

## CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, February 2, 2009, 5:30 p.m., regular meeting, Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, Nancy Aman, David Bunsness, Todd Campbell, Lloyd Hodgins, Jim Kraft, Jeff Mitchell and Clint Rux.

Mayor Levsen led the Pledge of Allegiance.

### MINUTES

Kraft moved, Mitchell seconded to approve the minutes of January 26, 2009 as circulated. All voting aye, motion carried.

### EXECUTIVE SESSION

Bunsness moved, Hodgins seconded to move into executive session to discuss personnel matters. All voting aye, motion carried.

Campbell moved, Rux seconded to move out of executive session. All voting aye, motion carried.

### **OLD BUSINESS**

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

Mitchell moved, Aman seconded to approve second reading and final adoption of Ordinance No. 09-01-01. Upon roll call, all voting aye, motion carried.

### **CONSENT CALENDAR**

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

SET BID DATE – February 18, 2009 at 2:00 p.m. for advertisements for bids for Seal Coat Aggregates.

TAX ABATEMENTS – total amount of \$2,449.38.

PETITIONS TO REZONE – set hearing date of February 23, 2009 at 5:30 p.m. for the following: 1) Rezone from Section 708 (C-3)/Section 711 (R-4) to Section 705 (R-3) the E. 95' of Lot 1, Block 23, First Addition in the SW ¼ of Section 13, T123N, R64W; 2) Rezone from Section 708 (C-3) to Section 705 (R-3) Lot 10, Block 51, Second Addition in the NW ¼ of Section 24, T123N, R64W.

LICENSES – Journeyman Plumber – Ryan Scepaniak; Advertising/Sign Hanging – Todd Hoffman Design Inc.; Master Electrician – James Torbert; Taxi Cab Driver – Jason Brundell; Transient Merchant – Gayle M Donovan; Residential Building Contractor – Dacotah Country Masonry, TNT Construction Inc., Home Improvements Inc., Twin City Roofing.

LOTTERY NOTICES – OM Tiffany PTA, Rocky Mountain Elk Foundation – Dakota Plains Chapter and Aberdeen Lioness – receive and place on file.

All voting aye, motion carried.

### **NEW BUSINESS**

#### ORDINANCE NO. 09-02-03

Ordinance relating to Sales Tax Revenue Bonds, Series 2009; authorizing the issuance and making provisions for their payment was presented. Campbell moved, Aman seconded to approve first reading. Hodgin moved, Rux seconded to table Ordinance No. 09-02-03. All voting aye, motion carried.

#### RESOLUTION NO. 09-02-02 R

Bunsness moved, Kraft seconded to approve the following resolution:

#### RESOLUTION SETTING THE TIME OF THE ANNUAL ELECTION FOR THE YEAR 2009

WHEREAS, the first Tuesday of June of each year is by law designated as the time for holding the combined election for the City of Aberdeen and the Aberdeen School District #6-1 and said date in 2009 is the 2<sup>nd</sup> day of June, and

NOW THEREFORE, BE IT RESOLVED, by the Aberdeen City Council, Aberdeen, South Dakota, that the Municipal Election for the Offices of Mayor and NW District City Council member shall be held at the time set being the 2<sup>nd</sup> day of June, 2009, and

BE IT FURTHER RESOLVED, that pursuant to SDCL 9-13-25, the person receiving the highest number of votes for the Offices of Mayor and Council Member shall be declared elected and no secondary election shall be held, and

BE IT FURTHER RESOLVED, that the Brown County Auditor, Aberdeen School District #6-1 Business Manager, and the Municipal Finance Officer shall be in charge of said election and shall conduct the election pursuant to SDCL 9-13 and 9-20, and

BE IT FURTHER RESOLVED, that the Board of Aberdeen City Council members and Aberdeen School Board shall meet with the Brown County Auditor on Thursday, the 4<sup>th</sup> day of June, 2009, for the purpose of canvassing the return and taking such other and further action relative to the matter voted on as may be deemed necessary and expedient.

All voting aye, motion carried.

RESOLUTION NO. 09-02-03 R

Mitchell moved, Kraft seconded to approve the following resolution:

A RESOLUTION CERTIFYING SUPPORT OF THE RESTORATION OF THE  
HISTORIC BURLINGTON NORTHERN SANTA FE RAILROAD DEPOT  
BUILDING AND COMPLIANCE WITH LOCAL ZONING AND PLANNING  
REGULATIONS

WHEREAS, the Milwaukee Road Depot (now known as the Burlington Northern Santa Fe Railroad Depot), constructed in 1911, is one of Aberdeen's most significant historical and urban symbols, and

WHEREAS, the Depot served as the center for the regional rail network, providing the only transcontinental passenger service available in South Dakota with up to fourteen scheduled passenger trains per day, and

WHEREAS, the Depot building has been certified to contribute to the significance of the historic district for the purpose of rehabilitation by the United States Department of the Interior National Park Service "Historic Preservation Certification", and

WHEREAS, the Depot building was placed on the National Register of Historic Places on September 20, 1977, and

WHEREAS, the Tom and Danielle Aman Foundation plans a complete and comprehensive restoration of the historic Depot to include the Native American Cultural and Community Center, James Valley Railroad Model Railroad Club, tourist information center, Wells Fargo Express Station display, and a gift shop, and

WHEREAS, an application for a Transportation Enhancement Project grant will be made to the South Dakota Department of Transportation for the Restoration Project,

NOW, THEREFORE BE IT RESOLVED by the Aberdeen City Council, Brown County, South Dakota, that the Aberdeen City Council does support the Restoration Project and will act as sponsor of the Restoration Project to certify compliance with local zoning and planning regulations, maintenance of the project and payment of any required local match for the Transportation Enhancement Project Grant.

All voting aye, motion carried.

#### ANIMAL CONTROL SERVICES

Bunsness moved, Campbell seconded to approve and authorize the Mayor and Finance Officer to sign Agreement for Rental of Dog Pound and Animal Control Services with Bonnie Ann Bitz. All voting aye, motion carried.

#### REQUEST TO PURCHASE

Rux moved, Mitchell seconded to approve the following requests to purchase Microsoft Office Professional Plus 2007 Licenses and Media Disk Kit from SHI in the amount of \$15,175.50; Panasonic Toughbook Laptops/Equipment from PC Mall-GOV in the amount of \$22,865.60; and HP Compaq DC7900 Computers from Riverside Technologies Inc in the amount of \$32,160.00. All voting aye, motion carried.

#### BILLS

Aman moved, Kraft seconded to approve the following bills for supplies, services, repairs and maintenance: United Parcel Service 70.87; Lynn Lander 268.62 and Fleet Services 140.74. Upon roll call, all voting aye, motion carried.

#### PAYROLL

Mitchell moved, Bunsness seconded to approve payroll for the period from January 18 through 31, 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 12,536.80; HR 6,712.80; Building 298.29; Computer 3,258.40; Planning/Zoning 10,756.00; Engineer 9,265.09; Police 87,112.94, Dan Kaiser 19.58/hr; Fire 76,712.30, Lynn Hovel 1,772.22/bw, JR Huebner 1,772.22/bw, Wayne Krysowaty 1,772.22/bw, Stacy Vrchota 1,772.22/bw; Fire Prevention 2,325.60; Housing/Building 4,592.80; Street 21,999.43; Traffic 4,116.62; Solid Waste 16,134.18; Transportation 11,712.40, Vickie Salo 12.87/hr; Library 17,702.62; Parks, Recreation & Forestry 68,373.35, Jordan Kolb 7.00/hr, Benjamin Smith 10.25/hr, Derek White 7.00/hr; Airport 11,158.16; Pipe 18,679.24; Water Treatment 15,827.03; Meter 4,886.40, Ricky Hoon 13.52/hr; Wastewater

16,356.08; Pump 4,583.94; Wells Fargo 99,030.12; SD Retirement System 54,751.67. Upon roll call, all voting aye, motion carried.

#### NORTHERN STATE UNIVERSITY STUDENTS

A group of Northern State University Students were present to request the Council's approval of resolution supporting State Senate Bill 83 which would ban smoking in workplaces and other public places in South Dakota. No action was taken.

#### OTHER

Business moved, Rux seconded to approve and authorize the Mayor to sign employment agreement with Lynn Lander. All voting aye, motion carried.

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

Prepared by Cathy Feickert  
For the Finance Office

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Finance Officer