

## CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, June 22, 2009, 5:30 p.m., regular meeting, Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, Nancy Aman, Todd Campbell, Lloyd Hodgins, Jim Kraft, Jeff Mitchell and Clint Rux. David Bunsness was absent.

Mayor Levsen led the Pledge of Allegiance.

### **OLD BUSINESS**

#### ORDINANCE NO. 09-06-03

Campbell moved, Agnitsch seconded to approve second reading and final adoption of Ordinance No. 09-06-03. Upon roll call, all present voting aye, motion carried.

#### CONTINUED – RESOLUTION NO. 09-06-04 R

Hodgins moved, Rux seconded to approve the following resolution:

#### AUTHORIZING SRF SIGNATORY FOR THE CITY OF ABERDEEN

WHEREAS, the City of Aberdeen is proposing to make water system improvements to include the purchase of an automated meter reading system and the replacement of water meters; and

WHEREAS, the City of Aberdeen is applying for \$1,750,000 for a Drinking Water State Revolving Fund (DWSRF) loan with principal forgiveness; and

WHEREAS, the City of Aberdeen needs to authorize a DWSRF signatory.

NOW, THEREFORE BE IT RESOLVED, that the City of Aberdeen make application to the South Dakota Department of Environment and Natural Resources for a DWSRF loan in the amount of \$1,750,000 at an interest rate of 2.25% for a term of 10 years. The security pledged toward repayment for the project will be a sales tax revenue bond; and

AND BE IT FURTHER RESOLVED that the Mayor of the City of Aberdeen be the authorized signatory for all loan related documents, including the application and pay requests.

All present voting aye, motion carried.

#### CONTINUED – DISCUSSION ON DAY CARE LICENSE

Mitchell moved, Campbell seconded to approve the Home Day Care Operator License application for Tina Hopfinger. All present voting aye, motion carried.

#### CONTINUED – PROMOTION FUND UNDESIGNATED FUNDS

Mitchell moved, Hodgin seconded to continue until work session scheduled for June 29<sup>th</sup> at 4:00 p.m., the consideration of “Promotion Fund” Undesignated Funds, possible allocation. All present voting aye, motion carried.

#### **CONSENT CALENDAR**

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

SET BID DATE – July 8, 2009 at 2:00 p.m. for the following advertisements for bids – One New 2009 Ambulance for Aberdeen Fire and Rescue; Police Department Office Furniture; 8<sup>th</sup> Avenue NE – Jackson Street to Kettering Drive (Project ST-2009-2).

PETITION TO VACATE PUBLIC RIGHT-OF-WAY – First Avenue NE between Block 46 and Block 53, Northwestern Addition except Railroad Right-of-Way. Jones Avenue NE between Lot 6, Block 53 and Lot 7, Block 52 and Block 53, Northwestern Addition. Harrison Street North between Block 52 and Block 53, Northwestern Addition except Railroad Right-of-Way – set hearing date of July 13, 2009 at 5:30 p.m.

PLATS – 1) North Main Fire Station No. 2 Subdivision in Aberdeen, SD, located in the NW ¼ of Section 13, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, SD; 2) Jones Commercial Park Second Subdivision in the SE ¼ of Section 16, T123N,

R63W of the 5<sup>th</sup> P.M., Brown County, SD; 3) Steel Structures Third Addition to Aberdeen, SD, located in the NW ¼ and SW ¼ of Section 18, T123N, R63W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, SD with the stipulation that Board of Zoning Adjustment approves to create a lot with 0' of frontage.

LICENSES – Home Day Care – Mary Pitlick and Susan Dalager; Journeyman Plumber – Jason Reinert; Residential Building Contractor – Erie Construction Mid-West Inc.; K & A Construction; David Allen dba LN Construction; Private Security – Frank Alebertt, Jr.; Taxi Cab Driver – Justin Wipf.

All present voting aye, motion carried.

### **NEW BUSINESS**

#### ORDINANCE NO. 09-06-01

Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 708 (C-3) to Section 705 (R-3) Lot 10, Block 42, Second Addition in the NW ¼ of Section 24, T123N, R64W, Aberdeen, Brown County, South Dakota was presented. Hodgins moved, Kraft seconded to approve first reading of Ordinance No. 09-06-01. Upon roll call, all present voting aye, motion carried.

#### ORDINANCE NO. 09-06-02

Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 710 (I-2) to Section 704 (R-2) Lot 2, Bakken First Subdivision in the NW ¼ of Section 18, T123N, R63W, Aberdeen, Brown County, South Dakota was presented. Rux moved, Aman seconded to approve first reading of Ordinance No. 09-06-02. Upon roll call, all present voting aye, motion carried.

ORDINANCE NO. 09-06-04

Ordinance amending Section 27-4 of the Revised Ordinances of the City of Aberdeen changing the maximum taxi cab fares was presented. Hodgkin moved, Kraft seconded to approve first reading of Ordinance No. 09-06-04. Upon roll call, all present voting aye, motion carried.

RESOLUTION NO. 09-06-03 R

Mitchell moved, Aman seconded to approve the following resolution:

RESOLUTION NO. 09-06-03 R

BE IT RESOLVED by the Aberdeen City Council, Brown County, Aberdeen, South Dakota that the Petition to Vacate the Public Right-of-Way filed by Eisenbeis Mobile Home Court, Shari Pribble, Verna Kulm, Michael A. Kulm, and Kathy S. Dosch, is hereby granted and the public right-of-way is hereby vacated for the following described areas:

N. 300' of S. Park Street within Eisenbeis Mobile Home Court adjacent to Lots 1 and 2, Pierson's Subdivision in the SE ¼ of Section 18, T123N, R63W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota.

BE IT FURTHER RESOLVED by the Aberdeen City Council, Brown County, Aberdeen, South Dakota, that a certified copy of this Resolution shall be filed for record and duly recorded in the Office of the Register of Deeds in Brown County.

All present voting aye, motion carried.

RESOLUTION NO. 09-06-05 R

Mitchell moved, Aman seconded to approve the following resolution:

RESOLUTION TO AUTHORIZE THE FILING OF AN APPLICATION FOR A  
GRANT UNDER SECTION 5311 OF THE SURFACE TRANSPORTATION  
ASSISTANCE ACT

WHEREAS, the U.S. Department of Transportation is authorized to make grants to states through the Federal Transit Administration (FTA) to support capital and operating assistance projects for nonurbanized public transportation systems Section 5311 of the Surface Transportation Assistance Act, and

WHEREAS, the South Dakota Department of Transportation, Division of Finance and Management, Office of Local Transportation Programs has been designated by the Governor to administer Section 5311; and

WHEREAS, the contract for financial assistance will impose certain obligations upon the applicant, including provisions by it of the local share of project costs;

NOW, THEREFORE, BE IT RESOLVED BY Aberdeen City Council: That David Osborn is authorized to execute and file an application on behalf of The City of Aberdeen with the South Dakota Department of Transportation to aid in the financing of capital and/or operating assistance projects pursuant to Section 5311 of the Surface Transportation Assistance Act.

That David Osborn, is authorized to furnish such additional information as SDDOT may require in connection with the application or the project.

All present voting aye, motion carried.

#### HEARING – BRYNE GRANT FUNDS

This being the time and place set for a hearing on public comments on uses of Bryne Grant Funds for the Police Department, Mayor Levsen opened the hearing. No one was present to testify and the hearing was closed.

#### CONTRACT

Mitchell moved, Kraft seconded to approve and authorize the Mayor to sign contract for one single conductor color TV camera and transporter – Elxsi dba Cues. All present voting aye, motion carried.

#### RECOMMENDATION ON BIDS

Bids were opened and read for Riverside Lift Station Pump Renovations. One bid was received from Dakota Pump & Control Inc - \$66,131.16 – Option #2. Rux moved, Kraft seconded to accept the bid from Dakota Pump & Control Inc. All present voting aye, motion carried.

#### CHANGE ORDERS

Campbell moved, Hodgkin seconded to approve and authorize the Mayor to sign the following change orders: #1 – removal of abandoned influent feed pipe for WWTP Improvements, Phase 2B – Lien Transportation – increase in the amount of \$2,800.00; and #7 – adjustments in materials and equipment for Public Safety Facility Project – Kyburz-Carlson Construction – increase in the amount of \$15,727.00. All present voting aye, motion carried.

## PAY ESTIMATES

Aman moved, Rux seconded to approve payment and authorize the Mayor to sign Pay Est #1 – Fairgrounds Road Reconstruction – Upper Plains Contracting in the amount of \$581,365.82. Upon roll call, all present voting aye, motion carried.

Mitchell moved, Hodgkin seconded to approve payment and authorize the Mayor to sign Pay Est #27 – engineering for WWTPF Improvements – Banner Associates in the amount of \$14,428.23. Upon roll call, all present voting aye, motion carried.

## BILLS

Mitchell moved, Kraft seconded to approve the following audited claims for services, supplies, repairs and maintenance: United Parcel Service 22.70; Northwestern Energy 13,870.68; Dakotacare Administrative 450.00; J & K Mowing Service 742.46; J & K Painting/Mowing 4,150.00; JR Huebner 172.00; First National Bank Corp Trust 534,949.17; Aberdeen Business Improvement District 10,110.73; Banner Associates Inc 1,517.35; Helms & Associates 6,154.18; Clark Engineering 16,662.62; Aero-Metric Inc 6,800.00; Jerke Irrigation 140.49. Upon roll call, all present voting aye, motion carried.

## PAYROLL

Kraft moved, Hodgkin seconded to approve payroll for period June 7 through 20, 2009 and city share of social security, old age and survivor's insurance, retirement and health/life insurance: Governing Body 6,185.94; Attorney 3,285.60; Finance 13,633.71; HR 6,712.80; Building 206.22; Computer 3,258.40; Planning/Zoning 10,756.00; Engineer 10,743.15; Police 81,682.06; Fire 76,774.18; Fire Prevention 2,325.60; Housing/Building 4,592.80; Street 22,741.39; Traffic 4,639.07; Solid Waste 19,099.37; Transportation 11,132.87, Aaron Schultz 9.50/hr; Library 20,784.82; Parks, Recreation & Forestry 161,331.33, Michelle Adams 11.00/hr, Marissa Aldinger 10.25/hr or 11.00/hr, Alli Arampatzis 6.55/hr, Baily Aman 7.50/hr, Scott Banik 10.50/hr, Scott Bishop 8.50/hr, Stewart Bohle 10.00/hr or 320/week, Heather Bonn 10.25/hr or 11.00/hr, Madolin Busson 10.25/hr, Caleb Carr 7.50/hr, Jennifer Deutsch 8.75/hr or 13.25/hr, Logan Dosch 7.50/hr or 38/team, Samantha Francis 7.50/hr or 38-48/team, Conner Hulshof 8.00/hr, Katie

Koester 9.00/hr, Jaci Kvernevig 9.50/hr, Angela Lanz 7.50/hr, Brittany Lenander 7.50/hr or 38-48/team, Jerome Letcher 500.00/week, Christopher Osborn 7.50/hr or 42-54/team, Lisa Osman 10.00/hr or 390.00/week, Judy Pierson 12.00/hr, Grant Preszler 8.00/hr, Jodi Reinschmidt 7.50/hr or 11-27/week, Stephy Schaller 9.50/hr, Andrea Sgarlatti 7.50/hr, Adrienne Skaggs 9.50/hr, Jeremy Simon 9.50/hr, Laura Smith 9.00/hr, Jill Suurmeyer 8.00/hr, Jordan Swanson 6.55/hr, Reid Turner 8.50/hr; Airport 11,415.85, Ryan Dix 9.50/hr; Pipe 22,686.20; Water Treatment 17,014.57; Meter 4,639.74, Joel Eisenbeisz 13.52/hr; Wastewater 16,520.97; Pump 5,663.82; Wells Fargo 113,088.53; SD Retirement System 54,445.39. Upon roll call, all present voting aye, motion carried.

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

Prepared by Cathy Feickert  
For the Finance Office

---

Finance Officer