

## CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, February 8, 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 Hodgins, Jim Kraft, Jeff Mitchell, Clint Rux, and Jennifer Slaughter-Hansen. Staff members present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, Karl Alberts, Pete Hesla, Dave Osborn, Bill Winter, Ken Van Dyne and Ryan Soye.

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

### ORDINANCE NO. 10-01-03-383 – REGULATION OF WIND ENERGY SYSTEMS

Hodgins moved, Bunsness seconded to approve second reading as amended and final adoption of Ordinance No. 10-01-03. Slaughter-Hansen moved, Kraft seconded motion for substitute motion imposing a six month moratorium on erection and construction of windmills within three miles and in the city limits and direct City Manager and staff to offer a new ordinance. Slaughter-Hansen moved, Kraft seconded motion to amend to add language to exclude existing building permits from the substitute motion. Motion carries by voice vote. Upon roll call on the substitute motion, 4 ayes, 5 nays (Campbell, Bunsness, Hodgins, Rux, Levsen), motion fails. Bunsness moved, Mitchell seconded to continue Ordinance No. 10-01-03 for three months. Motion passed by voice vote.

Commissioner Wiese moved, Commissioner Sutton seconded to continue Ordinance No. 10-01-03-383 for three months. All present voting aye, motion carried.

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

Prepared by Cathy Feickert  
For the Finance Office

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Finance Officer

CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, February 8, 2010, 5:30 P.M., regular meeting, Mayor Levsen presiding. Present at roll call were 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, Pete Hesla, Dave Osborn, Ken Van Dyne, Bill Winter and Ryan Soye.

Mayor Levsen led the Pledge of Allegiance.

#### MINUTES

Mitchell moved, Hodgins seconded to approve the minutes of February 1, 2010 as circulated. All voting aye, motion carried.

OPEN FORUM – Mr. Horner was present to discuss wind power. No action was taken.

#### **OLD BUSINESS**

##### ORDINANCE NO. 10-02-02

Hodgins moved, Rux seconded to approve second reading and final adoption of Ordinance No. 10-02-02 – Ordinance amending the Aberdeen Municipal Code by prohibiting wind turbines from the city limits and the 1-mile jurisdiction. Slight-Hansen moved, Kraft seconded to offer substitute motion imposing a six month moratorium on the construction, erection and installation within the city limits and the one mile jurisdiction with an exemption for existing building permits and direct the City Manager to appoint a committee to prepare a recommendation for review by the City Council. Bunsness moved, Campbell seconded motion to amend moratorium to three months. Passed by voice vote. Bunsness moved to amend the motion to remove exemptions. Dies for lack of second. Upon roll call on substitute motion, all voting aye, motion carried.

#### **CONSENT CALENDAR**

Mitchell moved, Hodgins seconded to approve the following items on the consent calendar:  
SET HEARING DATE – February 22, 2010 at 5:30 p.m. for the following applications for alcoholic beverage licenses – Transfer of Retail On-Sale Liquor, Package Off-Sale Liquor, Retail On-Off Sale Malt Beverage Licenses with Sunday Sales and Video Lottery from 3C's Inc. dba Schwan's Recreation, 714 1<sup>st</sup> Avenue NE to Two C's Inc. dba Schwan's Recreation, 714 1<sup>st</sup> Avenue NE and Special One-Day Retail On-Off Sale Malt Beverage License on March 11, 2010 for Aberdeen Area Chamber of Commerce dba Presentation College Strobe Center, 1500 North Main Street.

PETITIONS TO REZONE – Set hearing date of March 1, 2010 at 5:30 p.m. for the following: 1) Rezone from Section 705 (R-3) to Section 713 (M) property described as Lots 1-24, J.C. Hezel's Rearrangement of Block 76, Hagerty & Lloyd's Addition and vacated alley in the SE ¼ of Section 13, T123N, R64W of the 5<sup>th</sup> P.M., Aberdeen, Br. Co., SD; 2) Rezone from Section 704 (R-2) to Section 713 (M) property described as the W ½ of the SW ¼ of Section 23, T123N, R64W except 10 acres in the NW corner and except H-3 (7.96 acres) and part of NW ¼ of Section 26, T123N, R64W (22 acres of cemetery property).

REAL ESTATE TAX ABATEMENT - \$314.14 – 10 8<sup>th</sup> Avenue NW.

LICENSES – Journeyman Plumber – Eric Brenner and Taxi Cab Driver – Kerry Krokkel.

LOTTERY NOTICE – Dakota River Ranch – receive and place on file.

All voting aye, motion carried.

### **NEW BUSINESS**

#### **CASH FARM LEASES**

Bunsness moved, Campbell seconded to approve and authorize the City Manager to sign Cash Farm Leases with Harlan Young for 25 acres surrounding the SW Holding Pond and 13 acres surrounding the Wastewater Treatment Plant. Pete Hesla and Tom Simon were present to discuss the proposed lease. All voting aye, motion carried.

#### **RECOMMENDATION ON BIDS**

Bids for Project Conc-2010-1 (2010 Concrete Work) were opened and read. A detailed list is on file at the Finance Office. Campbell moved, Agnitsch seconded to award the bid as recommended to Wright and Sudlow Concrete in the amount of \$619,404.75.

Bids for Project Conc-2010-2 (Accessible Sidewalk Quadrant Improvements) were opened and read. A detailed list is on file at the Finance Office. Campbell moved, Agnitsch seconded to award the bid as recommended to Wright and Sudlow Concrete in the amount of \$93,406.00.

Bids for Project Conc-2010-3 (Concrete Street Rehabilitation) were opened and read. A detailed list is on file at the Finance Office. Campbell moved, Agnitsch seconded to award the bid as recommended to Wright and Sudlow Concrete in the amount of \$142,006.50.

All voting aye, motion carried,

#### **ABERDEEN REGIONAL AIRPORT**

Rux moved, Mitchell seconded to approve and authorize the City Manager to sign Financial Close-Out Report for AIP #3-46-0001-27-2007 Reconstruction of Taxiway 'D'. All voting aye, motion carried.

#### PAY ESTIMATES

Kraft moved, Mitchell seconded to approve payments and authorize the City Manager to sign Pay Est #13 – Environmental Assessment – Helms & Associates - \$5,433.07 and Pay Est #26 (Final) – AIP #3-46-0001-27-2007 Taxiway 'D' – Helms & Associates - \$5,644.70. Upon roll call, all voting aye, motion carried.

#### ABERDEEN FIRE & RESCUE/ADVANCED CARE

Bunsness moved, Hodgin seconded to approve request to purchase two Lifepak 15 Defibrillators from Physio-Control, Inc. in the amount of \$56,840.28 and declare surplus property two Lifepak 12's to be sold for \$7,500.00 each and one Rad 57 CO/Pulse oximeter to be sold for \$1,500.00. All voting aye, motion carried.

#### BILLS

Bunsness moved, Mitchell seconded to approve the following audited claims for services, supplies, repairs and maintenance: United Parcel Service 57.10; Clark Engineering Corp 1,045.97; Clark Engineering Corp 21,227.92; Clark Engineering Corp 2,341.00; Clark Engineering Corp 5,423.26; Northern Valley Communication 242.11; American News 2,296.46; Best Business Products 59.91; Bonnie Bitz 2,730.00; RDO Equipment 469.68; Northern Plains Animal Health 27.44; Dakota Electronics 79.75; Cole Papers Inc 487.21; Farm Power Mfg 35.97; Jensen Rock & Sand 17.20; Carquest Auto Parts 322.81; Graham Tire co 70.94; Farm & Home Publishers Ltd 152.40; Hedahl's Inc 134.15; House of Glass 136.00; Kesslers Inc 25.92; Mac's Inc 23.64; Midwest Rubber Stamp 46.50; Robert L Jacobs 29,851.31; Office Equipment 460.67; Dakota Supply Group 549.67; Midstates Printing 109.09; Roto Rooter Sewer Service 80.00; Safety Service 45.40; SD Police Chiefs Assoc 179.52; Woodman Refrigeration 80.61; Hannah Lagerquist 19.24; Diesel Machinery 1,260.20; Gayle Neuhardt 630.00; Baker & Taylor Inc 1,602.23; Gale 53.52; Highsmith Co Inc 36.70; Fastenal Company 282.65; Tactical & Survival Specialties 622.50; Quality Books Inc 7,275.08; Great Lakes Chapter Amer 35.00; Scott Kusler 80.00; Tom Aman 3,714.39; David Drapeau 45.00; Tyler Gurney 111.00; Aberdeen Interiors 750.00; Daren Lorenz 45.00; Northern Truck Equipment 68.45; Kermith Mullner 153.00; Dependable Sanitation 648.00; Dakota Ink & Toner 278.35; Dan Feist 110.00; Eric Pederson 44.00; Amy Scepaniak 44.00; Fair Manufacturing

281.96; Colleen Dawn 199.22; Dakota Ads 1,250.00; Taylor Laundry 77.00; Dash Medical Gloves 99.80; Fordham Signs 960.00; Newsbank Inc 2,649.60; Nadric Addiction Services 14,000.00; Cartney Bearing Co 32.52; Ackerman Acoustics 69.39; Pauer Sound & Music 58.00; Titan Access Account 66.13; Executive Management 14.17; Ebsco Subscription Service 50.00; Aspen Equipment 25,000.00; MOCIC 200.00; Barton Heating & AC 532.95; Erdmann Oil 7,275.35; Active Data Systems Inc 850.00; Northwestern Energy 75,094.35; Hello Direct Inc 50.00; Streicher's 344.96; Angela Stroschein 36.00; MTI Distributing 396.66; SD Park & Recreation 20.00; SD Airport Managers Assn 25.00; Derek Campbell 52.50; Dave Usselman 51.00; Fire Safety First 13.23; Mitch Hanson 72.00; Quill Corporation 278.59; Ken's Superfair Foods 10.50; John Hepperle 45.00; Michael J Burns Architect 124.80; Menards Aberdeen 557.88; Shannon Broderon 55.00; Ray Studnicka 100.00; Dakota Fluid Power 197.66; Turfwerks 241.23; Francotyp-Postalia Inc 101.85; Robert Teachout 51.00; Rod Kurtz 120.00; Sleepy Eye Industrial 214.00; Steve Westby 52.50; NSU Finance & Adminis 707.35; Aaron Kiesz 72.00; Pomp's Tire Service 48.00; Carlson & Stewart Refrigeration 892.22; Dakota Oil 1,080.00; Joseph A Berbos 80,980.42; National Art Education Assn 70.00; Steve Markley 60.00; Terry Steinwandt 120.00; Cryotech Deicing Technology 13,244.00; John Kersten 172.50; Randy Murphy 68.00; Rose Mullner 68.00; SD Airports Conference 70.00; Butler Machinery 156.43; Grainger 29.36; Ameripride Services 259.46; Northern Wireless Communications 319.60; Midwest Pump & Tank 211.13; Weissmans Designs for Dance 27.25; Swanson Electric 311.67; Aberdeen Senior Center 396.74; Runnings Supply 1,178.38; Blackstone Developers LLC 1,000.00. Upon roll call, all voting aye, motion carried.

#### OTHER

Brett Bill introduced Ken Van Dyne as the new Planner.

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

Prepared by Cathy Feickert  
For the Finance Office

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Finance Officer

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, February 10, 2010, 5:00 p.m., special meeting, Deputy Mayor David Bunsness presiding. Present at roll call were Council Members Tom Agnitsch, David Bunsness, Todd Campbell, Lloyd Hodgins, Jim Kraft, Jeff Mitchell, Clint Rux and Jennifer Slaughter-Hansen. Mayor Mike Levensen was absent. Also present was City Manager Lynn Lander.

#### EXECUTIVE SESSION

Rux moved, Hodgins seconded to move into executive session to discuss personnel matters. All present voting aye, motion carried.

Mitchell moved, Campbell seconded to move out of executive session. All present voting aye, motion carried.

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

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