

JOINT CITY/COUNTY PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, May 23, 2011, 5:30 p.m., Joint City/County meeting, Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, David Bunsness, Todd Campbell, Jim Kraft, Jeff Mitchell, Clint Rux, Jennifer Slaight-Hansen and Laure Swanson. County Commissioners present were Tom Fischbach, Mike Wiese, Nancy Hansen, and Duane Sutton. Burt Elliot was absent. City staff members present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, and Karl Alberts.

ORDINANCE NO. 11-05-03-396

An Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) to Section 707 (C-2) proposed Lot 1, Beadle Subdivision in the NW ¼ of Section 26, T124N, R64W of the 5th P.M., Brown County, South Dakota and Yeoman's Outlots 2 and 3 and S. 700' of 50' East of Outlots 2 and 3 in the NE ¼ of Section 27, T124N, R64W of the 5th P.M., Brown County, South Dakota was presented. Bunsness moved, Agnitsch seconded to approve first reading of Ordinance No. 11-05-03. Upon roll call, all voting aye, motion carried.

Hansen moved, Fischbach seconded to approve first reading of Ordinance No. 11-05-03-396 as presented. All present voting aye, motion carried.

There being no further business before the Joint Council, Fischbach moved, Hansen 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, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, May 23, 2011, 5:30 p.m., regular meeting of the Board of Council Members, Mayor Levsen presiding. Present at roll call were Council Members Tom Agnitsch, David Bunsness, Todd Campbell, Jim Kraft, Jeff Mitchell, Clint Rux, Jennifer Slaight-Hansen, and Laure Swanson. City staff members present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, Karl Alberts, and Mike Wilson.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Mitchell moved, Rux seconded to approve the minutes of May 16, 2011, as circulated. All voting aye, motion carried.

OPEN FORUM – no one was present.

PROCLAMATION

Mayor Levsen read and proclaimed May 22 through May 28, 2011 as "Historic Preservation Week".

OLD BUSINESS

ORDINANCE NO. 11-05-06

Swanson moved, Bunsness seconded to approve second reading and final adoption of Ordinance No. 11-05-06 relating to Sales Tax Revenue Refunding Bonds, Series 2011A for the ARCC Renovations Bonds; authorizing the issuance and making provisions for their payment. Upon roll call, all voting aye, motion carried.

CONTINUED – HEARING

This being the time and place set for a continued hearing on an application for new Retail On-Off Sale Malt Beverage License for Cory Johnson dba State Street Pub and Laundromat, 120 North State Street, recommendations for approval were received, Bunsness moved, Kraft seconded to approve the Retail On-Off Sale Malt Beverage License for Cory Johnson dba State Street Pub and Laundromat contingent upon obtaining a certificate of occupancy after the remodeling of the business is completed. All voting aye, motion carried.

CONSENT CALENDAR

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

SET HEARING DATE – for June 6, 2011 at 5:30 p.m. for the following applications for alcoholic beverage licenses: New Retail On-Off Sale Wine License – Kessler’s Inc. dba Kessler’s Liquor, 621 6th Ave., SE; Renewal of Retail On-Off Sale Malt Beverage Licenses – Donna & Lyle Hopfinger dba Golden Aces Casino, 614 6th Ave., SW w/video lottery; JCW Investments LLC dba Aberdeen East Super 8 Motel, 2405 6th Ave., SE w/video lottery; Aberdeen QMG LLC dba Qdoba Mexican Grill, 3828 6th Ave., SE #H; NPC International Inc. dba Pizza Hut #2767 3311 6th Ave., SE; Ken’s Supermarket Inc. dba Ken’s Bottle Shop, 2105 6th Ave., SE; Regency Midwest Ventures LP dba Ramkota Inn, 1400 8th Ave., NW; Two Cs Inc. dba Schwans Recreation, 714 1st Ave., NE; Fraternal Order of Eagles dba Eagles #632, 316 S. 2nd Street; Jonah LLC dba Gallery Pub, 20 6th Ave., SE-Suite #8; Skyline Recreation Inc. dba Village Bowl, 8th Ave. & N. Hwy 281 w/video lottery; Aberdeen Ventures LLC dba AmericInn of Aberdeen, 301 Centennial Street.

SET BID DATES – for May 31, 2011 at 11:00 a.m. – Brown County Hwy 19 Ponds; for June 14, 2011 at 2:00 p.m. for Water Treatment Plant Boiler Replacement.

PLATS – 1) Black Acre First Addition to Aberdeen in the SE ¼ of Section 13, T123N, R64W of the 5th P.M., Brown County, South Dakota. 2) Midstates Printing 2011-1 Subdivision, Aberdeen Industrial Park – East Addition, Aberdeen, South Dakota, located in the NE ¼ of Section 16, T123N, R63W of the 5th P.M., Aberdeen, Brown County, South Dakota. 3) Rathert Consolidation Subdivision in Aberdeen, South Dakota, located in the NE ¼ of Section 13, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota. 4) HAPI 2011-1 Subdivision in Aberdeen, South Dakota, located in the SW ¼ of Section 23, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota with stipulation that lot width variances for all four proposed lots be approved by Board of Zoning Adjustment. 5) HAPI 2011-2 Subdivision in Aberdeen, South Dakota, located in the SW ¼ of Section 23, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota. 6) Lee Park Golf Course Addition to the City of Aberdeen in the SE ¼ of Section 11, T123N, R64W of the 5th P.M., Brown County, South Dakota.

LICENSE – Sidewalk Contractor – Jeff Vilhauer.

LOTTERY NOTICE – Wal-Mart’s Childrens’ Miracle Network Fundraiser – receive and place on file.

All voting aye with Mitchell abstaining, motion carried.

NEW BUSINESSORDINANCE NO. 11-05-01

An Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) to Section 707 (C-2) the South 512’ of the West 700’ of the SW ¼ of Section 15, T123N, R63W of the 5th P.M., Aberdeen, Brown County, South Dakota was presented. Campbell moved, Bunsness seconded to approve first reading of Ordinance No. 11-05-01. Upon roll call, all voting aye, motion carried.

ORDINANCE NO. 11-05-02

An Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 705 (R-3) to Section 707 (C-2) Lot 2, Highland Park Second Subdivision in the NW ¼ of Section 23, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota was presented. Bunsness moved, Rux seconded to approve first reading of Ordinance No. 11-05-02. Upon roll call, all voting aye, motion carried.

ORDINANCE NO. 11-05-04

An Ordinance amending Ordinance No. 1164 to rezone certain described property

from Section 705 (R-3) to Section 706 (C-1) Beadle Nursery First Subdivision located in the NE ¼ of Section 23, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota was presented. Mitchell moved, Bunsness seconded to approve first reading of Ordinance No. 11-05-04. Upon roll call, all votine aye, motion carried.

RESOLUTION NO. 11-05-03 R

Mitchell moved, Kraft seconded to approve the following Resolution No. 11-05-03

R:

Resolution opposing the United States Postal Service current plans to transfer the 574 zip code mail processing from Aberdeen, South Dakota Customer Service Mail Processing Center (CSMPC) to the Dakota Central Processing and Distribution Facility in Huron, South Dakota.

Whereas, the United States Postal Service recently closed their downtown retail services operation on April 30th in Aberdeen, South Dakota; and

Whereas, the consolidation plan does down grade 1 day service delivery to postal zip code areas defined as 576 and 584, which are part of the service area served by the Commerce of Aberdeen; and

Whereas, it appears the United States Postal Service is continuing to erode the postal services in Aberdeen, South Dakota with this proposed mail processing consolidation; and

Whereas, at the U.S. Postal Service hearing on May 9, 2011, it was clear that the U.S. Postal Service does not understand that Aberdeen is a growing economy, and regional trade center for a considerable range of geography in North and South Dakota, the Dakotas District of the U.S. Postal Service; and

Whereas, Absolutely! Aberdeen and other local economic development organizations have worked with the economic engines of Aberdeen, as well as other groups and institutions to determine the impact of delayed delivery of mail to Aberdeen and from Aberdeen, and has determined that the Postal Service plan (or study) will negatively affect several of the economic engines of Aberdeen and North East and North Central South Dakota, including companies who plan to grow their use of first class mail, and government entities that count on very timely mail delivery and their constituencies; and

Whereas, the Dakota Central Processing consolidation would negatively affect delivery times and significantly interrupt business operations of several significant businesses and institutions in the region currently serviced by the Aberdeen Facility.

Be It Resolved, by the Aberdeen City Council, Aberdeen, South Dakota that the governing body opposes the consolidation of mail processing services from Aberdeen, South Dakota to Huron, South Dakota and respectfully requests the consolidation be removed from consideration.

All voting aye, motion carried.

HEARING

This being the time and place for a hearing on applications for alcoholic beverage licenses, Departments' recommendations were received, no one was present to testify, Mitchell moved, Swanson seconded to approve the following: Renewal of Retail On-Off Sale Malt Beverage Licenses – R & F Enterprises LLC dba White House Inn, 500 6th Ave., SW w/video lottery; Hungry's Restaurant Inc. dba Marlins Family Restaurant, 604 S. Hwy #281; Trina Zomers dba Double Shots, 420 S. Main Street contingent upon receiving certificate of occupancy; HAYJON Inc. dba Rohly's Bar, 1524 6th Ave., SW; Loeb's Investments Inc. dba Gas N Goodies, 1106 S. 5th Street w/video lottery; Twin Dragon Buffet Huang Inc. dba Twin Dragon Buffet, 3711 6th Ave., SE; TOM Inc. dba Wild Card Casino, 206 S. Dakota Street w/video lottery; Gary L. Nelson dba Lee Park Pro Shop, 1300 N. Hwy #281; Renewal of Package off-Sale Malt Beverage License – Wal-Mart Stores Inc. dba Wal-

Mart Supercenter #1520, 3820 7th Ave., SE; Special One-Day Retail On-Off Sale Malt Beverage License for June 9, 2011 – Aberdeen Area Chamber of Commerce dba Ophthalmology Associates/Vision Care Associates, 310 8th Ave., NW. All voting aye, motion carried.

AIRPORT BOARD APPOINTMENT

Mitchell moved, Campbell seconded to approve to appoint Dr. Kennon E. Broadhurst, M.D. to the Aberdeen Airport Board for a five-year and one month term beginning June 6, 2011 and expiring June 30, 2016. All voting aye, motion carried.

DECLARE SURPLUS

Mitchell moved, Bunsness seconded to declare surplus property a Bobcat Angle Sweeper Broom from the Aberdeen Regional Airport. All voting aye, motion carried.

BILLS

Rux moved, Kraft seconded to approve the following audited claims for services, supplies, repairs and maintenance: United Parcel Service 97.62; NW Energy 20,235.10; AE2S 3,475.75; Dakotacare Administrative Services 25,728.97; Home Federal Bank 229,856.80; DTC 65,017.50; E-Z Liner 51,085.00; Traffic Control Corp 20,666.25; Alltel 1,680.27; Aberdeen Business Improvement District 15,613.28; Owen Drager 39.00; Melanie Rogers 20.10; Aberdeen Housing 25.10; Lashon Butler 8.30; B & J Enterprises 20.39; Denise Finstad 21.48; Ron Dell 38.62; Jason Hepola 20.57; Kenneth Zens 24.00; Wayne Beck 38.59; Dixie Mattern 14.88; Isabel Yrdanoff 25.92; Robert McCormack 24.56; Ervin Hettich 23.41; Postmaster 380.00. Upon roll call, all voting aye, motion carried.

PAYROLL

Mitchell moved, Bunsness seconded to approve the payroll for the period from May 8, 2011 through May 21, 2011 and city share of social security, old age & survivor's insurance, retirement and health and life insurance: Governing Body 3,192.28; City Manager 6,092.31; Attorney 3,969.60; Finance 12,982.40; HR 6,655.20; Building 229.36; Computer 3,400.80; Planning/Zoning 9,672.00; Engineering 10,641.29, Eric Kom 10.50/hr; Police 88,006.71, Eric Paul 18.73/hr; Fire 84,909.06; Fire Prevention 3,677.84; Housing/Building 4,812.00; Street 23,194.91; Traffic 5,088.67; Solid Waste 21,127.05; Transportation 12,927.39; Library 21,426.02; Parks, Recreation & Forestry 110,456.64, Noah Aderhold 7.85/hr, Bailey Aman 8.10/hr, Kristen Arnoldy 8.85/hr, Shyla Balo 8.10/hr, Kemari Blumhardt 8.10/hr, Shelby Braun 8.10/hr, Joshua Carlson 8.50/hr, Caleb Carr 9.10/hr, Corey Casanova 7.85/hr, Allyssa Christensen 8.50/hr, Thomas Crabtree 8.50/hr, Ashley Dean 7.25/hr, Chad Ellingson 8.50/hr, Kristen Ernst 8.00/hr, Kara Fischbach 7.60/hr, Michele Fritz 8.35/hr, Stephanie Fritz 7.60/hr, Tyler Fuller 10.10/hr, Jill Gauffin 9.10/hr, Bailey Geist 8.25/hr, Cody Gunther 7.60/hr, Lindsey Hahler 7.85/hr, Taylor Hanson 7.85/hr, Amy Harr 9.60/hr, McKenzie Hengel 8.10/hr, Justin Heyd 9.25/hr, David Holkesvik 7.85/hr, Olivia Hollan 7.75/hr or 12.50-28.00/week, Abby Hoven 9.25/hr, Brooke Johnson 7.60/hr, Joshua Jung 9.00/hr, Kim Kostegaard 8.00/hr, Ashley LaFave 7.75/hr or 40-50/team/week, Klevre Lee 9.00/hr, Brooke Leshner 9.00/hr, Elizabeth Lewno 8.50/hr, Alexis Lloyd 7.85/hr, Christopher Maier 9.25/hr, Sara Mangan 7.85/hr, Robert Maursetter 8.75/hr, Thomas McGarry 9.25/hr, Taylar Morrissey 8.25/hr, Barbara Nelson 13.50./hr, Roy Oberle 9.50/hr, Tayler Ogdahl 9.35/hr, Kayleigh Ott 7.75/hr, Stephanie Palmer 9.25/hr, Richard Papke 9.50/hr, Logan Penfield 8.50/hr, Teresa Pengilly 9.85/hr, Tyler Punt 8.50/hr, Logan Ramsey 8.50/hr, Janice Reich 14.00/hr, Kelli Renner 9.60/hr, Deborah Rieck 10.25/hr, Mairghread Rigg 8.10/hr, Chase Roesch 8.25/hr, John D Rohrbach 7.75/hr or 46/team/week or 13-21/game, John M Rohrbach 7.75/hr or 46/team/week or 13-21/game, Jeffrey Ross 8.50/hr, Denae Schatz 8.60/hr, Morgan Schile 8.35/hr, Teressa Schipke 7.75/hr, Ashley Schmahl 9.35/hr, Ashley Schultz 7.60/hr, Rylie Schumacher 8.10/hr, Isabella Seaton 8.50/hr, Daniel

Severson 7.60/hr, Devin Severson 9.10/hr, Tyler Severson 7.75/hr or 48/team/week, Destini Steckler 8.10/hr, Jessica Stolle 7.60/hr, Mariah Stolle 8.85/hr, Trisha Strohfus 7.60/hr, Landon Sutton 9.00/hr, Allison Thielsen 7.60/hr, Sydnee Torrence 7.85/hr, Wayne Two Hearts 8.75/hr, Mirand Unser 7.85/hr, Katie Vogel 8.10/hr, Erin Wanner 8.60/hr, Kaye Weber 8.75/hr, Marysa Wilson 7.60/hr, Abby Woytassek 7.85/hr, Jessa Zimmer 9.75/hr; Airport 11,237.80; Pipe 21,998.80, Joseph Erickson 9.75/hr, Spencer Sommers 9.75/hr; Water Treatment 16,307.77; Meter 4,889.18; Wastewater 16,406.00; Pump 4,947.44; Wells Fargo 106,400.40; SD Retirement System 57,342.64. Upon roll call, all voting aye, motion carried.

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

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