

## CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, December 21, 2009, 5:30 p.m., regular meeting, Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, David Bunsness, Todd Campbell, Lloyd Hodgins, Jim Kraft, Jeff Mitchell, Clint Rux and Jennifer Slight-Hansen. Staff members present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, Ryan Soye and Karl Alberts.

Mayor Levsen led the Pledge of Allegiance.

### MINUTES

Mitchell moved, Slight-Hansen seconded to approve the minutes of December 14 and 15, 2009 as circulated. All voting aye, motion carried.

OPEN FORUM – no one was present.

### **OLD BUSINESS**

ORDINANCE NO. 09-12-06

Bunsness moved, Campbell seconded to approve second reading and final adoption of Ordinance No. 09-12-06. Upon roll call, all voting aye, motion carried.

### CONTINUED HEARING ON RENEWAL OF LIQUOR LICENSES

Mitchell moved, Agnitsch seconded to continue for one week the hearing on renewal of Retail On-Sale Liquor and Package Off-Sale Liquor Licenses for Ronald Erickson dba Airport Café & Lounge, 4707 E Hwy 12 (w/video lottery & Sunday sales). All voting aye, motion carried.

### **CONSENT CALENDAR**

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

LETTER OF ACCEPTANCE – 2008 Audit Report from SD Department of Legislative Audit.

PETITION TO VACATE – public right-of-way that portion of alley right-of-way directly West of Lots 5 to 7, Block 9, Garden Park Addition; that portion of 5' wide public alley right-of-way directly West of South 9.5' of Lot 4, Block 9, Garden Park Addition; that portion of alley adjacent to the East side of Lot 1, except the North 6'

and Lot 2 except the South 34' of Moulton's Addition (Block 5, Pleasant Hill Addition) – set hearing date of January 11, 2010 at 5:30 p.m.

PLATS – 1) Divers-Mykkanen Subdivision in the SW ¼ of Section 13, T123N, R64W of the 5<sup>th</sup> P.M., Aberdeen, South Dakota; 2) Northwestern Energy Addition to the City of Aberdeen, Brown County, South Dakota, located in the SE ¼ of Section 17, T123N, R64W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota; 3) Sommers Outlots in the SW ¼ of Section 26, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota w/stipulation that access solution for Outlot 1 be approved by County Planning Commission prior to this plat being filed with County Register of Deeds; 4) Goshen Addition in the SE ¼ of Section 30, T124N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota w/stipulation that property be rezoned to Mini-Agricultural District.

All voting aye, motion carried.

### **NEW BUSINESS**

RESOLUTION NO. 09-12-02 R

Bunsness moved, Hodgkin seconded to approve the following resolution:

WHEREAS, The City of Aberdeen has enacted Ordinance No. 08-03-03 creating Business Improvement District No. 2; and

WHEREAS, Ordinance No. 08-03-03 provides that all new qualifying properties shall be added to the boundaries of Business Improvement District No. 2; and

WHEREAS, The Hampton Inn & Suites is a newly-qualifying property and should be included in the boundaries of Business Improvement District No. 2; and

WHEREAS, SDCL 9-55-4 provides that the boundaries of a non-contiguous business improvement district may be amended by resolution of the governing body.

NOW, THEREFORE, be it hereby resolved that the boundaries of the City of Aberdeen's Business Improvement No. 2 shall be expanded to include:

Hampton Inn and Suites  
3216 7<sup>th</sup> Avenue SE

*More particularly described as:*

Lot 2, Lamont 6<sup>th</sup> Addition to the City of Aberdeen,

Brown County, South Dakota.

All voting aye, motion carried.

#### RESOLUTION NO. 09-12-03 R

Mitchell moved, Rux seconded to approve Resolution No. 09-12-03 R – Resolution to approve the Bethlehem Site location for a future Library Building for the City of Aberdeen. Hodgkin moved, Slaughter-Hansen seconded to table Resolution No. 09-12-03-R. Upon roll call, Rux, Hodgkin, Agnitsch, Slaughter-Hansen and Kraft voting aye, Bunsness, Campbell, Mitchell, and Levsen voting nay, 5 ayes, 4 nays, motion carried, resolution tabled.

#### NECOG AGREEMENT

Mitchell moved, Campbell seconded to approve and authorize the Mayor to sign Northeast Council of Governments (NECOG) Agreement for CDBG Administrative Assistance. All voting aye, motion carried.

#### BILLS

Bunsness moved, Agnitsch seconded to approve the following audited claims for services, supplies, repairs and maintenance: Northwestern Energy 19,686.00; Northern Electric 2,510.74; Guardian 183.76; Aberdeen Business Improvement District 6,164.77; Daktronics Inc 8,465.00; Professional Mailing 2,602.87; Blackstone Developers LLC 3,000.00; Dakotacare Administrative Services 34,876.50. Upon roll call, all voting aye, motion carried.

#### PAYROLL

Kraft moved, Hodgkin seconded to approve payroll for the period December 6 through December 19, 2009 and city share of social security, old age and survivors insurance, retirement: Governing Body 4,647.48; City Manager 4,707.51; Attorney 4,285.60; Finance 13,618.40; HR 6,712.80; Building 235.68; Computer 3,258.40; Planning/Zoning 9,189.60; Engineer 9,244.00; Police 82,343.19; Fire 79,784.12; Fire Prevention 3,643.20; Housing/Building 4,844.44; Street 21,883.38; Traffic 4,307.06, Steve DeVoe 9.50/hr; Solid Waste 16,092.00; Transportation 12,113.20; Library 20,902.12; Airport 11,092.73; Pipe 18,851.24; Water Treatment 14,553.58; Meter 4,629.60; Wastewater 15,466.86; Pump 4,744.81; Parks, Recreation &

Forestry 66,708.10, Amy Albrecht 8.50/hr; Wells Fargo 92,064.20; SD Retirement System 54,746.98. Upon roll call, all voting aye, motion carried.

There being no further business before the Council, Kraft moved, Mitchell 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

### JOINT CITY/COUNCIL PROCEEDINGS

Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota, December 22, 2009, Joint City/County Meeting, Mayor Mike Levsen presiding. Present at roll call were Agnitsch, Hodgins, Kraft and Rux. Absent were Bunsness, Campbell, Mitchell and Slight-Hansen. Staff members present were Karl Alberts and Brett Bill.

County Commissioners present were Fischbach, Wiese, Hansen, Sutton and Elliot.

#### ORDINANCE NO. 09-12-01-382

Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) to Section 714 (M-Ag) proposed Lot 1, Goshen Addition in the SE ¼ of Section 30, T124N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota, was presented. Hodgins moved, Agnitsch seconded to approve first reading of Ordinance No. 09-12-01. All present voting aye, motion carried.

Commissioner Wiese moved, Commissioner Sutton seconded to approve first reading of Ordinance No. 09-12-01-382. All voting aye, motion carried.

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

Prepared by Cathy Feickert  
For the Finance Office

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