

CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, July 1, 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, Alan Johnson, Clint Rux, Rob Ronayne, Jennifer Slaughter-Hansen, and Laure Swanson. City Council Member Mark Remily was absent. City staff present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, Karl Alberts, Don Lanpher, Mike Wilson, and Kevin VanMeter.

Mayor Levsen led the Pledge of Allegiance.

OATH OF OFFICE

Karl Alberts, City Finance Officer, administered the oath of office to Alan Johnson, new City Council Member, SW District and to Rob Ronayne, new City Council Member, NE District.

MINUTES

Rux moved, Bunsness seconded to approve the minutes of June 24, 2013, as circulated. All present voting aye, motion carried.

OPEN FORUM – No one present.

OLD BUSINESS

ORDINANCE NO. 13-06-05

Campbell moved, Swanson seconded to approve second reading and final adoption of Ordinance No. 13-06-05 amending Ordinance No. 1164 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. Upon roll call, all present voting aye, motion carried.

ORDINANCE NO. 13-06-07

Ronayne moved, Rux seconded to approve second reading and final adoption of Ordinance No. 13-06-07 creating Section 52-157 of the Aberdeen Municipal Code prohibiting texting while driving. Upon roll call, all present voting aye.

ORDINANCE NO. 13-06-08

Campbell moved, Rux seconded to approve second reading and final adoption of Ordinance No. 13-06-08 amending parts of Chapter 24 of the Aberdeen Municipal Code dealing with fire prevention and protection. Upon roll call, all present voting aye, motion carried.

CONSENT CALENDAR

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

DESIGNATION OF OFFICIAL NEWSPAPER – Aberdeen American News

SET HEARING DATE – of July 22, 2013 at 5:30 p.m. for the following petitions to rezone 1) Rezone from (R-2) District and (R-2) District/(R-4) District to (R-2) District property described as Lot 2, Young's Railroad Addition in the SE ¼ of Section 24, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota; 2) Rezone from (I-2) District and (C-2) District to (I-2) District property described as Lot 1, CASH-WA-AVERA St. Luke's Subdivision in the SE ¼ of Section 13, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota; 3) Rezone from (I-2) District to (R-3) District property described as Lot 1, Jackson Heights First Addition in the SW ¼ of Section 18, T123N, R63W of the 5th P.M., Aberdeen, Brown County, South Dakota.

All present voting aye, motion carried.

Rux moved, Bunsness seconded to approve the following item on the consent calendar:

DESIGNATION OF OFFICIAL DEPOSITORIES – Aberdeen Federal Credit Union, Dacotah Bank, Great Western Bank, Healthcare Plus Federal Credit Union, Great Plains Bank, Home Federal Savings Bank, Plains Commerce Bank, US Bank, and Wells Fargo Bank.

All present voting aye with Ronayne abstaining, motion carried.

NEW BUSINESS

RESOLUTION NO. 13-07-01R

Campbell moved, Bunsness seconded to approve the following Resolution No. 13-07-01R

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	VIN #	
2011 Dodge Charger	2B3CL1CG9BH554334	
2007 Dodge Charger	2B3KA43G97H877874	
2002 Chevrolet Impala	2G1WF55K129287186	
2003 Ford E450 Ambulance #4438	1FDXE45F83HB33434	Fixed Asset

BE IT FURTHER RESOLVED by the Aberdeen City Council that the Chief of Police and Fire Chief may transfer this surplus property as allowed by law. These three vehicles will be sold to the public in accordance with bid law and bid law procedures. The ambulance will be sold to the City of Groton for \$15,000.

All present voting aye, motion carried.

ELECTION OF DEPUTY MAYOR

Campbell moved, Johnson seconded to elect Council Member Bunsness as Deputy Mayor for a one-year term. All present voting aye, motion carried.

BOARD APPOINTMENTS

Bunsness moved, Rux seconded to approve of the City Manager's appointment of Council Member Johnson to the Aberdeen Regional Airport Board and the Mayor's appointment of Council Member Campbell to the Aberdeen Parks and Recreation Board. All present voting aye, motion carried.

Ronayne moved, Rux seconded to approve the appointment of Peter Ramey and Thomas Guhin to the Aberdeen Library Board of Trustees for a three-year term ending on June 30, 2016. All present voting aye, motion carried.

Campbell moved, Swanson seconded to approve the appointment of Jerry B. Mills to the Aberdeen Parks, Recreation & Forestry Board for a five-year term ending on June 30, 2018. All present voting aye, motion carried.

PAYMENT REQUEST – KLINE STREET IMPROVEMENTS

Bunsness moved, Rux seconded to approve and authorize the City Manager to sign Payment Request #1 in the amount of \$81,763.34 to Dahme Construction for work done on the Kline Street Storm Sewer Improvements Project. Upon roll call, all present voting aye, motion carried.

BILLS

Bunsness moved, Swanson seconded to approve the following audited bills for services, supplies, repairs and maintenance: Midcontinent Cable 141.60; Brick Markers 528.00; US Bank 37,449.81; United Parcel Service 34.18; AT & T 2,565.79; JDH Construction 131,400.00; Hase Plumbing & Heating 111,773.90; Fleet Services 244.34; Guardian 574.48; Wageworks 348.00; Dakotacare 34,311.83; Clark Engineering Corp 2,143.98; Clark Engineering Corp 2,769.47; DOI-USGS 18,995.00; J & K Mowing

Service 762.48; David Land 777.50; CVB 24,106.04; SD Secretary of State 30.00; Dakotacare 233.85. Upon roll call, all present voting aye, motion carried.

PAYROLL

Rux moved, Slaughter-Hansen seconded to approve the payroll for period from June 16, 2013 through June 29, 2013 and City's share of social security, old age & survivor's insurance, retirement, health & life insurance: Wells Fargo 137,338.53; SD Retirement System 58,595.36; Governing Body 3,192.28; City Manager 6,424.31; City Attorney 3,681.60; Finance 20,073.65, Jerry Kost 33.00/hr; HR 7,016.00; Building 236.79; Computer 3,681.46; Planning/Zoning 11,892.00; Engineering 9,942.40; Police 86,863.80; Fire 84,130.50, Eric Schuldt 14.27/hr; Fire Prevention 3,308.40; Housing/Building 5,105.60; Street 24,968.44, Morne Van Staden 15.91/hr; Traffic 5,671.32; Solid Waste 22,598.12; Transportation 12,156.83; Library 22,143.90; Parks, Rec. & Forestry 188,679.82, Anne Jensen 9.25/hr or 11.25/class, Roberta Rernleitner 8.00/hr, John D. Rohrbach 8.00/hr or 13-24/game; Airport 11,636.15; Pipe 24,849.88; Water Treatment 17,124.12; Meter 3,945.09; Wastewater 18,034.08; Pump 5,986.65. Upon roll call, all present voting aye, motion carried.

CITY MANAGER'S REPORT

Lynn Lander presented the City Manager's Report to the City Council.

EXECUTIVE SESSION

Campbell moved, Bunsness seconded to move into executive session for discussion of pending litigation. All present voting aye, motion carried. Campbell and Ronayne left the room. Rux moved, Swanson seconded to move out of executive session. All present voting aye, motion carried.

There being no further business, Slaughter-Hansen 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.

JOINT CITY/COUNTY PROCEEDINGS

Brown County Commission Chambers, Courthouse Building, 25 Market Street, Aberdeen, South Dakota, July 2, 2013, 8:45 a.m., Joint City/County Meeting. Mayor Mike Levsen presiding. Present at roll call were City Council Members David Bunsness, Alan Johnson, Rob Ronayne, Clint Rux, and Laure Swanson. City Council Members Todd Campbell, Mark Remily, and Jennifer Slaughter-Hansen were absent. City staff present were Brett Bill and Karl Alberts. County Commissioners present were Tom Fischbach, Mike Wiese, Nancy Hansen, Duane Sutton, and Rachel Kippley.

ORDINANCE NO. 13-06-01

Swanson moved, Ronayne seconded to approve second reading and final adoption of Ordinance No. 13-06-01 amending Ordinance No. 1164 to rezone from (C-2) District and (R-2) District to (C-2) District property described as Lot 1, Raderschadt Addition. Upon roll call, all present voting aye, motion carried.

ORDINANCE NO. 13-06-02

Swanson moved, Rux seconded to approve second reading and final adoption of Ordinance No. 13-06-02 amending Ordinance No. 1164 to rezone from (A-1) District to (M-AG) District property described as Jett Tract 1. Upon roll call, all present voting aye, motion carried.

ORDINANCE NO. 13-06-03

Bunsness moved, Johnson seconded to approve second reading and final adoption of Ordinance No. 13-06-03 amending Ordinance No. 1164 to rezone from (A-1) District to (C-2) District property described as Outlot A in the SE ¼ of Section 15, T123N, R63W. Upon roll call, all present voting aye, motion carried.

ORDINANCE NO. 13-06-04

Bunsness moved, Johnson seconded to approve second reading and final adoption of Ordinance No. 13-06-04 amending Ordinance No. 1164 to rezone from (A-1) District to (M-AG) District property described as Peck-Feickert Outlot 2. Upon roll call, all present voting aye, motion carried.

ORDINANCE NO. 13-06-06

Rux moved, Ronayne seconded to approve second reading and final adoption of Ordinance No. 13-06-06 amending Ordinance No. 1164 to rezone from (A-1) District to (M-AG) District property described as L. Habeck Addition. Upon roll call, all present voting aye, motion carried.

Hansen moved, Kippley seconded to approve second reading and final adoption of Ordinance No. 13-06-01-417, Ordinance No. 13-06-02-418, Ordinance No. 13-06-03-419, Ordinance No. 13-06-04-420, and Ordinance No. 13-06-06-421 as presented. All voting aye, motion carried.

SET HEARING DATE

Swanson moved, Ronayne seconded to set a joint hearing date of July 23, 2013 at 8:45 a.m. at the County Commission Chambers for the following petitions to rezone: 1) Rezone from (A-1) District to (M-AG) District property described as Lot 1, Commet Subdivision in the SW $\frac{1}{4}$ of Section 34, T124N, R64W of the 5th P.M., Brown County, South Dakota; 2) Rezone from (A-1) District to (M-AG) District property described as the East 20 Rods of the SE $\frac{1}{4}$, SE $\frac{1}{4}$ of Section 27, T123N, R63W of the 5th P.M., Brown County, South Dakota; 3) Rezone from (A-1) District to (M-AG) District property described as the Sunset Memorial Gardens, Lots A, B, and C, Garden of Honor, Sunset Memorial Gardens, Garden of Gethsemane Subdivision of Lot 1, First Addition to Sunset Memorial Gardens and Lots 1 and 2, Sunset Memorial Irrigation Pond Addition in the SE $\frac{1}{4}$ of Section 15, T123N, R63W, Except the Highway of the 5th P.M., Brown County, South Dakota. All present voting aye, motion carried.

Fischbach moved, Hansen seconded to set a joint hearing date of July 23, 2013 at 8:45 a.m. at the County Commission Chambers for these petitions to rezone. All voting aye, motion carried.

There being no further business before the Joint Council, Rux moved, Swanson 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.