

JOINT CITY/COUNTY PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, June 3, 2013, 5:30 p.m., Joint City/County Meeting. Mayor Mike Levsen presiding. Present at roll call were City Council Members David Bunsness, Todd Campbell, Jeff Mitchell, Mark Remily, Clint Rux, Jennifer Slight-Hansen, and Laure Swanson. City Council Member Tom Agnitsch was absent. City staff present were Adam Altman, Robin Bobzien, Brett Bill, Jerry Kost, and Don Lanpher. County Commissioners present were Tom Fischbach, Mike Wiese, and Nancy Hansen. County Commissioners Duane Sutton and Rachel Kippley were absent.

ORDINANCE NO. 13-05-04

Mitchell moved, Remily seconded to approve second reading and final adoption of Ordinance No. 13-05-04 to rezone from (A-1) District to (M-AG) District property described as Stoecker's Outlot A, Rombs Outlot A, and the North 466' of the 466.67' West of the East 1,088.33' all in the NE ¼ of Section 32, T124N, R64W of the 5th P.M., Brown County, South Dakota. Upon roll call, all present voting aye, motion carried.

Fischbach moved, Wiese seconded to approve second reading and final adoption of Ordinance No. 13-05-04-416. All present voting aye, motion carried.

PETITIONS TO REZONE

Rux moved, Campbell seconded to set a joint hearing date of June 24, 2013 at 5:30 p.m. for the following petitions to rezone: 1) Rezone from (C-2) District and (R-2) District to (C-2) District property described as Lot 1, Raderschadt Addition in the NE ¼ of Section 22, T123N, R64W of the 5th P.M., Brown County, South Dakota; 2) Rezone from (A-1) District to (M-AG) District property described as Jett Tract 1 in the NW ¼ of Section 32, T124N, R64W of the 5th P.M., Brown County, South Dakota; 3) Rezone from (A-1) District to (C-2) District property described as Outlot A in the SE ¼ of Section 15, T123N, R63W of the 5th P.M., Brown County, South Dakota; 4) Rezone from (A-1) District to (M-AG) District property described as Peck-Feickert Outlot 2 in the NE ¼ of Section 16, T123N, R64W of the 5th P.M., Brown County, South Dakota; 5) Rezone from (A-1) District to (M-AG) District property described as L. Habeck Addition to the City of Aberdeen in the NE ¼ of Section 34, T123N, R64W of the 5th P.M., Brown County, South Dakota. All present voting aye, motion carried.

Fischbach moved, Wiese seconded to set a joint hearing date of June 24, 2013 at 5:30 p.m. for the petitions to rezone. All present voting aye, motion carried.

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

Prepared by Mary Campton for the Finance Office. /s/ Jerry L. Kost, Deputy Finance Officer.

CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, June 3, 2013, 5:30 p.m., regular meeting of the Board of City Council Members, Mayor Mike Levsen presiding. Present at roll call were City Council Members David Bunsness, Todd Campbell, Jeff Mitchell, Mark Remily, Clint Rux, Jennifer Slight-Hansen, and Laure Swanson. City Council Member Tom Agnitsch was absent. City staff present were Adam Altman, Robin Bobzien, Brett Bill, Jerry Kost, and Don Lanpher. Mayor Levsen led the Pledge of Allegiance.

MINUTES

Mitchell moved, Slight-Hansen seconded to approve the minutes of May 28, 2013, as circulated. All present voting aye, motion carried.

OPEN FORUM – No one was present.

OLD BUSINESS

ORDINANCE NO. 13-05-01

Bunsness moved, Swanson seconded to approve second reading and final adoption of Ordinance No. 13-05-01 to rezone from (R-2) District to (M) District property described as Outlot C in the NE ¼ of Section 12, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota. Upon roll call, all present voting aye, motion carried.

ORDINANCE NO. 13-05-02

Mitchell moved, Rux seconded to approve second reading and final adoption of Ordinance No. 13-05-02 to rezone from (R-2) District to (M) District property described as North Plains Outlot B except the W. 602.33' thereof in the NW ¼ of Section 7, T123N, R63W and Drainage Lot S except the S. 60' thereof in the NE 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. 13-05-03

Rux moved, Remily seconded to approve second reading and final adoption of Ordinance No. 13-05-03 to rezone from (R-2) District and (R-2)/(R-4) Districts to (M) District property described as Lots A, B, and C, Maloney Subdivision in the N ½ of Section 11, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota. Upon roll call, all present voting aye, motion carried.

ORDINANCE NO. 13-05-05

Mitchell moved, Bunsness seconded to approve second reading and final adoption of Ordinance No. 13-05-05 to rezone from (I-2) District and (C-2) District to (C-2) District property described as Lots 1 and 2, Kessler's Third Addition to Aberdeen in the NE ¼ of Section 24, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota. Upon roll call, all present voting aye, motion carried.

CONSENT CALENDAR

Swanson moved, Slaight-Hansen seconded to approve the following items on the consent calendar:

SET HEARING DATE – of June 24, 2013 at 5:30 p.m. for a petition to rezone from (R-3) District and (C-2) District to (R-3) District property described as Lots 1 – 24, Block 48 and Lots 1 – 14, Block 51, West Aberdeen Addition and vacated alley and vacated street in the SE ¼ of Section 14, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota.

LICENSES – Taxi Cab Drivers – Alexander Dumdie and Daniel Hollis

FIREWORKS PUBLIC DISPLAY PERMIT – for Aberdeen Parks, Recreation & Forestry for July 4, 2013 at Wylie Park.

LOTTERY NOTICES – Elks Lodge; Yelduz Shrine Wrecking Crew – receive and place on file.

All present voting aye, motion carried.

NEW BUSINESS

HEARING ON MALT BEVERAGE LICENSE

This being the time and place set for a hearing on an application for transfer of Retail On-Off Sale Malt Beverage License with video lottery, recommendations for approval were received, Remily moved, Slaight-Hansen seconded to approve the transfer of the Inactive Retail On-Off Sale Malt Beverage License with video lottery from Emerald Pub LLC dba Emerald Pub LLC, 23 6th Avenue, SW to ASC, Inc. dba ASC, Inc, 23 6th Avenue, SW. All present voting aye, motion carried.

COMMUNITY EVENT PERMIT

Remily moved, Rux seconded to approve the Community Event Permit for the Silver Dollar Bar Inc.'s Breast Cancer Charity Bike Run Show on June 15, 2013 with

street closures on South Main Street from 2nd Avenue to 1st Avenue at 3:00 p.m. to 11:00 p.m. All present voting aye, motion carried.

BOARD APPOINTMENT

Bunsness moved, Campbell seconded to reappoint Rolf Johnson to the Aberdeen Airport Board for a five-year term beginning June 30, 2013 and ending June 30, 2018.

All present voting aye, motion carried.

WAIVER OF BUILDING PERMIT FEE

Patti Marshall, Executive Director of Habitat For Humanity was present to request waiver of building permit, water and sewer hookup, and water system development fees for a house on Ward Drive. Campbell moved, Swanson seconded to approve to waive the building permit fee for a house on Ward Drive being built by Habitat for Humanity. All present voting aye, motion carried.

BID FOR MILL AND OVERLAY IMPROVEMENTS

A Bid was opened and publicly read for the Mill and Overlay Improvements Project. Campbell moved, Mitchell seconded to award the bid to Lien Transportation in the amount of \$301,511.95 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.

CHANGE ORDER/PAYMENT REQUEST

Bunsness moved, Swanson seconded to approve and authorize the City Manager to sign Change Order #1 in the amount of \$4,321.35 and Pay Estimate #1 in the amount of \$61,688.53 to Wright & Sudlow, Inc. for work completed on the Accessible Quadrant Improvements Project. All present voting aye, motion carried.

BILLS

Rux moved, Swanson seconded to approve the following audited bills for services, supplies, repairs and maintenance: Midcontinent Communications 141.60; AE2S 12,720.00; JDH Construction 110,000.00; AT & T Mobility 417.30. Upon roll call, all present voting aye, motion carried.

PAYROLL

Bunsness moved, Swanson seconded to approve the payroll for period from May 19, 2013 through June 1, 2013 and City's share of social security, old age & survivor's insurance, retirement, health & life insurance: Wells Fargo 124,857.41; SD Retirement System 60,843.85; Governing Body 3,192.28; City Manager 6,407.59; City Attorney 3,681.60; Finance 13,407.85; HR 7,016.00; Building 244.95; Computer 3,608.80; Planning/Zoning 11,892.00; Engineering 10,356.80; Police 97,404.62; Fire 87,423.07, Dylan Traufler 13.92/hr; Fire Prevention 3,870.64; Housing/Building 5,105.60; Street 22,982.48, Patrick Krause 10.25/hr; Traffic 4,981.61; Solid Waste 21,934.33; Transportation 12,815.36; Library 21,863.02; Parks, Rec & Forestry 135,450.79, Amy Albrecht 10.00/hr or 390/week, Jordan Allbee 8.00/hr or 13-24/game, Carlie Appletoft 8.50/hr, Natalie Barclay 7.25/hr, Jamison Bjur 8.00/hr or 42-44/team/week, Mikaela Blumhardt 8.10/hr, Brett Casey 8.00/hr or 40/team/week, Ashley Clemens 8.00/hr, Madison Cordie 8.10/hr, Kaylyn Deiter 8.00/hr or 16-30/class, Erin Dudley 8.00/hr or 16-30/class, Gene Eisenbeisz 10.00/hr or 540/week, Trevor Flemmer 8.00/hr or 13-24/game or 42-52/team/week, Daniel Gallagher 8.00/hr or 13-24/game or 42-52/team/week, Thomas Gallagher 8.00/hr or 13-24/game or 46-56/team/week, Jacob Gellhaus 8.00/hr or 17-31/class, Caitlin Geyer 8.00/hr or 44/team/week, Alexander Grandbois 8.00/hr or 17-31/class, Morgan Gunderson 8.00/hr or 16-30/class, David Hagen 8.50/hr, Amy Harr 10.10/hr, Andrew Holmstrom 9.00/hr or 48-58/team/week, Bailee Holscher 8.10/hr, Tianna Holtey 8.00/hr or 17-31/class, Gabrielle Imbery 8.00/hr or 16-30/class, Tanner Iwerks 8.50/hr, Chance Karlen 8.00/hr or 13-24/game or 44-54/team/week, Joshua Kippley

8.50/hr, Tyler Kjenstad 8.00/hr or 13-24/game or 44-54/team/week, Katherine Koester 9.10/hr, Derek Larson 11.00/hr, Seth Lundeen 8.00/hr or 40/team/week, Steven Markley 10.00/hr or 520/week, Michael Marmorstein 8.00/hr, Justin Mayer 8.00/hr or 42/team/week, Kristin McCafferty 10.00/hr or 520/week, Lauren McCafferty 8.00/hr or 48-56/team/week, Emily Miller 8.00/hr or 44-52/team/week, Joseph Murtagh 8.10/hr, Amy Neitzel 8.00/hr or 44-52/team/week, Sara Niederbaumer 8.10/hr, Jacob Nikolas 8.10/hr, Richard Osman 8.00/hr or 13-24/game, Nicole Outka 8.00/hr, Carter Paulson 8.00/hr or 13-24/game or 42-52/team/week, Diana Peck 8.00/hr or 16-30/class, Rachel Peterson 8.50/hr, Shelby Peterson 8.00/hr or 44-52/team/week, Denise Punt 11.00/hr or 15.00/hr, Erin Punt 7.50/hr, Christy Renner 9.35/hr, Bailey Roberts 8.50/hr, Matthew Rohrbach 8.00/hr or 13-24/game or 42/team/week, Ashley Rook 8.00/hr or 46-54/team/week, Brendan Roso 8.00/hr or 13-24/game or 46-48/team/week, Elizabeth Scheidt 8.00/hr, Brandon Schneider 8.00/hr or 13-24/game or 42-52/team/week, Bailey Schumacher 8.10/hr, Brandon Sieck 8.35/hr, Ronald Sieler 8.00/hr or 13-24/game Kami Smesmo 8.00/hr or 40-50/team/week, Alexandra Steckler 8.10/hr, Logan Stubbe 8.00/hr or 40/team/week, Scott Sultz 8.50/hr, Braedon Sutton 8.00/hr or 40/team/week, Hillary Sward 8.10/hr, Joseph Tieszen 15.92/hr, Courtney Ullrich 8.10/hr, Samuel VanOrman 8.00/hr or 13-24/game or 42-52/team/week, Thomas VanOrman 8.00/hr or 52-62/team/week, Mariah Vilhauer 8.00/hr, Trey Vilhauer 00/hr or 14-24/game or 44-54/team/week, Cody Voegeli 8.00/hr or 13-24/game or 42-52/team/week, Courtney Walker 9.25/hr, Kim Zimmerman 10.00/hr or 430/week, Hattie Zinter 8.00/hr; Airport 11445.34, Anthony Hieb 16.72/hr; Pipe 23,012.05, Matthew Achen 10.00/hr; Water Treatment 16,677.73; Meter 3,916.00; Wastewater 18,938.78; Pump 5,678.99. Upon roll call, all present voting aye, motion carried.

AGREEMENT

Bunsness moved, Rux seconded to approve the Party Wall Agreement between the City of Aberdeen and Roosevelt Apartments, LLC. All present voting aye, motion carried.

EXECUTIVE SESSION

Bunsness moved, Mitchell seconded to move into executive session to discuss a contract. All present voting aye, motion carried. Slight-Hansen moved, Bunsness seconded to move out of executive session. All present voting aye, motion carried.

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

Prepared by Mary Campton for the Finance Office. /s/ Jerry L. Kost, Deputy Finance Officer

CITY COUNCIL PROCEEDINGS

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, June 6, 2013, 9:00 a.m., Special City Council Meeting to canvass City Election Results. Mayor Mike Levsen presiding. Present at roll call were City Council Members Tom Agnitsch, Mark Remily, Clint Rux, and Jennifer Slight-Hansen. City Council Members David Bunsness, Todd Campbell, Jeff Mitchell, and Laure Swanson were absent. City Staff present were Lynn Lander, Adam Altman, and Mary Campton.

CANVASS ELECTION RESULTS

County Auditor Maxine Fischer and County Election Clerk Julia Grenz were present to canvass the election results with the City Council.

RESOLUTION NO. 13-06-03R

Remily moved, Slight-Hansen seconded to approve the following Resolution No. 13-06-03R:

WHEREAS, on January 7, 2013, the City Council of the City of Aberdeen set the time and date of the Annual Municipal Election to be held in the City on June 4, 2013 for the purpose of electing a City Council Alderman for the NE District and a City Council

Alderman for the SW District and

WHEREAS, at the Annual Municipal Election held in several polling places in the City of Aberdeen, South Dakota on Tuesday, June 4, 2013, there were cast the following votes for Offices of City Council Alderman, to wit: Alderman for NE District five-year term: Rob Ronayne received 413 votes and James Kraft received 377 votes, there being a total of 790 legal votes cast for City Council Alderman, NE District; Alderman for SW District, five-year term: Davin Johnson received 53 votes and Alan M. Johnson received 264 votes, there being a total of 317 legal votes cast for City Council Alderman, SW District, and

WHEREAS, the returns of said election have been delivered and canvassed by the City Council, and

WHEREAS, Rob Ronayne and Alan M. Johnson received a plurality of the legal votes cast,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABERDEEN, that Rob Ronayne is hereby elected City Council Alderman, NE District for a term of five years, Alan M. Johnson is hereby elected City Council Alderman, SW District for a term of five years, and the City Finance Officer is hereby directed to issue the proper Certificates of Election.

All present voting aye, motion carried.

There being no other business before the Council, Rux moved, Slight-Hansen seconded that the meeting be adjourned. All present voting aye, motion carried.

Prepared by Mary Campton for the Finance Office.