.00. All present voting aye, motion carried.

BILLS

Rux moved, Hodgkin seconded to approve the following audited claims for services, supplies, repairs and maintenance: United Parcel Service 63.92; Alltel 1,740.39; Dakotacare Administrative Services 149,396.46; Sunlife 498.00; Fleet Services 443.91; Roger Poor 23.34; Milo Retzer 48.41; Terry Ray 49.18; Mrs. Edwin Wittmeier 24.92; Curt Swanson 43.70; Aberdeen Housing 17.47; Jackie Reinbold 5.50; Josh Schmeichel 4.77; Daniel Witte 16.24; Randy Baruth 22.13; James Lensegrav 7.48. Upon roll call, all present voting aye, motion carried.

OTHER

Chairman Mitchell presented Councilor Hodgkin with a plaque for his years of service to the City of Aberdeen.

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

Prepared by Cathy Feickert for the Finance Office

Finance Officer