

CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, October 1, 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, Jeff Mitchell, Mark Remily, Clint Rux, and Laure Swanson. Council Member Jennifer Slight-Hansen was absent. City staff present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, Karl Alberts, and Dave McNeil.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Mitchell moved, Bunsness seconded to approve the minutes of September 24 and 25, 2012 as circulated. All present voting aye, motion carried.

OPEN FORUM – No one was present.

OLD BUSINESS

ORDINANCE NO. 12-09-02

Agnitsch moved, Rux seconded to approve second reading and final adoption of Ordinance No. 12-09-02 to rezone from Section 704 (R-2) to Section 705 (R-3) Lot 1 and Lot 2, Roosevelt Estates 3rd Subdivision in the SE ¼ of Section 19, T123N, R63W of the 5th P.M., Aberdeen, Brown County, South Dakota. Upon roll call, all present voting aye, motion carried.

ORDINANCE NO. 12-09-03

Mitchell moved, Campbell seconded to approve second reading and final adoption with Planning Commission stipulations of Ordinance No. 12-09-03 to rezone from Section 704 (R-2) to Section 707 (C-2) Lot 1, Guthmiller's First Subdivision in the SE ¼ of Section 7, T123N, R63W of the 5th P.M., Aberdeen, Brown County, South Dakota. Upon roll call, all present voting aye, motion carried.

ORDINANCE NO. 12-09-04

Remily moved, Rux seconded to approve second reading and final adoption of Ordinance No. 12-09-04 to rezone from Section 706 (C-1) and Section 707 (C-2) to Section 707 (C-2) Lot 1, Rent All Addition to the City of Aberdeen in the NW ¼ of Section 13, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota. Upon roll call, all present voting aye, motion carried.

ORDINANCE NO. 12-09-05

Agnitsch moved, Campbell seconded to approve second reading and final adoption of Ordinance No. 12-09-05 to rezone from Section 708 (C-3) and Section 711 (R-4) to Section 705 (R-3) Lot 1, D & G McLaughlins 1st Subdivision in the N. 80' of Lots 1 – 2, Fosters 1st Subdivision of Block 24, First Addition in the SW ¼ of Section 13, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota. Upon roll call, all present voting aye, motion carried.

CONTINUED – COMMUNITY EVENT PERMIT FOR SLACKERS BAR

Bunsness moved, Campbell seconded to approve the application for a Community Event Permit for Slackers Bar and Hobby's October Fest on October 3, 2012 from 6:00 p.m. to 12:00 midnight on South Main Street Between 1st Avenue and 2nd Avenue with Police Security starting at 8:00 p.m.

Council Member Slight-Hansen arrived at 5:34 p.m. Motion carries by voice vote.

CONSENT CALENDAR

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

SET HEARING DATE – of October 15, 2012 at 5:30 p.m. for applications to transfer Retail On-Sale Liquor License with video lottery and Retail On-Off Sale Malt Beverage

License from Trina Zomers dba Double Shots, 420 South Main Street to GPHC LLC dba GPHC LLC, 420 South Main Street.

SET HEARING DATE – of October 22, 2012 at 5:30 p.m. for a petition to rezone from Section 704 (R-2)/Section 711 (R-4) and Section 704 (R-2) to Section 704 (R-2)/Section 711 (R-4) Lot 6, Block 2, Lakeview First Replat in the NE ¼ of Section 10, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota.

LOTTERY NOTICES – Prairie Stitchers EGA and Aberdeen Chapter of Ducks Unlimited – receive and place on file.

All voting aye, motion carried.

NEW BUSINESS

ORDINANCE NO. 12-10-04

An Ordinance amending Section 26-118 of the Aberdeen Municipal Code dealing with Fugitive Emissions/Nuisance Dust was presented. Remily moved, Rux seconded to approve first reading of Ordinance No. 12-10-04, Agnitsch, Bunsness, Campbell, Mitchell, Rux, Slaughter-Hansen, Swanson, and Mayor Levson voting nay, Remily voting aye, 8 nays and 1 aye, motion failed.

RESOLUTION NO. 12-10-01R

Mitchell moved, Rux seconded to approve Resolution No. 12-10-01R setting rules for Special Alcoholic Beverage Licenses. Bunsness moved, Rux seconded the motion to continue the discussion of the Resolution for one week. Motion passed by voice vote.

SPECIAL ONE-DAY MALT BEVERAGE LICENSE FOR SLACKERS BAR

An application for a Special One-Day Retail On-Off Sale Malt Beverage License on October 3, 2012 for Slackers Bar and Hobby's October Fest Event was presented. No action was taken by the City Council.

BILLS

Rux moved, Swanson seconded to approve the following audited bills for services, supplies, repairs and maintenance: First National Bank Corp Trust 93,747.07; First National Bank Corp Trust 334,439.16; Business Improvement District 1,386.26; Guardian 476.90; Flex One 276.00; SD Planners Association 160.00; Dakotacare 39,371.72; United Parcel Service 39.99; Liquid Engineering Corp 5,500.00; Dahme Construction 42,417.55. Upon roll call, all voting aye, motion carried.

There being no further business, Bunsness moved, Slaughter-Hansen seconded that the meeting be adjourned. All 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, October 2, 2012, 8:45 a.m., Joint City/County Meeting. Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, Todd Campbell, Jeff Mitchell, and Clint Rux. Council Members David Bunsness, Mark Remily, Jennifer Slaughter-Hansen, and Laure Swanson were absent. County Commissioners present were Tom Fischbach, Nancy Hansen, Duane Sutton, and Burt Elliot. County Commissioner Mike Wiese was absent. City Staff present were Brett Bill and Karl Alberts.

ORDINANCE NO. 12-09-01

Campbell moved, Rux seconded to approve second reading and final adoption of Ordinance No. 12-09-01 to rezone from Section 701 (A-1) to Section 714 (M-AG) Bitz Outlot 1 in the NW ¼ of Section 19, T123N, R62W of the 5th P.M., Brown County, South Dakota. Upon roll call, all present voting aye, motion carried.

Hansen moved, Elliot seconded to approve second reading and final adoption of Ordinance No. 12-09-01-409. All present voting aye, motion carried.

SET HEARING DATE

Campbell moved, Agnitsch seconded to set a joint hearing date of October 23, 2012 at 8:45 a.m. for the following petitions to rezone: From Section 701 (A-1) to Section 707 (C-2) the West 200' of the East 1,400' of the North 670.16' in the NW ¼ of Section 23, T123N, R63W, Brown County, South Dakota (Proposed DFP Outlot 1); From Section 701 (A-1) to Section 714 (M-AG) Lots 24 and 25 of Evelos Outlot in the NE ¼ of Section 2, T122N, R64W of the 5th P.M., Brown County, South Dakota. All present voting aye, motion carried.

Fischbach moved, Elliot seconded to set a joint hearing date of October 23, 2012 at 8:45 a.m. for the above petitions to rezone. All present voting aye, motion carried.

There be no further business before the Joint Council, Campbell moved, Rux 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.