

CITY COUNCIL PROCEEDINGS

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, March 28, 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 Jennifer Slight-Hansen. City Council Member Laure Swanson was absent. City Staff present were Lynn Lander, Ron Wager, Robin Bobzien, Brett Bill, Karl Alberts, Dave McNeil, Gene Morsching, Doug Johnson, David Eckert, and Cody Roggatz.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Rux moved, Remily seconded to approve the minutes of March 21, 2016, as circulated. All present voting aye, motion carried.

PROCLAMATION – Mayor Levsen read and proclaimed April, 2016 as “Child Abuse Prevention Month”. Don Peck and Melissa White discussed the Exchange Club’s efforts.

OPEN FORUM – Roger Dumar was present to discuss semi-tractor parking in the city limits.

OLD BUSINESS

ORDINANCE NO. 16-02-06

Campbell moved, Bunsness seconded to approve second reading and final adoption of Ordinance No. 16-02-06 to rezone from (R-3) District/(A-2) District and (M) District to (A-2) District property described as Lot 3, Moccasin Creek Park Addition (Moccasin Creek and adjacent Bike Path dba 1111 – 10th Avenue, SE). Upon roll call, all present voting aye, motion carried.

ORDINANCE NO. 16-03-01

Rux moved, Johnson seconded to approve second reading and final adoption of Ordinance No. 16-03-01 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 through R-12 to NSC Subdivision; Blocks 24 – 25, Thomas Addition; Melgaard’s Outlots A and B; Northern State College 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; Northern State College Lot 3A; Lots 1 – 3, Light’s Addition; the North 16’ of the West 90’ of Lot 21, and the West 90’ of Lot 22, Block 1, Normal Addition; the North 10’ of Lot 20, and the South 12’ of the East 52’ of Lot 21, and the South 34’ of the West 90’ of Lot 21, Block 1, Normal Addition; Huffman’s Outlot 1 excluding the South 33’ thereof; the South 61’ of Lot 4, and Lots 5 – 7, Block 5, Addison’s Addition (1215 S. Lincoln St., 1215 S. Washington St., 1300 S. Dakota St., 1214 S. Lloyd St., 1505 S. Grant St., 1505, 1515, and 1607 S. Herret St., 1202, 1211, 1215, 1302, and 1416 S. State St., 204, 404, 502, 516, and 520 – 12th Ave., SE; 121 – 14th Ave., SE; 121, 302, 305, 401, and 403 – 15th Ave., SE). Upon roll call, all present voting aye, motion carried.

CONTINUED – TAX INCREMENT FINANCE DISTRICT NO. 25

A continued discussion was held on the proposed Tax Increment Finance District No. 25 Project Plan for Schumaker Development, LLC for Meadowlark Acres at 800 and 900 Blocks of Ibis Street South, Willet Street South, and Dunlin Street South, and the 5000 to 5300 Blocks of Kingfisher Avenue, SE. Ronayne moved, Bunsness seconded to approve Resolution No. 16-03-03R for the creation of TIF District No. 25 and adoption of the TIF Project Plan for Schumaker Development, LLC as follows:

WHEREAS, a public hearing was held before the Planning Commission of the City of Aberdeen, South Dakota, on March 15, 2016 at 7:00 p.m. in the Courthouse basement in the Brown County Courthouse at 25 Market Street, Aberdeen, South Dakota, pursuant to notice of such hearing for the purpose of considering the creation of Tax Incremental District

No. 25 and its proposed boundaries; and

WHEREAS, the Planning Commission of the City of Aberdeen did at its regular meeting on March 15, 2016, pass a resolution establishing the boundaries of such Tax Incremental District and did submit a recommendation to the City Council of the City of Aberdeen, South Dakota, recommending the creation of the said Tax Incremental District No. 25; and

WHEREAS, the Planning Commission of the City of Aberdeen, South Dakota, at its regular meeting on March 15, 2016, held in the Courthouse basement in the Brown County Courthouse at 25 Market Street, Aberdeen, South Dakota, did pass a Resolution adopting the Project Plan for the proposed Tax Incremental District No. 25 and did recommend to the City Council of the City of Aberdeen, South Dakota, that it approve and adopt the project plan; and

WHEREAS, such action by the Planning Commission of the City of Aberdeen was done in accordance with SDCL Chapter 11-9 and such action by the Planning Commission was done at a regular meeting of the said Planning Commission after notice properly given and after due hearing and being appropriately and properly advised;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Aberdeen, South Dakota, that the boundaries of the proposed Tax Incremental District No. 25 be and the same are hereby designated as:

That portion of Brown County Highway 14 right of way described as: County Highway 14 Right Of Way beginning at the Southern Edge of Meadowlark Acres extending North to the South Edge of U.S. Highway 12 with the West and East Right Of Way Lines of Highway 14 extending through U.S. Highway 12 until the East and West Right Of Way Lines intersect with the northern boundary of U.S. Highway 12, Brown County, South Dakota; and that portion of Meadowlark Acres with the boundary described as: Meadowlark Acres Addition to Aberdeen, in the NW ¼ of Section 22-T123N-R63W of the 5th P.M., Brown County, South Dakota, excluding Block 6, Lot 1.

and that the specific lots to be included in said Tax Incremental District No. 25 and district boundaries are as set forth and identified in the Project Plan, which plan is expressly incorporated herein by reference, on file in the office of the City Finance Officer of the City of Aberdeen, South Dakota, located at 123 South Lincoln Street, Aberdeen, South Dakota 57401 and in the office of the Planning and Zoning of the City of Aberdeen, South Dakota, located at 123 South Lincoln Street, Aberdeen, South Dakota 57401; and

BE IT FURTHER RESOLVED that such Tax Incremental District No. 25 contains property not less than 25% by area of which is unique; nature and design of the property limits restricts the useful purpose; defective or inadequate street layout; lack of use in relationship to size, adequacy, accessibility, and usefulness in that such area significantly and substantially impairs or arrests the solid growth of that area of the City of Aberdeen, South Dakota and constitutes an economic liability in its general present condition and use and that further, the improvement of the area is likely to significantly enhance the value of substantially all other real property within the area and immediately adjacent thereto, and if such Tax Incremental District is created there is a likelihood that there will be additional development in the proposed Tax Incremental District No. 25 enhancing the area and improving the tax bases of the City of Aberdeen; and

BE IT FURTHER RESOLVED that the district is hereby created with an effective date of March 28th, 2016 subject to any conditions thereon; and

BE IT FURTHER RESOLVED that the district shall be named and designated as Tax Incremental District No. 25 of the City of Aberdeen, South Dakota; and

BE IT FURTHER RESOLVED that the Project Plan approved by the Planning Commission of the City of Aberdeen, South Dakota, at its regular meeting held on March 15, 2016, be and the same is hereby approved and adopted and such plan is feasible and in conformity with the master plan of the City of Aberdeen, South Dakota a municipal corporation of the State of South Dakota; and

BE IT FURTHER RESOLVED that a Development Agreement setting forth the rights and responsibilities of the developer of the Project Plan shall be executed by the City of Aberdeen and the developer as a condition for the creation of the Tax Incremental District No. 25.

BE IT FURTHER RESOLVED that the aggregate assessed valuation of the taxable property in the district plus the tax incremental base of all other existing districts, does not exceed 10% of the total assessed value of taxable property in the City of Aberdeen, South Dakota.

All present voting aye, motion carried.

CONSENT CALENDAR

Johnson moved, Slight-Hansen seconded to approve the following items on the consent calendar:

LICENSE – Residential Building Contractor – Michael Szczur dba Watershed Roofing.

REQUEST PERMISSION – to serve and permit the consumption of alcoholic beverages at the Wylie Park Pavilion on June 9, 2016 for an Investment Center Client Appreciation Picnic.

DEPARTMENTS' REPORTS AND MINUTES – Alexander Mitchell Library Board Meeting Minutes; Aberdeen City Planning Commission Minutes; Board of Zoning Adjustment Minutes – receive and place on file.

SET BID DATE – of April 11, 2016 at 1:30 p.m. for bids on Hay Land Leases at the Aberdeen Regional Airport.

All present voting aye, motion carried.

NEW BUSINESS

This being the time and place set for a hearing on applications for special alcoholic beverage licenses, recommendations to approve were received, Campbell moved, Ronayne seconded to approve the following Special Retail On-Sale Liquor Licenses: Special One-Day Retail Liquor Licenses on April 14, April 23, and May 14, 2016 for Yelduz Shriners at 802 South Main Street; Special Five-Day Retail Liquor License on April 6 thru April 10, 2016 for ACT2, Inc. dba Aberdeen Community Theatre at 417 South Main Street. All present voting aye, motion carried.

PURCHASE COMPUTER BACKUP DEVICE

Bunsness moved, Johnson seconded to approve the purchase of a Unitrends Recovery Backup Appliance from Applied Engineering in the amount of \$24,062.12 for Computer Services and declare surplus a 2011 Unitrends Recovery RC822 Backup Device to be used as the trade-in for the new device. All present voting aye, motion carried.

BIDS FOR THIRD AVE SE PROJECT

Bids were received and publicly opened on March 22, 2016 for the Third Avenue, SE Street Improvements (ST-2016-2). A detailed list of the bids is on file at the Finance Office. Bunsness moved, Campbell seconded to award the Third Avenue, SE Project Bid (Alternate B) to BX Civil & Construction, Inc. in the amount of \$706,129.30 and authorize the City Manager and Finance Officer to sign all necessary documents after approval by the City Attorney. All present voting aye, motion carried.

BIDS FOR ROLLING HILLS STORMWATER POND PROJECT

Bids were received and publicly opened on March 22, 2016 for the Rolling Hills Stormwater Retention Pond Project (SS-2016-3). A detailed list of the bids is on file at the

Finance Office. Ronayne moved, Remily seconded to award the Rolling Hills Stormwater Pond Bid to B & B Contracting, Inc. in the amount of \$326,865.74 and authorize the City Manager and Finance Officer to sign all necessary documents after approval by the City Attorney. All present voting aye, motion carried.

AIRPORT LEASE AMENDMENT

Bunsness moved, Rux seconded to approve and authorize the City Manager to sign Lease Amendment No. 3 for Airport Lease #64 with General Services Administration/Transportation Security Administration. All present voting aye, motion carried.

PURCHASE VEHICLE FOR AIRPORT

Bunsness moved, Johnson seconded to approve a request from the Airport to purchase a 2016 Dodge Ram 2500 Pickup off of State Bid Contract #16866 from Billion Auto of Sioux Falls, South Dakota in the amount of \$29,723 and approve the payment in that amount to Billion Auto upon delivery of the vehicle. All present voting aye, motion carried.

BILLS

Slaight-Hansen moved, Rux seconded to approve the following audited bills for services, supplies, repairs, and maintenance: Dakotacare 99,697.10; MetLife 495.08; Fleet Services 137.50; Erwin Quiachon 20.00; SDML Worker's Comp Fund 4,508.00; SD Municipal League 288.00; Charlie Jakober 38.56; Rhonda Haglund 47.87; AUD Rentals 39.90; Twin City Roofing Co 31.65; Nancy Hansen 33.83; Jerry Reif 27.20; CVB 22,645.84; United Parcel Service 250.09; MTI Distributing 20,149.23; Titan Machinery 3,325.00; Quantum Properties 2,500.00; Morrison Construction 4,773.41. 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, Bunsness moved, Ronayne 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.