

## CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, October 31, 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, and Laure Swanson. Council Member Jennifer Slight-Hansen was absent. City staff members present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, and Karl Alberts.

Mayor Levsen led the Pledge of Allegiance.

## MINUTES

Mitchell moved, Rux seconded to approve the minutes of October 24, 2011, as circulated. All present voting aye, motion carried.

OPEN FORUM

No one was present.

CONSENT CALENDAR

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

SET BID DATE – of November 15, 2011 at 2:00 p.m. for the following advertisements for bids: 1) One New Refuse Collection Unit for Public Works Department – Solid Waste Division; 2) One 2012 Tandem Truck/Box and Hoist for Public Works Department – Street Division.

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

LOTTERY NOTICE – SD Make A Wish Foundation – receive and place on file.

All present voting aye, motion carried.

NEW BUSINESS

## ORDINANCE NO. 11-10-01

Ordinance No. 11-10-01 amending Ordinance No. 1164 to rezone certain described property from Sections 707 (C-2)/705 (R-3) to Section 705 (R-3) Lots 702 and 703, Morning Heights Addition in the SE ¼ of Section 18, T123N, R63W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota was presented. Mitchell moved, Rux seconded to approve first reading of Ordinance No. 11-10-01. Upon roll call, all present voting aye, motion carried.

## ORDINANCE NO. 11-10-02

Ordinance No. 11-10-02 amending Ordinance No. 1164 to rezone certain described property from Section 707 (C-2) to Section 705 (R-3) Lot 10, Quiniby's Rearrangement of Lots 10 – 12, Garden Addition 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. 11-10-02. Upon roll call, all present voting aye, motion carried.

Council Member Slight-Hansen arrived at 5:33 p.m.

## RESOLUTION NO. 11-10-04 R

Bunsness moved, Agnitsch seconded to approve the following resolution:

## RESOLUTION NO. 11-10-04 R

RESOLUTION LEVYING AN ANNUAL SPECIAL  
ASSESSMENT FOR PARKING FACILITIES

WHEREAS, the City of Aberdeen did adopt an ordinance creating an appointive board to manage public parking facilities, and

WHEREAS, the board appointed to manage said parking facilities has determined that there is needed the total sum of Eighty-six thousand six hundred twenty dollars (\$86,620) to operate said parking facilities for the year 2012 and have recommended to the Aberdeen

City Council that they cause to be levied a special assessment in the parking district sufficient to raise said sum to be used for the purpose of operating, maintaining and repairing the public parking facilities to be managed by the board so appointed, and

WHEREAS, the Board so appointed is to manage and operate all City-owned parking lots and facilities, except on-street parking, in the area defined in the Revised Ordinances of Aberdeen, South Dakota, and

WHEREAS, the governing body of the City of Aberdeen has determined that there is to be during the year 2011 (collectible in 2012) levied an annual special assessment (collectible in 2012) against all real property in the parking district the amount as recommended for the purpose of operating, maintaining, and repairing said public parking facilities for the year 2012, and

WHEREAS, it has been determined that the annual special assessment shall be apportioned against the real property within the boundaries of the area designated according to the benefits to accrue to said property.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNCILMEMBERS, and they hereby find, determine and declare that it is necessary to levy during the year 2011 a total annual special assessment for the purpose of operating, maintaining and repairing the public parking facilities managed by the board the sum of Eighty-six thousand six hundred twenty dollars (\$86,620) to be used during the year 2012, and that said sum shall be assessed against all assessable lots and tracts of land within the boundaries of the areas so designated, according to the benefits to accrue to said property, and said Board of Councilmembers hereby determine that the benefit formula to be used in said district shall be arrived at by determining the total value of all assessable property in said district and to make a determination as to real property that is used 100% as residential property, and that property used 100% for residential purposes is only to be assessed at 25% of its total assessed value for the purpose of this special assessment, and that based upon said assessable value determine a levy sufficient to raise the total sum required for operation of said parking district, and that the amount of assessed valuation of real property will be the same as the amount shown on the Notice of Assessed Valuation. Each lot shall be assessed the pro rate share of the total sum of the special assessment per its assessed valuation.

BE IT FURTHER RESOLVED that the City of Aberdeen hereby directs that the amount of assessment above described to the general assessment to the County Auditor to be collected as municipal taxes for general purposes, and the property owners are to be notified of said special assessment in the same manner that they are notified of general assessment, and the assessment shall be subject to review and equalization in the same manner as assessments or taxes for general purposes.

All voting aye, motion carried.

#### REQUEST TO PURCHASE SIGNS FOR PARKING

Bunsness moved, Slaight-Hansen seconded the request to approve the expenditure of \$21,576.50 for work and materials relating to the installation of 77 Parking Signs for lease parking in the downtown area. All voting aye, motion carried.

#### BILLS

Bunsness moved, Rux seconded to approve the following audited bills for services, supplies, repairs and maintenance: United Parcel Service 109.84; Flexone 200.00; Dakotacare Administrative Services 51,123.88; Sun Life 584.50; City Treasurer 6,033.00; Helms & Associates 26,187.90; H F Jacobs & Son 163,969.78; Northern Electric 5,600.00; BNSF Railway Co 31,759.13; Dahme Construction 7,990.00. Upon roll call, all voting aye with Mitchell abstaining, motion carried.

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

adjourned. All voting aye, motion carried.

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

JOINT CITY/COUNTY PROCEEDINGS

Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota, November 1, 2011, 8:45 a.m., Joint City/County Meeting, Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, Todd Campbell, Jeff Mitchell, and Laure Swanson. Council Members David Bunsness, Jim Kraft, Clint Rux, and Jennifer Slight-Hansen were absent. County Commissioners present were Tom Fischbach, Mike Wiese, Nancy Hansen, Duane Sutton, and Burt Elliot. City Staff member present was Brett Bill.

ORDINANCE NO. 11-10-03-401

Ordinance No. 11-10-03 amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) to Section 714 (M-AG) Lot 1, Rohr First Subdivision in the S ½ of Section 36, T124N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota was presented. Campbell moved, Mitchell seconded to approve first reading of Ordinance No. 11-10-03. Upon roll call, all present voting aye, motion carried.

Fischbach moved, Wiese seconded to approve first reading of Ordinance No. 11-10-03-401 as presented. All voting aye, motion carried.

There being no further business before the Joint Council, Mitchell moved, Agnitsch 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.