

## CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, August 26, 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, Mark Remily, Rob Ronayne, Clint Rux, and Laure Swanson. City Council Member Jennifer Slight-Hansen was absent. City staff present were Adam Altman, Brett Bill, Karl Alberts, Stuart Nelson, and Kevin VanMeter.

Mayor Levsen led the Pledge of Allegiance.

## MINUTES

Swanson moved, Johnson seconded to approve the minutes of August 19, 2013, as circulated. All present voting aye, motion carried.

OPEN FORUM – Bill Gese was present to discuss City Ordinance Sec. 60-153, Corner Visibility.

Council Member Slight-Hansen arrived at 5:34 p.m.

CONSENT CALENDAR

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

MEMORANDUM – update on upcoming actions and the legal opinion of the City Attorney regarding the west half of the Bell Parking Lot.

LICENSES – Master Plumber – Brett Wheelhouse dba Wheelhouse Plumbing; Journeyman Plumber – Matt Hubbard dba Wheelhouse Plumbing; Residential Building Contractor – Rief Construction LLC/Reif Project Services; Solicitor License – Protek/Premier Chemical

PLATS – 1) Cedar Rock Subdivision in the SE ¼, Section 27, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota; 2) Bruce Schumacher Addition in the SW ¼ of Section 28, T124N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota; 3) University Addition to the City of Aberdeen in the SW ¼ of Section 24, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota; 4) J. Meyer Addition to the City of Aberdeen in the SW ¼ of Section 24, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota; 5) Pickle Addition to the City of Aberdeen, South Dakota, located in the NW ¼ of Section 24, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota; 6) Kraig Schlaht Addition to the City of Aberdeen, South Dakota, located in the NE ¼ of Section 19, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota; 7) HAPI Third Central Subdivision to Aberdeen in the W ½ of the NE ¼ of Section 30, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota; 8) Lamont Tenth Addition, part of the N ½ of Section 20, T123N, R63W of the 5<sup>th</sup> P.M., to the City of Aberdeen, Brown County, South Dakota with stipulation that the access point for Lafayette Street South onto US Highway #12 be approved by the SD Department of Transportation prior to plat being filed with the Brown County Register of Deeds Office; 9) Rohr Second Subdivision in the SW ¼ of Section 36, T124N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota with stipulation that a non-access easement is placed on the plat along Brown County Highway #13.

DEPARTMENTS' REPORTS AND MINUTES – Aberdeen Regional Airport Board Minutes; Alexander Mitchell Library Board Minutes; Board of Zoning Adjustment Minutes – receive and place on file.

All voting aye, motion carried.

NEW BUSINESS

## HEARING – TRANSFERS OF ALCOHOL LICENSES

This being the time and place set for a hearing on applications for the transfers of alcoholic beverage licenses, recommendations for approval were received, Campbell

moved, Rux seconded to approve the transfers of Retail On-Sale Liquor and Retail On-Off Sale Malt Beverage Licenses with Video Lottery to Ronco Foods Inc. from 3315 6<sup>th</sup> Avenue, SE #68 to 2020 8<sup>th</sup> Avenue, NE, Suites 1 – 4 contingent upon final inspections by the Health and Fire Departments. All voting aye, motion carried.

**TAX INCREMENTAL FINANCE DISTRICT NO. 19**

Tax Incremental Finance District No. 19 for Homes Are Possible, Inc. at Homes Are Possible Third Central Subdivision was presented. Bunsness moved, Rux seconded to approve the following Resolution No. 13 -08-02R:

WHEREAS, a public hearing was held before the Planning Commission of the City of Aberdeen, South Dakota, on August 20, 2013, at 7:00 p.m. in the Courthouse Basement in the Brown County Courthouse at 25 Market Street, Aberdeen, South Dakota, pursuant to notice of such hearing for the purpose of considering the creation of Tax Incremental District No. 19 and its proposed boundaries and;

WHEREAS, the Planning Commission of the City of Aberdeen did at its regular meeting on August 20, 2013, pass a resolution establishing the boundaries of such tax incremental district and did submit a recommendation to the City Council of the City of Aberdeen, South Dakota, recommending the creation of the said Tax Incremental District No. 19 and;

WHEREAS, the Planning Commission of the City of Aberdeen, South Dakota, at its regular meeting on August 20, 2013, held in the Courthouse Basement in the Brown County Courthouse at 25 Market Street, Aberdeen, South Dakota, did pass a Resolution adopting the Project Plan for the Proposed Tax Incremental District No. 19 and did recommend to the City Council of the City of Aberdeen, South Dakota, that it approve and adopt the project plan and;

WHEREAS, such action by the Planning Commission of the City of Aberdeen was done in accordance with SDCL Chapter 11-9 and such action by the Planning Commission was done at a regular meeting of the said Planning Commission after notice properly given and after due hearing and being appropriately and properly advised;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Aberdeen, South Dakota, that the boundaries of the proposed Tax Incremental District No. 19 be and the same are hereby designated as:

Homes Are Possible Third Central Subdivision to Aberdeen in the W ½ of the NE ¼ of Section 30, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota and that specific lots to be included in said Tax Incremental District No. 19 are as set forth and identified in the Project Plan on file in the office of the City Finance Officer of the City of Aberdeen, South Dakota, located at 123 S. Lincoln Street, Aberdeen, South Dakota 57401-4215 and in the office of Planning and Zoning of the City of Aberdeen, South Dakota, located at 123 S. Lincoln Street, Aberdeen, South Dakota 57401-4215.

BE IT FURTHER RESOLVED that such Tax Incremental District No. 19 contains property not less than 25% by area of which is blighted because of faulty layout deterioration, lack of attention and general unrepaired and unattended normal wear and tear and lack of usage in relationship to size, adequacy, accessibility, and usefulness in that such area significantly and substantially impairs or arrests the solid growth of that area of the City of Aberdeen, South Dakota and constitutes an economic liability in its general present condition and use and that further, the improvement of the area is likely to enhance significantly the value of substantially all other real property within the area and immediately adjacent thereto, and if such tax incremental district is created that there is a likelihood that there will be residential homes in the proposed Tax Incremental District No. 19 enhancing the area and improving the tax base of the City of Aberdeen.

BE IT FURTHER RESOLVED that the district is hereby created with an effective date of August 26, 2013.

BE IT FURTHER RESOLVED that the district shall be named and designated as Tax Incremental District No. 19 of the City of Aberdeen, South Dakota.

BE IT FURTHER RESOLVED that the Project Plan approved by the Planning Commission of the City of Aberdeen, South Dakota, at its regular meeting held on August 20, 2013, be and the same is hereby approved and adopted and that such plan is feasible and in conformity with the master plan of the City of Aberdeen, South Dakota, a municipal corporation of the State of South Dakota.

BE IT FURTHER RESOLVED that the aggregate assessed valuation of the taxable property in the district plus the tax incremental base of all other existing districts does not exceed 10% of the total assessed value of taxable property in the City of Aberdeen, South Dakota.

All voting aye, with Slaughter-Hansen abstaining, motion carried.

Ordinance No. 13-08-01 giving approval to the issuance and sale of Tax Incremental Revenue Bonds in an amount not to exceed \$2,500,000 to project costs and authorizing the execution of related documents was presented. Ronayne moved, Bunsness seconded to approve first reading of Ordinance No. 13-08-01. Upon roll call, all voting aye with Swanson abstaining, motion carried.

#### CHANGE IN STREET NAME

Bunsness moved, Johnson seconded to approve to change the street name from Security Avenue, NE to Maloney Avenue, NE located between Enterprise Street North on the west and Production Street North on the east within the Aberdeen Industrial Park. All voting aye, motion carried.

#### BIDS FOR RESCUE PUMPER

Bids were opened and publicly read for a new Rescue Pumper for the Aberdeen Fire and Rescue Department. A detailed list of the bids is on file at the City Finance Office. Bunsness moved, Johnson seconded to award the Rescue Pumper Bid to Toyne in the amount of \$463,680.00, approve an additional budget supplement for the purchase in the amount of \$14,000.00, and authorize the City Manager and Finance Officer to sign all necessary documents after approval by the City Attorney. All voting aye, motion carried.

#### CHANGE ORDER/PAYMENT – CONCRETE STREET PROJECT

Bunsness moved, Rux seconded to approve and authorize the City Manager to sign Change Order #1 decreasing the Concrete Street Rehabilitation contract amount by \$79,428.40 and Payment Request #1 in the amount of \$158,857.12 to Wright and Sudlow, Inc. for work performed on the Concrete Street Rehabilitation Project. Upon roll call, all voting aye, motion carried.

#### BILLS

Bunsness moved, Johnson seconded to approve the following audited bills for services, supplies, repairs and maintenance: Northwestern Energy 20,542.75; Dacotah Bank 23,719.53; Building Sprinkler, Inc. 26,820.00; Homes Are Possible, Inc. 857.81; Aberdeen Development Corp. 14,166.67; Business Improvement District 28,375.00; Jefferson Partners LP 3,127.43; Dakotacare 147,969.40; Guardian 496.77; Wameworks 348.00; Aberdeen Job Fair 75.00; Cory Niles 31.72; John Price 39.54; Marnette Brothers 26.74; Joel Frink 23.96; Michelle Severson 41.35; United Parcel Service 56.87; J & K Mowing Service 512.50. Upon roll call, all voting aye, motion carried.

#### PAYROLL

Rux moved, Slaughter-Hansen seconded to approve the payroll for period from August 11, 2013 through August 24, 2013 and City's share of social security, old age & survivor's insurance, retirement, health & life insurance: Wells Fargo 126,653.73; SD

Retirement System 60,241.35; Governing Body 3,192.28; City Manager 6,424.31; City Attorney 3,681.60; Finance 12,972.10; HR 7,016.00; Building 261.28; Computer 3,608.80; Planning/Zoning 10,261.60; Engineering 10,955.73; Police 92,082.22; Brady Berg 21.62/hr, Carla Bierne 50.63/bw, Michael Bunke 21.09/hr, Debbie Dell 181.24/bw, Vickie Hoerner 50.63/bw, Gayle Newhardt 161.24/bw, Holly Roggow 101.25/bw, Kaylene Sauer 50.63/bw, Carolyn Shoultz 50.63/bw, Tammy Wasem 223.50/bw; Fire 88,800.79; Fire Prevention 4,011.20; Housing/Building 5,105.60; Street 24,408.28; Traffic 5,585.40; Solid Waste 20,016.45; Transportation 12,772.55; Library 21,568.16; Parks, Rec. & Forestry 130,561.96, McKayla Carda 8.00/hr, Crystal Harper 9.00/hr or 11.25/class, Nathan Wiley 9.00/hr or 15.50 class; Airport 12,232.33; Pipe 22,498.12; Water Treatment 15,976.98; Meter 3,916.00; Wastewater 17,744.54; Pump 5,558.90. Upon roll call, all voting aye, motion carried.

#### MAYORS REPORT

Mayor Levsen presented the 1<sup>st</sup> Class Mayors Meeting Report.

#### EXECUTIVE SESSION

Bunness moved, Johnson seconded to move into executive session to discuss litigation. All voting aye, motion carried. Bunness moved, Swanson seconded to move out of executive session. All voting aye, motion carried.

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

Prepared by Mary Campton for the Finance Office. /s/ Karl Alberts, Finance Officer.