

City Council met for a work session open to the public at 4:00 p.m., February 4, 2013, in City Council Chambers with the Aberdeen Chamber of Commerce Leadership Class. No action was taken.

#### CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, February 4, 2013, 5:30 p.m., regular meeting of the Board of Council Members, Mayor Mike Levsen presiding. Present at roll call were Council Members David Bunsness, Todd Campbell, Jeff Mitchell, Mark Remily, Clint Rux, Jennifer Slight-Hansen, and Laure Swanson. Council Member Tom Agnitsch was absent. City staff present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, Karl Alberts, and Don Lanpher. Mayor Levsen led the Pledge of Allegiance.

#### MINUTES

Mitchell moved, Rux seconded to approve the minutes of January 28, 2013, as circulated.

OPEN FORUM – No one was present.

#### OLD BUSINESS

##### ORDINANCE NO. 13-01-06

Bunsness moved, Swanson seconded to approve second reading and final adoption of Ordinance No. 13-01-06 amending Chapter 52 by adopting a Wayfinding Sign Program. Upon roll call, all present voting aye, motion carried.

#### CONSENT CALENDAR

Mitchell moved, Campbell seconded to approve the following items on the consent calendar:

SET HEARING DATE – of February 19, 2013 at 5:30 p.m. for applications to transfer Retail On-Sale Liquor License and Retail On-Off Sale Malt Beverage Licenses from GPHC LLC dba GPHC LLC, 420 South Main Street to Front Stop, Inc. dba Erika's, 420 South Main Street.

SET JOINT HEARING DATE – of February 25, 2013 at 5:30 p.m. for a petition to rezone from Section 701 (A-1) to Section 714 (M-AG) Lot 1, Weiszhaar Second Subdivision in the SE ¼ of Section 34, T124N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota.

LICENSES – Home Day Care – Chelsey Liebl and Shantel Nikolas; Residential Building Contractors – Wyatt Earsley, Michael Hoff, Bradley Hoff, and Joel Salter; Special Limited Plumbing License – Waterbury Plumbing; Taxi Cab Driver – Robert Vining.

SET BID DATE – of February 19, 2013 at 2:00 p.m. for the following advertisements for bids – Recycling Services; One 2013 Walk Behind Paint Striper for the Public Works Department-Traffic Control Division; Water Treatment Plant Lime Loading Project; Accessible Sidewalk Quadrant Improvements; and 2013 Annual Concrete Work.

All present voting aye, motion carried.

#### NEW BUSINESS

##### RESOLUTION NO. 13-02-01R

Bunsness moved, Rux seconded to approve the following Resolution No. 13-02-01R:

#### RESOLUTION DECLARING SURPLUS PROPERTY

BE IT RESOLVED by the Aberdeen City Council, that the following described property is declared surplus property and may be disposed of according to law in accordance with SDCL §23A-37-13, said property to be described as follows:

Description Rock Island Armory .45, Tag #11004902, Incident #11002915, Serial Number RIA105073.

BE IT FURTHER RESOLVED by the Aberdeen City Council that the Chief of Police may trade-in this surplus property to any licensed firearms dealer, as allowed by

law.

All present voting aye, motion carried.

**RESOLUTION NO. 13-02-02R**

Mitchell moved, Rux seconded to approve the following Resolution No. 13-02-02R of Necessity for the Jackson Heights Apartments Low Income Housing Project and to grant a waiver for building permit fees and the utility hookup fee for one water and sewer connection and allow Aberdeen Housing Authority to pay a 5% Payment In Lieu of Taxes on the Jackson Heights Low Income Housing Project as allowed by State Statute:

WHEREAS the Aberdeen Housing Authority is charged with providing and developing safe, decent, and sanitary housing within the City of Aberdeen and the surrounding area; and

WHEREAS there is a shortage of safe, decent, and sanitary housing within the City of Aberdeen; and

WHEREAS the Aberdeen Housing Authority proposes to construct a new low rent housing project, to be named "Jackson Heights Apartments," and to be located at the corner of South Jackson Street and 1<sup>st</sup> Avenue Southeast, in the City of Aberdeen; and

WHEREAS, pursuant to SDCL §11-7-49 et seq., the Aberdeen Housing Authority must pass a resolution of necessity prior to initiating a low rent housing project, which resolution of necessity must then be approved by the governing body of the municipality in which the project is to be located.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Aberdeen Housing Authority finds that, due to the lack of safe, decent, sanitary low rent housing within the City of Aberdeen, there is a necessity to construct a new low rent housing project in the City of Aberdeen; and

BE IT FURTHER RESOLVED that a copy of this resolution of necessity shall be presented to the City Council for the City of Aberdeen for publication and consideration.

All present voting aye, motion carried.

**RESOLUTION NO. 13-02-03R**

Bunsness moved, Rux seconded to approve the following Resolution No. 13-02-03R:

**RESOLUTION IN SUPPORT OF THE ABATEMENT OF REAL PROPERTY TAXES**

WHEREAS, SDCL Chapter §10-18 provides for abatement of certain real property taxes; and

WHEREAS, SDCL §10-18-6 requires that a municipality approve such abatements when the real property upon which is levied the tax to be abated is located in a municipality; and

WHEREAS, the City is the applicant for the abatement of a portion of the real property taxes levied on certain real property commonly known as 2007 Highway 281 South, more particularly described as OL 1, WEGNERS, NW 26-123-64 EX HWY, LAND DEEDED & LAND PLATTED, which property is owned and recently acquired by the City; and

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Aberdeen City Council of the City of Aberdeen hereby approves of the abatement request submitted by the City of Aberdeen to the Brown County Commission; and

BE IT FURTHER RESOLVED that the City Council for the City of Aberdeen authorizes payment to Brown County in the amount of Three Hundred Forty and 55/100 Dollars (\$340.55) for taxes accrued on the above-referenced property prior to its purchase by the City.

All present voting aye, motion carried.

**BILLS**

Swanson moved, Bunsness seconded to approve the following audited bills for services, supplies, repairs and maintenance: AT & T Mobility 421.50; United Parcel Service 65.23; US Bank 28,846.60; Pierson-Ford-Lincoln-Mercury 22,976.00; RDO Equipment Aberdeen 19,600.00; Kimberlee Austin 15.00. Upon roll call, all present voting aye, motion carried.

**SCHOOL SAFETY ZONE - 1805 SOUTH ROOSEVELT STREET**

Swanson moved, Rux seconded to approve the proposed development of 1805 Roosevelt Street South to be used by Graham Tire as an agriculture and truck tire operations facility. Motion passes by voice vote.

There being no further business, Bunsness 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.