

CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, August 15, 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, Jim Kraft, Jeff Mitchell, Clint Rux, Jennifer Slight-Hansen, and Laure Swanson. Council Member Todd Campbell was absent. City staff members present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, Karl Alberts, Kathie Allstot, Janel Ellingson, and Chief Don Lanpher.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Mitchell moved, Bunsness seconded to approve the minutes of August 8, 2011, as circulated. All present voting aye, motion carried.

OPEN FORUM – no one was present.

OLD BUSINESS

ORDINANCE NO. 11-08-01

Mitchell moved, Bunsness seconded to approve second reading and final adoption of Ordinance No. 11-08-01 rezoning Lot 2, Kevin Schipke Subdivision from Section 707 (C-2) to Section 704 (R-2). Upon roll call, all present voting aye, motion carried.

CONSENT CALENDAR

Agnitsch moved, Bunsness seconded to approve the following items on the consent calendar:

LICENSE – Transient Merchant – William Pruet dba Aluminum Critters & More, LLC.

REQUEST FOR STREET USE – Block Party on Casper Avenue; Block Party on 14th Avenue, SW between S. 2nd Street and S. 3rd Street; Block Party on Cedar Drive.

EXTEND EVENT HOURS – for the Fallout Art and Music Festival Event until midnight on Friday, September 16th and until 11:00 p.m. on Saturday, September 17th.

REQUEST FOR PERMISSION – by Donald Fortin to serve and permit the consumption of alcoholic beverages at the Wylie Park Pavilion for an August 27th Family Reunion.

LOTTERY NOTICES – receive and place on file – Local Lodge 862 Machinest Union; Sacred Heart Church Bazaar.

SET BID DATE – of August 30, 2011 at 2:00 p.m. – Horizontal and Inclined Troughing Belt Conveyor for Wastewater Treatment; 2011-2012 Snow Removal Services.

ADDENDUM – to Airport Hangar Lease #38 Agreement with Dr. Roger Werth.

All present voting aye, motion carried.

NEW BUSINESS

ORDINANCE NO. 11-08-07

Ordinance No. 11-08-07 supplementing the 2011 Budget for various unanticipated projects, activities, and expenses was presented. Swanson moved, Mitchell seconded to approve first reading of Ordinance No. 11-08-07. Upon roll call, all present voting aye, motion carried.

RESOLUTION NO. 11-08-03 R

Bunsness moved, Rux seconded to approve the following resolution:

RESOLUTION NO. 11-08-03 R

A RESOLUTION TO RECLAIM CEMETERY LOTS

WHEREAS, SDCL 9-32-13 grants unto a municipality of the State of South Dakota the power to establish, maintain and regulate cemeteries within or without the municipality, and;

WHEREAS, SDCL 9-32-21 allows for the repossession of unused and uncared for lots that have been previously sold pursuant to SDCL 47-29-9, and;

WHEREAS, attached to this Resolution as Exhibit A and incorporated herein by reference, is a list of the unused or uncared for lots present in Riverside Cemetery, owned, maintained and operated by the City of Aberdeen, a South Dakota Municipal Corporation, and;

WHEREAS, the City of Aberdeen through the Aberdeen City Council finds that all of said lots on Exhibit A have not had any interment for a period of ten (10) years or more, and none of the prior owners of said lots are entitled to perpetual care of said lots or part of lots; and

WHEREAS, it would be in the best interests of the City of Aberdeen and in the operation and maintaining of the Riverside Cemetery owned by the City of Aberdeen that said lots should be transferred back to the City of Aberdeen for resale;

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Aberdeen City Council, Brown County, Aberdeen, South Dakota that the cemetery sexton for the City of Aberdeen along with the City Finance Office shall cause to be published a notice in the Aberdeen American News of the intent of the City of Aberdeen Riverside Cemetery to transfer all lots on Exhibit A back to the City of Aberdeen for resale and that the procedures contained in SDCL 47-29-9 be followed and that said notice be published for three successive weeks in the Aberdeen American News, and that upon completion of such publication that said lots be transferred to the City of Aberdeen Riverside Cemetery for resale pursuant to the policies and procedures of the Parks, Recreation and Forestry Department and the City of Aberdeen.

BE IT FURTHER RESOLVED that a copy of Exhibit A shall be made available to the public in the office of the City Finance Officer during normal City business hours.

All present voting aye, motion carried.

RESOLUTION NO. 11-08-04 R

Bunsness moved, Rux seconded to approve the following resolution:

RESOLUTION NO. 11-08-04 R

A RESOLUTION SUPPORTING THE SUBMISSION OF A TIF
APPLICATION BY HOMES ARE POSSIBLE, INC.

WHEREAS, the City of Aberdeen has in the past approved Tax Increment Financing Districts in order to fund projects constructed by Homes Are Possible, Inc., a South Dakota Nonprofit Corporation("HAPI"); and

WHEREAS, previous Tax Increment Financing Districts ("TIFs") created to assist HAPI in the construction of affordable housing in Aberdeen have been successful in increasing the supply of affordable housing within Aberdeen; and

WHEREAS, the HAPI has stated its intent to request that the City of Aberdeen create an additional TIF to assist in developing additional affordable housing; and

WHEREAS each of the previous TIFs crated for HAPI has been successful in repaying the obligations created thereunder, either on or ahead of schedule; and

WHEREAS, the Aberdeen City Council has determined that there is a continuing need for additional affordable housing in the community.

NOW THEREFORE BE IT RESOLVED that the City Council of the City of Aberdeen supports the idea of HAPI submitting a request for a new TIF, similar in scope to HAPI's other TIF projects, but located at or near the West ½ of the NE ¼ of Section 30, T123N, R63W, Aberdeen, Brown County, South Dakota.

BE IT FURTHER RESOLVED that the City Council makes no obligation of the City of Aberdeen to approve any TIF application, and does not hereby guarantee or imply that any TIF application will be approved or funded, nor any ordinance or resolution enacted.

All present voting aye with Mitchell and Slight-Hansen abstaining, motion carried.

ELM RIVER INTAKE STUDY

Bunsness moved, Kraft seconded to approve the Agreement for Engineering Services for an Elm River Intake Study by Clark/Wenck Engineering in the maximum amount of \$116,770.00. All present voting aye, motion carried.

RECOMMENDATIONS ON BIDS

Bids were opened and publicly read for 2011-2012 Roadway Deicing Salt. A detailed list is on file in the Finance Office. Bunsness moved, Rux seconded to award the bid of \$98,625.00 to Johnson Feed, Inc. for Roadway Deicing Salt as lowest responsible bidder and authorize the City Manager and Finance Officer to sign the necessary documents after approval by the City Attorney. All present voting aye, motion carried.

A Bid was opened and publicly read for Bell Parking Lot Reconstruction (Parking-2011-1). A detailed list is on file in the Finance Office. Rux moved, Bunsness seconded to award the bid of \$195,577.33 to Lien Transportation for the Bell Parking Lot Reconstruction and authorize the City Manager and Finance Officer to sign the necessary documents after approval by the City Attorney. All present voting aye, motion carried.

BILLS

Bunsness moved, Kraft seconded to approve the following audited bills for services, supplies, repairs and maintenance: Northern Electric 3,747.94; J & K Mowing Service 803.45; American News 1,374.34; Praxair Distribution Inc 57.88; ASPIRE Inc 2,397.12; Brown County Sheriff 25.00; MARCO Inc 539.59; Brick Propane Inc 115.25; RDO Equipment 108.74; Brown County Landfill 18,766.82; KONE Inc 635.82; Chris & Dan's Tarp & Canvas Repr 95.14; Clark Engineering Corp 8,554.98; Jung Construction Inc 1,228.50; Dahme Construction 3,270.00; Hawkins Inc 10,560.89; Dakota Electronics 3,491.94; Eddie's Northside 15.00; Evergreen Supply 289.47; Cole Papers Inc 753.35; GCR Tire Centers 36.42; Jensen Rock & Sand Inc 41.50; Carquest Auto 4,080.15; Graham Tire Co 112.40; HACH Co 1,337.05; Hedahls Inc 605.82; Lyle Signs Inc 540.24; House of Glass 345.02; H F Jacobs & Son 97,650.33; SD Redbook Fund 370.80; Ken's Alignment Auto Service 335.74; Kesslers Inc 307.02; CDW Government Inc 1,433.15; Automatic Building Controls 324.36; Aberdeen Taxi Service 212.75; Lawson Products Inc 138.31; Steven Lust Automotive 1,133.48; MAC's Inc 227.52; McFarland Supply Co Inc 118.38; Michael Todd & Co Inc 5,404.36; RDO Equipment 16,105.13; Sewer Duck 258.00; Farnums Genuine Parts 682.92; Centurylink 379.18; Pantorium 6.98; Dakota Supply Group 3,832.03; Graymont Capital Inc 13,492.59; Midstates Printing 1,114.42; Roto Rooter Sewer Service 120.00; Safety Service Inc 99.95; Avera St Luke's Hospital 788.72; SHARE Corp 2,781.60; Sheehan Mack Sale & Equipment Inc 611.65; Sherwin-Williams Co 977.90; Ditch Witch of SD Inc 254.68; HD Supply Waterworks 3,220.00; Crawford Trucks & Equipment 731.89; River Cities Public Transit 128.00; SD Dept Revenue & Regulation 28.00; Brad Ziegler 104.00; Trent Anderson 5.00; Town & Country Lumber Inc 73.20; Weismantel Rent All 825.00; Western Area Power Adm 9,505.00; Don Lanpher 58.00; Woodman Refrigeration Co 83.67; Wright & Sudlow 86,071.60; Aberdeen Awards 22.00; Erdmann Rooter Service 106.00; Electric Co of SD 4,897.97; Mattern Electric 76.50; Jerke Irrigation 2,835.98; Michael Bunke 170.00; Homes Are Possible Inc 500.00; Tony Bisbee 104.00; Dependable Sanitation 18,506.73; Dakota Ink & Toner 698.50; B & H Masonry 3,557.00; Tanner Jondahl 9.00; S & W Healthcare Corp 188.83; Amy Scepaniak 47.70; Kussmaul Electronics Co 970.59; Taylor Laundry 16.00; Continental Carbonic Products Inc 2,352.90; USA Blue Book 688.85; Huron Culvert & Tank Co 224.00; Diana Daly 171.16; SD Department Health Lab 2,819.00; Physio-Control Inc 6,553.56; Titan Access Account 185.77; Foerster Testing 175.00; Automationdirect.com Inc 144.66; Executive Management 402.23; Barry Dunlavy 21.00; Pierson Ford-Lincoln-Mercury 547.37; Krohmer Plumbing Inc 749.04; West Payment Center 556.98; North Central Farmers Elevator 5,585.54; Traffic Control Corp 222.00; Rick's

Heating/Air Condition 500.00; Dakota Broadcasting LLC 200.00; Northwestern Energy 1,642.52; The Sewing Shoppe 12.00; Luke Nelson 5.00; Cornerstones Career Learning Center 2,150.00; Neil Bittner 11.00; Northern Valley Communications 355.31; Lien Transportation Co 40,915.91; Shopko LLC 59.94; McMaster-Carr Supply Co 594.69; Medcenter One OCC Health Clinic 490.00; Dr Steve Redmond 500.00; State Radio Communications 2,250.00; Center Mass Inc 444.89; Northwestern Energy 505.39; Aqualogix 295.00; Towing Plus 275.00; Fire Safety First 391.73; South Dakota One Call 481.14; Trailer Life Directory 2,170.00; Quill Corp 107.08; Public Opinion Co 16.00; Lutheran Social Services 60.00; SD Wheat Growers 705.26; Grey Hawk Technologies Inc 6,623.00; JOBSHQ 44.96; Flint Hills Resources LP 201,321.49; Century Business Products 27.14; Brick Markers USA 236.00; Sanford Health 2,010.00; Border States Electric Supply 802.00; Joshua Ochsner 9.00; Menards Aberdeen 1,071.56; Allied Electronics Inc 51.12; Bound Tree Medical LLC 1,487.32; Pheasant Country Express 8,261.26; Crimson Fire 48.86; Daryl VanDover 120.00; Water & Environmental Engineering 40.00; Dakota Fluid Power Inc 105.62; Professional Mailing Aberdeen 2,882.55; Bill Spellman Painting 4,300.00; The Carpet Cleaners 2,080.25; Garon Marketing 233.67; FSH Communications 60.00; Bear-Aide Inc 22.50; SDEMT Conference 2011 1,500.00; Toro NSN 500.00; Weber Landscaping 5,500.01; Pete Lien & Sons, Inc 3,555.50; Tyler Technologies 1,181.25; Ferguson Waterworks 360.50; CLIA Laboratory Program 150.00; ULTRAMAX 1,878.00; Aberdeen Shuttle 680.00; Neve's Uniforms & Equipment 301.00; John Kirnan 18.00; Pomp's Tire Service 942.30; Wallwork Truck Center 32.67; Treatment Resources Inc 1,111.47; Chad Nilson 131.00; Pristine Water Solutions 10,315.20; Brett Bill 153.98; Cedar Shore Resort 79.00; Howes Oil Co 28,261.80; Pro Ag Supply Inc 687.00; Blair Smith 9.00; Aberdeen Chrysler Center 3,739.63; Aberdeen Asphalt Inc 2,769.00; Nielsen's 257.81; Dacotah Bank Aberdeen 271.25; Dave McNeil 142.00; Newman Traffic Signs 1,345.00; Butler Machinery Co 172.50; C & S Motor Sports 450.24; Geffdog Designs 5,096.30; Jefferson Partners LP 2,039.77; Ameripride Services Inc 765.80; Crescent Electric Supply 164.79; Midwest Pump & Tank 779.42; Lexisnexis Risk Data Mgmt 50.00; Knight Towing 85.00; A-1 Sanitation 156.73; Tri-State Water 74.00; Bonn Express LLC 100.00; James Valley Coop Tele Co 116.08; Jeffrey Carlson 142.00; Runnings Supply Inc 2,778.12; Interstate Battery System SD 101.95; Gary's Engine & Repair Inc 39.98; GCC Ready Mix-North Central Region 1,230.00; Eide Bailly LLP 2,700.00; Perk Washenberger 100.00; Rebekah Koeck 75.00; Shelby Tice 75.00; Elden Winther 10.00; Todd Neuendorf 16.20; Josh Rieck 350.00; Deanna Basham 115.18. Upon roll call, all present voting aye, motion carried.

PAYROLL

Bunsness moved, Agnitsch seconded to approve payroll for the period July 31, 2011 through August 13, 2011 and city share of social security, old age & survivor's insurance, retirement and health/life insurance: Wells Fargo 117,887.40; SD Retirement System 57,621.81; Governing Body 3,192.28; City Manager 6,084.24; City Attorney 4,369.60; Finance 13,184.10; HR 6,655.20; Building 237.14; Computer 3,400.80; Planning/Zoning 9,672.00; Engineering 12,367.39; Police 91,403.35, Mike Bunke 19.68/hr, Jeff Koval 18.73/hr, Sarah Krikac 18.27/hr, Barb Reifenrath 19.68/hr; Fire 81,563.44, Adam Herther 13.38/hr, Kimberly Imhoff 13.38/hr, Nathan Opdahl 13.38/hr, Michael Roemmich 13.71/hr; Stefan Winkler 13.38/hr; Fire Prevention 3,813.60; Housing/Building 4,812.00; Street 24,180.27; Traffic 5,378.75; Solid Waste 20,788.61; Transportation 11,587.01; Library 19,655.71; Parks, Recreation & Forestry 157,089.60; Airport 11,186.55; Pipe 24,178.43; Water Treatment 16,620.48; Meter 3,732.33; Wastewater 16,203.43; Pump 5,751.06. Upon roll call, all present voting aye, motion carried.

There being no further business, Bunsness moved, Swanson seconded that the

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meeting be adjourned. All present voting aye, motion carried.

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