

## CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, September 27, 2010, 5:30 p.m., regular meeting, Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, David Bunsness, Todd Campbell, Jim Kraft, Jeff Mitchell, Clint Rux and Jennifer Slight-Hansen. Laure Swanson was absent. Staff members present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, Don Lanpher and Karl Alberts.

Mayor Levsen led the Pledge of Allegiance.

## MINUTES

Mitchell moved, Rux seconded to approve the minutes of September 20, 2010 as circulated. All present voting aye, motion carried.

OPEN FORUM – Gail Ochs and Nikki Walters were on hand to discuss Aberdeen being named one of the 100 Best Communities for young people.

**CONSENT CALENDAR**

Rux moved, Mitchell seconded to approve the following items on the consent calendar:

LICENSE – Residential Building Contractor – Steve Bain.

SET HEARING DATE – October 18, 2010 at 5:30 p.m. for the following petitions to vacate public right-of-way – 1) that portion of 16' wide public alley right-of-way starting at the South edge of 11<sup>th</sup> Avenue SE right-of-way and extending South 168.9' in Block 38, Thomas Addition to Aberdeen in the NW ¼ of Section 24, T123N, R64W of the 5<sup>th</sup> P.M.; 2) that portion of 18<sup>th</sup> Street South between Lots A and B of Outlot 1, Hoffman's Rearrangement of Outlot 2, Highland Park Addition in the NW ¼ of Section 23, T123N, R64W of the 5<sup>th</sup> P.M.

PLATS – 1) Hieb Addition in the SE ¼ of Section 27, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota; 2) Karl Lee Addition to City of Aberdeen, Brown County, South Dakota, located in the SE ¼ of Section 19, T123N, R63W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota; 3) Spitzer-Miller First Addition to the City of Aberdeen in the NW ¼ of Section 24, T123N, R64W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota; 4) Aberdeen Public Schools First Addition to Aberdeen in the NE ¼ of Section 23, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota w/stipulation that proposed Lot 1 is rezoned to (R-3) High Density Residential District; 5) Jody and Stacy Lindsey Subdivision in the NE ¼ of Section 35, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota w/stipulation that proposed Lot 3 is rezoned to (M-AG) Mini-Agricultural District.

DEPARTMENT REPORTS – Aberdeen Regional Airport Board Minutes; Brown County/Aberdeen City Planning Commission Minutes; 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. 10-09-01**

An Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 708 (C-3) to Section 705 (R-3) Lots 13-14, Block 27, Bennett & Thomas Addition in the NW ¼ of Section 13, T123N, R64W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota was presented. Bunsness moved, Agnitsch seconded to approve first reading of Ordinance No. 10-09-01. Upon roll call, all present voting aye, motion carried.

**HEARING ON PETITION**

This being the time and place set for a hearing on Petition to Rezone Proposed Lot 1, Plat of Aberdeen Public Schools First Addition from Section 705 (R-3) and Section 710 (I-2) to Section 705 (R-3), no one was present to testify, Bunsness moved, Agnitsch seconded to refer this petition back to the Aberdeen City Planning Commission, October 19, 2010, for

recommendations. All present voting aye, motion carried.

#### ORDINANCE NO. 10-09-06

Ordinance No. 10-09-06 – Snow Removal Ordinance implementing changes necessary for the City’s New Snow Removal Plan was presented. Mitchell moved, Rux seconded to approve first reading of Ordinance No. 10-09-06. Upon roll call, all present voting aye except Mayor Levsen voting nay, motion carried.

#### HEARING ON APPLICATIONS – SPECIAL ONE-DAY LICENSES

This being the time and place set for a hearing on applications for Special One-Day Retail On-Off Sale Malt Beverage and Retail On-Off Sale Wine Licenses, no one was present to testify, Slight-Hansen moved, Mitchell seconded to approve the following contingent upon inspection by the Fire Department: October 2, 2010 – Yelduz Shrine Greeters dba Wine and Stein Event, 802 South Main Street; and November 20, 2010 – Yelduz Shrine Provost – Turkey Shoot, 802 South Main Street. All present voting aye with Rux abstaining, motion carried.

#### ABERDEEN HOUSING AUTHORITY

The Aberdeen Housing Authority was present to request an additional \$31,000.00 in supporting appropriations for 2010 and \$100,000 for 2011. After discussion, Bunsness moved, Rux seconded to direct the City Finance Officer to include a 2010 budget amendment of \$31,000 in the next budget ordinance amendment before the end of the year, in addition, also include a 2011 budget amendment of \$100,000 in the first budget amendment ordinance for 2011. All present voting aye, motion carried.

#### NW HOLDING POND IMPROVEMENTS

Bunsness moved, Campbell seconded to approve and authorize the City Manager to sign Change Order #1 – changing lift station intake pipe – B & B Contracting, an increase in the amount of \$13,920.00; and Pay Est. #6 – work on project – B & B Contracting in the amount of \$219,975.60. Upon roll call, all present voting aye, motion carried.

#### PAYMENT REQUESTS

Campbell moved, Mitchell seconded to approve payment of Pay Est. #1 – Hangar 9, Inc. – access road improvements – Lien Transportation in the amount of \$58,406.63. Upon roll call, all present voting aye, motion carried.

Bunsness moved, Slight-Hansen seconded to approve payment of Pay Est. #3 – Main Street Restoration – JDH Construction in the amount of \$419,313.07. Upon roll call, all present voting aye, motion carried.

#### BILLS

Bunsness moved, Kraft seconded to approve the following audited claims for services, supplies, repairs and maintenance: Northwestern Energy 15,565.72; Dakotacare Administrative Service 55,099.05; Sunlife 512.00; CVB 33,408.20; Cardinal Tracking Inc 1,365.00; SD Planners Association 240.00; United Parcel Service 45.15. Upon roll call, all present voting aye, motion carried.

#### PAYROLL

Bunsness moved, Agnitsch seconded to approve payroll from September 12 through 25, 2010 and city share of social security, old age & survivor’s insurance, retirement: Governing Body 4,698.68; City Manager 4,707.51; Attorney 3,401.60; Finance 12,881.49; HR 6,524.00; Building 202.06; Computer 3,345.59; Planning/Zoning 11,025.60; Engineer 9,700.58; Police 90,553.79; Fire 79,842.24, Keith Sharisky 1,703.69/bw; Fire Prevention 2,408.00; Housing/Building 4,717.60; Street 22,650.27; Traffic 4,153.91; Solid Waste 18,121.65; Transportation 12,381.23; Library 20,531.72, Erica Sperry 8.00/hr, Haana Vander Vorst 13.00/hr; Parks, Recreation & Forestry 81,759.46, Ronald Dodds 9.50/hr, Roberta Fossum 25.00/hr, Brianna Lubiens 7.50/hr, Brock Pashen 9.75/hr, James Paul 9.75/hr, Cody

Wesch 9.50/hr, Karly Winter 9.25/hr; Airport 11,338.60; Pipe 18,905.72; Water Treatment 15,624.33; Meter 4,930.12; Wastewater 15,779.61; Pump 4,407.20; Wells Fargo 100,531.38; SD Retirement System 56,917.20. Upon roll call, all present voting aye, motion carried.

There being no further business, Mitchell moved, Bunsness seconded that the meeting be adjourned. All present voting aye, motion carried.

Prepared by Cathy Feickert For the Finance Office. /s/ Karl Alberts, Finance Officer

#### JOINT CITY/COUNCIL PROCEEDINGS

Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota, September 28, 2010, 8:45 a.m., Joint City/County meeting, Mayor Mike Levsen presiding. Present at roll call were Tom Agnitsch, David Bunsness, Todd Campbell and Jeff Mitchell. Absent were Jim Kraft, Clint Rux, Jennifer Slight-Hansen and Laure Swanson. Staff present was Lynn Lander, Brett Bill and Karl Alberts.

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

#### ORDINANCE NO. 10-09-03-389

Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) to Section 714 (M-AG) Beckler and Engel 1<sup>st</sup> Addition in the SW ¼ of Section 27, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota was presented. Bunsness moved, Mitchell seconded to approve first reading of Ordinance No. 10-09-03. Upon roll call, all present voting aye, motion carried.

Commissioner Sutton moved, Commissioner Elliot seconded to approve first reading of Ordinance No. 10-09-03-389. All present voting aye, motion carried.

#### ORDINANCE NO. 10-09-04-390

Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) to Section 714 (M-AG) Lot 3, Jody and Stacy Lindsey Subdivision in the NE ¼ of Section 35, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota extending the portion of Foot Creek Zoned A-2 (Green Belt District) was presented. Campbell moved, Bunsness seconded to approve first reading of Ordinance No. 10-09-04. Upon roll call, all present voting aye, motion carried.

Commissioner Elliot moved, Commissioner Sutton seconded to approve first reading of Ordinance No. 10-09-04-390. All present voting aye, motion carried.

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

Prepared by Cathy Feickert For the Finance Office. /s/ Karl Alberts, Finance Officer.