

## JOINT CITY/COUNTY PROCEEDINGS

City Council Chambers, Aberdeen Recreation and Cultural Center, 225 Third Avenue, SE, Alumni Room #101, Aberdeen, South Dakota, June 23, 2014, 5:30 p.m., Joint City/County Meeting. Mayor Mike Levsen presiding. Present at roll call were City Council Members David Bunsness, Todd Campbell, Alan Johnson, Mark Remily, Rob Ronayne, Jennifer Slight-Hansen, and Laure Swanson. City Council Member Clint Rux was absent. City staff present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, and Karl Alberts. Brown County Commissioners present were Mike Wiese, Duane Sutton, and Rachel Kippely. Brown County Commissioners Tom Fischbach and Nancy Hansen were absent.

## ORDINANCE NO. 14-06-01

Ordinance No. 14-06-01 amending Ordinance No. 1164 to rezone from (A-1) District and (M-AG) District to (M-AG) District property described as Brake Outlot 1 in the SE ¼ of Section 35, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota was presented. Ronayne moved, Campbell seconded to approve first reading of Ordinance No. 14-06-01. Upon roll call, all present voting aye, motion carried.

Kippely moved, Wiese seconded to approve first reading of Ordinance No. 14-06-01-434 as presented. All present voting aye, motion carried.

## ORDINANCE NO. 14-06-03

No action was taken on a Proposed Ordinance No. 14-06-03-435 amending the Zoning Code to allow temporary snowbird accessory uses as a special exception in the Mini-Agricultural District.

## ORDINANCE NO. 14-06-04

Ordinance No. 14-06-04 amending Ordinance No. 1164 to rezone from (A-1) District to (M-AG) District property described as Lots 1 – 4, B & J First Subdivision in the NE ¼ of Section 15, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota was presented. Campbell moved, Slight-Hansen seconded to approve first reading of Ordinance No. 14-06-04. Upon roll call, all present voting aye, motion carried.

Kippely moved, Wiese seconded to approve first reading of Ordinance No. 14-06-04-436 as presented. All present voting aye, motion carried.

## ORDINANCE NO. 14-06-05

No action was taken on a Proposed Ordinance No. 14-06-05-437 amending the Zoning Code regarding the size of accessory structures.

There being no further business, Kippely moved, Wiese 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.

## CITY COUNCIL PROCEEDINGS

City Council Chambers, Aberdeen Recreation and Cultural Center, 225 Third Avenue, SE Alumni Room #101, Aberdeen, South Dakota, June 23, 2014, 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, Jennifer Slight-Hansen and Laure Swanson. City Council Member Clint Rux was absent. City staff present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, and Karl Alberts.

Mayor Levsen led the Pledge of Allegiance.

## MINUTES

Johnson moved, Swanson seconded to approve the minutes of June 16, 2014, as circulated. All present voting aye, motion carried.

OPEN FORUM – No one was present.

OLD BUSINESS

**MALT BEVERAGE LICENSE FOR STATE STREET PUB/LAUNDROMAT**

A continued discussion was held regarding the 2014-2015 Renewal of the Retail On-Off Sale Malt Beverage License for Cory Johnson dba State Street Pub and Laundromat at 120 North State Street. Campbell moved, Remily seconded to approve the renewal of the Retail On-Off Sale Malt Beverage License for Cory Johnson. Campbell made a motion for an amendment to restrict alcohol and smoking on the property. The motion died for lack of a second. Upon roll call, Swanson, Bunsness, Johnson, Slight-Hansen, and Mayor Levsen voting nay, Campbell and Remily voting aye, Ronayne abstaining, 5 nays and 2 ayes, motion to renew license failed.

**CONSENT CALENDAR**

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

**LICENSES** – Residential Building Contractor – Daniel W. Weischedel, Monte Reese dba MCR Construction Inc., and Mitchell Roofing & Siding LLC; Sidewalk Contractor – Joel Riley

**PETITIONS OF VOLUNTARY ANNEXATION** – for Lots 29A, 30A, and 33A of Hall-Nichols Replat of a portion of Lot 4, Culbert’s Subdivision and the West 66.66’ of Lots A and B, Gilchrist Consolidation Subdivision in Section 25, T123N, R64W – refer petitions to City Attorney, City Engineer, and Planning/Zoning Director for review and recommendations.

**PLATS** – Ninth Addition to Ashwood Heights Subdivision to the City of Aberdeen in the SW ¼ of Section 8, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota; Brake Outlot 1 in the SE ¼ of Section 35, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota with the stipulation that property be rezoned from Agricultural District/Mini-Agricultural District to Mini-Agricultural District; B & J First Subdivision in the NE ¼ of Section 15, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota with the stipulation that property be rezoned from Agricultural District to Mini-Agricultural District; Kornmann-Daughters Subdivision in Block 2, Prairiewood Village in the SE ¼ of Section 33, T124N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota.

**LOTTERY NOTICE** – Brown County Democrats – receive and place on file.

All present voting aye with Slight-Hansen abstaining, motion carried.

**NEW BUSINESS****ORDINANCE NO. 14-06-02**

Ordinance No. 14-06-02 amending Ordinance No. 1164 to rezone from (R-2) District to (C-2) District property described as Lot 2, Palmer’s First Addition in the SE ¼ of Section 7, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota was presented. Bunsness moved, Johnson seconded to approve first reading of Ordinance No. 14-06-02. Upon roll call, all present voting aye, motion carried.

**BOARD APPOINTMENT**

Bunsness moved, Johnson seconded to approve Resolution No. 14-06-02R to confirm Mayor Levsen’s appointment of Diana Ketterling as a Business Improvement District II Board Member.

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

WHEREAS, South Dakota Codified Law (SDCL) 9-55-5 provides that the Mayor shall, with the approval of the governing body, appoint a Business Improvement District Board consisting of property owners, residents, business operators or users of space within the business area to be improved, and

WHEREAS, SDCL 9-55-6 provides that the Board shall consist of no less than five

members to serve such terms as the governing body, by resolution, determines, and

WHEREAS, the duties of the appointed Business Improvement District II Board members are to make recommendations to the governing body for the establishment of a plan for improvements to the Business Improvement District area, and

WHEREAS, Diana Ketterling shall be appointed by the Mayor to serve as a BID II Board Member representing the Ramada, and

IT IS HEREBY RESOLVED that all Business Improvement District II Board Members shall be appointed by the Mayor with the approval of the governing body at the June 23, 2014 City Council Meeting. Each Business Improvement District II Board Member shall serve until his or her successor is appointed. If the Business Improvement District II Board Member's position becomes vacant, then his or her successor shall be appointed by the Mayor and approved by the governing body as soon as practicable at a regularly scheduled City Council Meeting. The successor shall fill the remainder of the predecessor's term.

All present voting aye, motion carried.

#### DECLARE SURPLUS PROPERTY

Bunsness moved, Swanson seconded to approve to declare a parcel of land located at 1325 McGovern Avenue, SE as surplus property and direct the City Attorney Adam Altman to prepare the land for sale. All present voting aye, motion carried.

#### AMENDMENTS TO LEASE

Amendments to the Municipal Convention Center Lease was requested by BWA I, LLC, the Ramkota Hotel's New Tenant. Bunsness moved, Campbell seconded the motion to continue the discussion of the lease amendments until a special meeting could be held and approve the special meeting on June 26<sup>th</sup>. All present voting aye, motion carried.

#### PERFORMANCE REVIEW PROCESS

A discussion was held on the City Manager, City Attorney, and City Finance Officer Performance Review Process.

#### BILLS

Bunsness moved, Johnson seconded to approve the following audited bills for services, supplies, repairs and maintenance: Northwestern Energy 13,931.41; United Parcel Service 115.69; Boys & Girls Club 115,000.00; Phillip Meaney 53.54; Kelley Mcelhenney 27.59; Zumbaum Properties 139.47; Jordan Fleihs 32.38; Doug Collings 29.04; Robert McCormack 28.26; Stencil Group 27.63; Wageworks 384.00; Dakotacare 38,095.09; SD Municipal Attorney Association 18.00; J & K Mowing Service 625.00; DOI-US Geological Survey 18,560.00; First Line Apparatus Training LLC 550.00; Fleet Services 293.03. Upon roll call, all present voting aye, motion carried.

#### CITY MANAGER'S REPORT

Lynn Lander presented the City Manager's Report.

There being no further business, Johnson 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.