

CITY COUNCIL PROCEEDINGS

City Council Chambers, Aberdeen Recreation and Cultural Center, 225 Third Avenue, SE Alumni Room #101, Aberdeen, South Dakota, July 21, 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, Clint Rux, Jennifer Slight-Hansen and Laure Swanson. City staff present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, and Karl Alberts.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Ronayne moved, Campbell seconded to approve the minutes of July 14, 2014, as circulated. All voting aye, motion carried.

OPEN FORUM

Bill Welk was present to discuss the Convention Center Lease.

CONSENT CALENDAR

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

SET BID DATE – of August 5, 2014 at 2:00 p.m. for the advertisement for Parking Lot Improvements Project (PARKING-2014-1).

SET HEARING DATE – of August 11, 2014 at 5:30 p.m. for the petition to vacate public right-of-way described as the East 33' of the North 69.23' of South First Street lying adjacent to and immediately West of Aberdeen Steel Buildings Outlot A, Block 43, Thomas Addition to Aberdeen.

PLATS – 1) Marko Addition to the City of Aberdeen in the NW ¼ of the NE ¼ of Section 24, T123N, R64W of the 5th P.M., Brown County, South Dakota; 2) Thorpe Realty Addition to the City of Aberdeen in the NW ¼ of Section 19, T123N, R63W of the 5th P.M., Brown County, South Dakota; 3) Rivett Sixth Avenue Addition to Aberdeen in the SW ¼ of Section 17, T123N, R63W of the 5th P.M., Brown County, South Dakota; 4) Lot 1A and Lot 2A in Block 43 of Thomas Addition to the City of Aberdeen in the NW ¼ of Section 24, T123N, R64W of the 5th P.M., Brown County, South Dakota with the stipulation that property be rezoned to (R-3) District, Public Right-Of-Ways be vacated, and the West 33' of the plat be acquired by the petitioner from a City Surplus Auction.

REQUESTS FOR STREET USE – Block Party on the 2700 Block of First Avenue, SE for Dean Zimmerman and Block Party on 1200 and 1300 Blocks of North Penn Street for Len Wolf.

REQUEST FOR PERMISSION – to serve and permit the consumption of alcoholic beverages at the Wylie Park Pavilion on August 19, 2014 for a Kyburz Family Financial Client Picnic and Appreciation Event.

LOTTERY NOTICE – Plymouth Congregational Church Women's Fellowship and SD Wildlife Federation – receive and place on file.

LICENSE – Residential Building Contractor – Daniel C. Jensen dba Jensen Roofing.

All voting aye, motion carried.

NEW BUSINESSORDINANCE NO. 14-07-01

Ordinance No. 14-07-01 amending Ordinance No. 1164 to rezone from (C-3) District/(R-4) District to (R-3) District property described as the North 50' of Lot 6, Block 60 and the South 8' of vacated alley adjacent thereto, Second Addition to Aberdeen, South Dakota in the SW ¼ of Section 13, T123N, R64W of the 5th P.M. was presented. Campbell moved, Remily seconded to approve first reading of Ordinance No. 14-07-01. Upon roll call, all voting aye, motion carried.

ORDINANCE NO. 14-07-02

Ordinance No. 14-07-02 amending Ordinance No. 1164 to rezone from (I-2) District and (C-1) District/(R-4) District to (R-3) District property described as Proposed Lot 1A in Block 43 of Thomas Addition in the NW ¼ of Section 24, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota was presented. Ronayne moved, Campbell seconded to approve first reading of Ordinance No. 14-07-02. Upon roll call, all voting aye, motion carried.

RESOLUTION NO. 14-07-01R

Remily moved, Slight-Hansen seconded to approve the following Resolution No. 14-07-01R to confirm Mayor Levsen's appointment of 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, Carrie Welk shall be appointed by the Mayor to serve as a BID II Board Member representing the Super 8 Hotel, 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 July 21, 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 voting aye, motion carried.

RESOLUTION NO. 14-07-02R

Remily moved, Campbell seconded the motion to approve Resolution No. 14-07-02R declaring the Aberdeen Convention Center and its parking lot as surplus property and to direct city staff to auction the property at a convenient time. Ronayne moved, Campbell seconded the motion to move into executive session for a discussion of the convention center contract. All voting aye, motion carried. Ronayne moved, Slight-Hansen seconded the motion to move out of executive session. All voting aye, motion carried. On the original motion to approve Resolution No. 14-07-02R declaring the Aberdeen Convention Center and its parking lot as surplus property, motion passes by voice vote. Resolution No. 14-07-02R is as follows:

BE IT RESOLVED by the Aberdeen City Council, that the following described real property is declared surplus property and is no longer necessary or useful to the City, and may be disposed of according to law, said property to be described as follows: Lot C in Lot 2, Pheasant Run Subdivision in the SW ¼ of Section 11, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota and Lot A in Lot 3, Pheasant Run Subdivision in the SW ¼ of Section 11, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota excepting therefrom that portion which is located within the 5th Avenue, NW Right-Of-Way.

The property being declared surplus is shown on the map attached hereto.

BE IT FURTHER RESOLVED that the two Lots shall be sold as one parcel, and not as two separate parcels.

BE IT FURTHER RESOLVED that the City Attorney and City Finance Officer shall auction the property to the highest bidder at a convenient time, complying with the necessary laws relating thereto.

ACCOUNTS UNCOLLECTIBLE

Campbell moved, Slaight-Hansen seconded to declare \$4,840.12 in unpaid ambulance accounts as uncollectible and allow the City Finance Office to write-off these account balances. All voting aye, motion carried.

BIDS FOR ROOSEVELT STREET TRAFFIC PROJECT 2014-1

Bids were received and publicly opened for the North Roosevelt Street Traffic Signal Poles and Mast Arms Project 2014-1. A detailed list of the bids is on file at the City Finance Office. Rux moved, Johnson seconded to award the Traffic Project Bid to Ringgenberg Electric in the amount of \$58,750.00 and authorize the City Manager and City Finance Officer to sign all necessary documents after approval by the City Attorney. All voting aye, motion carried.

BILLS

Remily moved, Johnson seconded to approve the following audited bills for services, supplies, repairs and maintenance: Pheasantland Industries 1,757.44; Dakotacare 6,294.71; Wageworks 384.00; DEX Media 122.10; CenturyLink 4,197.79; Executive Management 240.51; Old Dutch Foods 450.00; SD Dept. of Labor 1,284.08; Jefferson Partners LP 1,804.89; Northwest Chapter FBI/NAA 350.00; Fleet Services 297.51; Larson Enterprise LLC 100.00; J & K Mowing 249.93; United Parcel Service 122.22; Northwestern Energy 16,668.31; Vic Fischbach 33.04; Delores Kushman 26.20; Jeanne Atchley 34.76; Harlan Pease 55.29; Erin Haaland 27.12; Olive Dr Patio Homes 26.42; Nancy Hansen 22.67; Dwight Aman 11.50; Leo Vilhauer 121.74. Upon roll call, all voting aye, motion carried.

CITY MANAGER'S REPORT

Lynn Lander presented the City Manager's Report.

EXECUTIVE SESSION

Ronayne moved, Johnson seconded to move into executive session to discuss personnel matters. All voting aye, motion carried. Johnson moved, Bunsness seconded to move out of executive session. All voting aye, motion carried.

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

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