

## JOINT CITY/COUNTY PROCEEDINGS

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, February 29, 2016, 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, Clint Rux, and Laure Swanson. City Council Member Jennifer Slight-Hansen was absent. Brown County Commissioners present were Tom Fischbach, Duane Sutton, and Rachel Kippley. Brown County Commissioners Doug Fjeldheim and Nancy Hansen were absent. City Staff present were Lynn Lander, Ron Wager, Robin Bobzien, Brett Bill, and Karl Alberts.

## ORDINANCE NO. 16-02-08

Ronayne moved, Rux seconded to approve second reading and final adoption of Ordinance No. 16-02-08 amending Ordinance No. 1164 to rezone from (A-1) District to (R-2) District property described as Meadowlark Acres Addition to Aberdeen in the NW ¼ of Section 22, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (815 S. County Hwy #14). Upon roll call, all present voting aye, motion carried.

Fischbach moved, Sutton seconded to approve second reading and final adoption of Ordinance No. 16-02-08-454 as presented. All present voting aye, motion carried.

There being no further business, Sutton moved, Fischbach 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, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, February 29, 2016, 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 Lynn Lander, Ron Wager, Robin Bobzien, Brett Bill, Karl Alberts, Cody Roggatz, and Doug Johnson.

Mayor Levsen led the Pledge of Allegiance.

## MINUTES

Remily moved, Johnson seconded to approve the meeting minutes of February 22, 2016, as circulated. All present voting aye, motion carried.

OPEN FORUM – No one was present.

OLD BUSINESS

## ORDINANCE NO. 16-02-01

Swanson moved, Remily seconded to approve second reading and final adoption of Ordinance No. 16-02-01 amending Ordinance No. 1164 to rezone from (A-1) District, (M-AG) District, (I-2) District, and (R-2) District to (M) District property described as Lot 2, Hub City Livestock Third Subdivision in the East ½ of Section 26, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (1125 W. Melgaard Road). Upon roll call, all present voting aye, motion carried.

## ORDINANCE NO. 16-02-02

Johnson moved, Bunsness seconded to approve second reading and final adoption of Ordinance No. 16-02-02 amending Ordinance No. 1164 to rezone from (R-3) District to (M) District property described as Lot 1, Senior Center Subdivision in Aberdeen, South Dakota. (1303 – 7<sup>th</sup> Avenue, SE). Upon roll call, all present voting aye, motion carried.

## ORDINANCE NO. 16-02-03

Rux moved, Remily seconded to approve second reading and final adoption of Ordinance No. 16-02-03 amending Ordinance No. 1164 to rezone from (R-2) District/(R-4)

District to (M) District property described as Lot 12, Rolling Hills Village Sixteenth Addition to the City of Aberdeen, Brown County, South Dakota (631 W. Palmer Circle – Retention Pond). Upon roll call, all present voting aye, motion carried.

**ORDINANCE NO. 16-02-04**

Remily moved, Swanson seconded to approve second reading and final adoption of Ordinance No. 16-02-04 amending Ordinance No. 1164 to rezone from (R-2) District to (M) District property described as Lot 3, D & G 8<sup>th</sup> Subdivision in Roosevelt Crystals Subdivision in Aberdeen, South Dakota (2116 Sapphire Court – Retention Pond). Upon roll call, all present voting aye, motion carried.

**ORDINANCE NO. 16-02-05**

Rux moved, Remily seconded to approve second reading and final adoption of Ordinance No. 16-02-05 amending Ordinance No. 1164 to rezone from (R-3) District to (M) District property described as Lots 1 – 2, Moccasin Creek Park Addition to the City of Aberdeen in the NW ¼ of Section 19, T123N, R63W, Brown County, South Dakota (821 South Jackson Street, 1206 – 8<sup>th</sup> Avenue, SE, and 1111-10<sup>th</sup> Avenue, SE). Upon roll call, all present voting aye, motion carried.

**ORDINANCE NO. 16-02-07**

Ronayne moved, Johnson seconded to approve second reading and final adoption of Ordinance No. 16-02-07 amending Ordinance No. 1164 to rezone from (A-1) District to (R-2) District property described as the South ½ of the South ½ of the NW ¼ of the SW ¼ of Section 20, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota except Lot H-1 to be known as Berkley Addition (1505 South Roosevelt Street). Upon roll call, all present voting aye, motion carried.

**CONSENT CALENDAR**

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

**REQUEST BY THE FINANCE DEPARTMENT FOR A 30-DAY EXTENSION** – from the Department of Legislative Audit for the submission of the financial report and depository disclosure to the governing body as allowed by SDCL §9-22-21.

**SET BID DATE** – of March 15, 2016 at 2:00 p.m. for advertisement of bids for the Accessible Sidewalk Quadrant Improvements Project CONC-2016-2.

**SET HEARING DATE** – of March 21, 2016 at 5:30 p.m. to discuss a petition to rezone from (C-1) District, (R-2) District, and (R-3) District to (M) District property described as Lot 1, Wesley Replat; Lots R-1 thru R-12 to NSC Subdivision; Blocks 24 – 25, Thomas Addition; Melgaard's Outlots A and B; NSC Outlot 1; Aberdeen Steel Buildings Outlot A, Aberdeen's Outlot 2 of Block 4, Addison's Addition, Block 8, Thomas Addition; Lot 1, Block 4, Addison's Addition, NSC Lot 3A; Lots 1 – 3, Light's Addition, the N. 16' of the W. 90' of Lot 21, and W. 90' of Lot 22, Block 1, Normal Addition; the N. 10' of Lot 20, and S. 12' of E. 52' of Lot 21, and S. 34' of W. 90' of Lot 21, Block 1, Normal Addition; Huffman's Outlot 1 excluding the S. 33' thereof; the S. 61' of Lot 4, and Lots 5 – 7, Block 5, Addison's Addition (1215 S. Lincoln Street, 1215 South Washington Street, 1300 South Dakota Street, 1214 South Lloyd Street, 1505 South Grant Street, 1505, 1515, and 1607 South Herret Street, 1202, 1211, 1215, 1302, and 1416 South State Street, 204, 404, 502, 516, and 520 – 12<sup>th</sup> Avenue, SE; 121-14<sup>th</sup> Avenue, SE; 121, 302, 305, 401, and 403 – 15<sup>th</sup> Avenue, SE).

**SET HEARING DATE** – of March 7, 2016 at 5:30 p.m. for an application for Special Four-Day Retail On-Sale Liquor License on March 9 thru March 12, 2016 for ACT2 Inc. dba Aberdeen Community Theatre, 417 South Main Street.

**LOTTERY NOTICE** – Leadership Aberdeen/Aberdeen Chamber of Commerce – receive and place on file.

DEPARTMENTS' REPORTS AND MINUTES – Aberdeen Regional Airport Board Minutes, Alexander Mitchell Library Board Minutes, Aberdeen City Planning Commission Minutes, Brown County/Aberdeen City Planning Commission Minutes, Board of Zoning Adjustment Minutes – receive and place on file.

All present voting aye, motion carried.

#### NEW BUSINESS

##### ORDINANCE NO. 15-12-04

Ordinance No. 15-12-04 amending Chapter 10 - Aviation of the City Code regarding drones was presented. Johnson moved, Ronayne seconded to approve first reading of Ordinance No. 15-12-04. Rux moved, Swanson seconded to amend the ordinance to include in Section 10-2 (5) (b) the Kuhnert Arboretum and in Section 10-3 (1) change the word “authorized” to “permitted”. All present voting aye, motion carried. On the motion to approve first reading of Ordinance No. 15-12-04 with amendments, upon roll call, all present voting aye, motion carried.

##### ORDINANCE NO. 16-02-09

Ordinance No. 16-02-09 revising Section 34-79 of the City Code for shooting a bow and arrow within 1 mile of the city limits was presented. Bunsness moved, Rux seconded to approve first reading of Ordinance No. 16-02-09. Upon roll call, all present voting aye, motion carried.

##### SOIL OBSERVATIONS/TESTING AGREEMENT FOR LIBRARY

Ronayne moved, Rux seconded to approve and authorize the City Manager to enter into a soil observations and material testing agreement during the construction of the new library with Soil Technologies, Inc. not to exceed \$47,965. All present voting aye, motion carried.

##### FUNDING AGREEMENT FOR STREAM GAGING

Campbell moved, Rux seconded to approve and authorize the City Manager to sign the Joint Funding Agreement with US Geological Survey for continuing the operation and maintenance of the Moccasin Creek and Foot Creek Stream Gages in the amount of \$20,815. All present voting aye, motion carried.

##### BIDS FOR SKID STEER LOADER FOR PUBLIC WORKS

Bids were received and publicly opened for a 2016 Skid Steer Track Loader for the Public Works Department – Utility Division. A detailed list of the bids is on file at the Finance Office. Ronayne moved, Remily seconded to award the Skid Steer Loader Bid – Option #2 in the amount of \$47,474.95 with a trade allowance in the amount of \$12,000 for a net bid amount of \$35,474.95 to Stan Houston Equipment Co., Inc., authorize the City Manager and Finance Officer to sign the necessary documents after approval by the City Attorney, and declare surplus a 2000 Mustang 2050 Skid Steer Loader as trade-in to Stan Houston Equipment Co., Inc. when the new skid steer is delivered. All present voting aye, motion carried.

##### BILLS

Johnson moved, Bunsness seconded to approve the following audited bills for services, supplies, repairs, and maintenance: Dakotacare 49,779.30; MetLife 493.26; Principal Insurance 163.46; Fleet Services 141.69; Ramkota 3,590.00; Jefferson Partners LP 1,442.09; Taylor Laundry 22.50; Allegiant Emergency Services 494.68; SD Redbook Fund 195.00; Business Improvement District 623.00; Condrey & Associates 24,750.00; Terrance Ketterling 63.57; Ryan Siefkes 84.77; Quantum Properties 2,500.00; United Parcel Service 105.03. Upon roll call, all present voting aye, motion carried.

There was no City Manager's Report presented.

There being no further business, Bunsness moved, Johnson seconded that the meeting

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be adjourned. All present voting aye, motion carried.

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