

## CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, August 8, 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, Todd Campbell, Jim Kraft, Jeff Mitchell, Clint Rux, Jennifer Slight-Hansen, and Laure Swanson. Council Member David Bunsness was absent. City staff members present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, Karl Alberts, Mike Wilson, Doug Johnson, Shirley Arment, and Chief Don Lanpher.

Mayor Levsen led the Pledge of Allegiance.

## MINUTES

Mitchell moved, Rux seconded to approve the minutes of August 1, 2011, as circulated. All present voting aye, motion carried.

OPEN FORUM – Duane Riedel spoke about the Library Site.

OLD BUSINESS

## FUTURE LIBRARY SITE

Motion by Campbell, second by Slight-Hansen to remove from the table the discussion of the future library site at the Central Park site for the development of a new library. All present voting aye, motion carried. There was discussion on the possible purchase of the old Bethlehem Lutheran Church site as the new library site. Council Member Bunsness arrived at the meeting at 5:41 p.m. Motion by Swanson, second by Mitchell to amend the agenda to address Item 6D, “Agreement to purchase land for library at the old Bethlehem Lutheran site”. All voting aye, motion carried. Motion by Mitchell, second by Swanson to authorize the City Manager and Finance Officer to execute a purchase agreement for Lots 1, 3, and 5, Hagerty & Lloyd’s Second Subdivision, and to authorize the payment of \$700,000.00 for the property, upon approval of the City Manager and the City Attorney. Upon roll call vote, Mitchell, Campbell, Slight-Hansen, Agnitsch, Bunsness, Swanson, and Mayor Levsen voting aye, Kraft and Rux voting nay, the motion carried.

CONSENT CALENDAR

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

COMMUNITY EVENT PERMIT for the Aberdeen Downtown Association’s Sizzlin Summer Nights to be held on August 27, 2011 from 4:00 p.m. to 8:00 p.m.

REQUEST FOR STREET USE – Sizzlin Summer Nights Car & Bike Show on South Main Street between 1<sup>st</sup> Avenue and 5<sup>th</sup> Avenue SE/SW – Aberdeen Downtown Association.

SET HEARING DATE – of August 22, 2011 at 5:30 p.m. for applications to Transfer Retail On-Off Sale Malt Beverage Licenses w/video lottery: From Mark Johnson dba Heartland Café & Casino, 1923 6<sup>th</sup> Avenue, SE #101 To Heartland Casino LLC dba Heartland Café & Casino, 1923 6<sup>th</sup> Avenue, SE #101; From Mark Johnson dba Heartland Players Club, 1923 6<sup>th</sup> Avenue, SE #102 To Heartland Casino LLC dba Heartland Players Club, 1923 6<sup>th</sup> Avenue, SE #102.

LICENSES – Taxi Cab Driver – Clara R. Demarrias; Residential Building Contractor – Dennis Hermansen dba Hermansen Masonry; Sewer Builder – Randall J. Henriksen; Private Security – Craig Anderson and Johnathan Dunlap.

CHANGE BID DATE – from August 17, 2011 to August 31, 2011 at 2:00 p.m. the Advertisement for Bids on Agricultural Sprayers Taxiway Improvements for the Aberdeen Regional Airport.

RENEWAL OF AIRPORT LEASE AGREEMENTS – 1) Lease #38 with Dr. Roger Werth; 2) Lease #37 with Dr. Mark Harlow; 3) Lease #24 with Arlo Hanson.

2010 PASSENGER FACILITY CHARGE REPORT for the City of Aberdeen by EideBailly – receive and place on file.

LOTTERY NOTICES – 1) Aberdeen Lions Club; 2) Landmark Gospel Church; 3) Veterans of Foreign Wars – receive and place on file.

SET HEARING DATE – of August 22, 2011 at 5:30 p.m. in City Council Chambers for a public hearing regarding the Proposed 2012 City Budget.

All voting aye, motion carried.

#### NEW BUSINESS

##### ORDINANCE NO. 11-08-01

Ordinance No. 11-08-01 amending Ordinance No. 1164 to rezone certain described property from Section 707 (C-2) to Section 704 (R-2) Lot 2, Kevin Schipke Subdivision in Aberdeen, South Dakota (Being a replat of Lot 1, Schipke 1<sup>st</sup> Subdivision in the NE ¼ of Section 22, T123N, R64W, Brown County, South Dakota) was presented. Bunsness moved. Rux seconded to approve first reading of Ordinance No. 11-08-01. Upon roll call, all voting aye, motion carried.

##### RESOLUTION NO. 11-08-01 R

Mitchell moved, Kraft seconded to approve the following resolution:

##### RESOLUTION NO. 11-08-01 R

Whereas, the nature of tax and other revenue collections are such that cash on deposit periodically exceeds the requirement for current expenditures, and;

Whereas, it is in the best interest of the City to invest these positive cash flow funds to provide the best yield and liquidity and insure that the principal invested is protected from loss, and;

Whereas, checking, savings and certificate of deposit accounts may be opened, maintained, and closed from time to time to facilitate this interest, and;

Whereas, SDCL 4-5-8 requires that the governing board adopt, by resolution, an investment policy to be followed by the Finance Officer;

Now, therefore, be it resolved that the City Finance Officer is hereby authorized and directed to invest such idle funds individually or by pooling cash resources on interest bearing accounts, certificates, time deposits, insured by FDIC, FSLIC, or NCUA, or other insured institutional issues as authorized by SDCL 4-5.

Be it further resolved, that the Finance Officer, City Manager, Mayor, and the Compliance and Records Specialist are hereby authorized signatories on said accounts and the Deputy Finance Officer is hereby authorized to make inquiries and stop payments on said accounts.

Be it further resolved, that all eligible funds be invested locally if competitive with outside economy and investments be awarded to the institution offering the highest rate of return. All interest earnings will be credited to the respective funds providing the principal amount for investments. However, the interest earnings credited to the Special Sales Tax Fund may be transferred at least annually to the General Fund.

All voting aye, motion carried.

##### RESOLUTION NO. 11-08-02 R

Kraft moved, Rux seconded to approve the following resolution:

##### RESOLUTION NO. 11-08-02 R

A Resolution establishing the election of the deputy mayor.

WHEREAS, the City of Aberdeen approved a Home Rule Charter which provided for the appointment of a deputy mayor to fulfill the duties of mayor during any period of absence or vacancy, and

WHEREAS, the Home Rule Charter did not provide for the manner in electing the deputy mayor position or establishing its term, and

WHEREAS, it is in the best interests of the City to set out the procedures specifically to define the method of electing the deputy mayor and the term of such position, IT IS HEREBY RESOLVED that the deputy mayor shall be elected by a majority vote of the Council at the first meeting in July of every other year beginning in 2012. The deputy mayor shall serve until his or her successor is elected. If the deputy mayor's position becomes vacant, then his or her successor shall be elected at the next regular City Council meeting. The successor shall fill the remainder of the predecessor's two-year term.

All voting aye, motion carried.

#### EASEMENTS FOR BNSF

Rux moved, Agnitsch seconded to authorize payment in the amount of \$5,500.00 to BNSF and related entities for the Brown County 19 Easements. Upon roll call, all voting aye, motion carried.

#### PURCHASE OF LAND – ROLLING HILLS 16<sup>th</sup> ADDITION

Rux moved, Campbell seconded to approve the payment in the amount of \$60,000.00 to Rolling Hills Golf Development LLC for the purchase of Lot 12, Rolling Hills 16<sup>th</sup> Addition for stormwater storage. Upon roll call, all voting aye, motion carried.

#### PAY ESTIMATE – BR CO HWY 19 PONDS

Mitchell moved, Bunsness seconded to approve payment of pay estimate #1 in the amount of \$57,987.27 to J & J Earthworks for work completed on the Brown County Hwy 19 Ponds and authorize the City Manager to sign the pay estimate. Upon roll call, all voting aye, motion carried.

#### PAY ESTIMATES – ABERDEEN REGIONAL AIRPORT

Bunsness moved, Rux seconded to approve payment and authorize the City Manager to sign the following pay estimates: Pay Estimate # 2 – AIP #3-46-0001-31-2011 Ag Sprayer Taxiway Project – Helms & Associates in the amount of \$9,192.33; Pay Estimate #5 – AIP #3-46-0001-30-2010 GA Apron Expansion Project – Upper Plains Contracting in the amount of \$53,799.15; Pay Estimate #7 – AIP #3-46-0001-30-2010 GA Apron Expansion Project – Helms & Associates in the amount of \$7,282.17. Upon roll call, all voting aye, motion carried.

#### BILLS

Mitchell moved, Bunsness seconded to approve the following audited bills for services, supplies, repairs and maintenance: Dakotacare Administrative Services 24,890.49; J & K Mowing Service 778.75; Larson Enterprise LLC 75.00; Soil Technologies Inc 4,879.50; CVB 27,800.64; US Bank 18,724.66; United Parcel Service 52.35; Midwest Alarm Company 516.00; American News 2,031.21; Aberdeen Chamber of Commerce 23,912.50; Aberdeen Development Corp 14,166.63; Praxair Distribution Inc 774.30; Salvation Army 23.92; Lisa Osman 208.00; DIGI Photo Inc 104.65; Helms & Associates 7,367.90; Marco Inc 99.90; Bonnie Bitz 3,100.00; RDO Equipment Co 91.75; Brown County Landfill 262.44; Hawkins Inc 15,526.13; Dakota Electronics 207.95; Vosik a Fencing 216.52; Don's Builders Hardware 69.00; Quality Welding Inc 11.92; Engel Music Store 230.00; Evergreen Supply 35.28; Cole Papers Inc 1,744.25; Farm Power Mfg Inc 534.22; Jensen Rock & Sand Inc 1,613.09; Carquest Auto 957.83; Graham Tire Co 806.43; Grote Roofing Co Inc 20,387.00; Hedahls Inc 518.24; CWD-Aberdeen 5,914.09; House of Glass 1,345.48; SD Wheat Growers Feed Store 72.50; Nelson Sales & Service, LLC 4.88; Kesslers Inc 354.07; Kleins-Aberdeen 46.07; K-Mart Shopping Center 33.33; New Dimensions 406.19; Mac's Inc 516.85; Sewer Duck 1,567.00; B & B Contracting 816.33; Farnums Genuine Parts 113.82; A & B Business Solutions 265.85; Pantorium 24.42; Dakota Supply Group 2,726.26; Lorie Johnson 250.00; Postmaster 200.00; Midstates Printing 2,996.26; Safety Service Inc 131.40; Sanders Sew-N-Vac Inc 177.96; Schwan Welding & Boiler 34.00; SHARE Corp 880.00; Sherwin-Williams Co 606.57; J &

K Mowing Service 200.00; Town & Country Lumber Inc 214.57; Academy Trophy Co 490.00; Pro-Build 249.92; Airborne Custom Spraying Inc 21,250.00; Melledy Rostad 208.00; Weismantel Rent All 180.00; Western Area Power Adm 9,098.70; Woodman Refrigeration Co 1,685.73; Wright & Sudlow 4,793.00; Julie Jones 208.00; Hannah Lagerquist 28.12; Gayle Neuhardt 630.00; Baker & Taylor Inc 1,383.06; GALE 455.08; Illinois Theatrical Co 4,628.41; Fastenal Company 191.36; ADAPCO Inc 1,288.25; Jerke Irrigation 111.29; AICPA 215.00; Charlene Blondo 283.00; Dependable Sanitation 201.00; Sarah Suko 208.00; Justin Kones 171.00; Karen Wagner 208.00; Travis Netzer 165.00; Taylor Landry 126.00; Performance Ag Services 45.00; James Torbert 200.00; Kris Konickson 208.00; Fordham Signs 296.00; Continental Carbonic Products Inc 4,790.90; Pepsi-Cola 1,073.84; The Wolf Stop 18.76; Theatre House Inc 46.75; Coca-Cola Refreshments 2,707.00; Titan Access Account 485.05; Hub City Radio 140.00; Hoven Auto Repair 350.62; Executive Management 16.36; Jim Panerio 324.00; Pierson Ford-Lincoln-Mercury 137.75; West Payment Center 466.00; Subway of Aberdeen 234.00; Telserv Communications Inc 319.12; North Central Farmers Elevator 17,231.90; Parkview Nursery Inc 391.51; Senior Companions 425.00; SD Department of Revenue 26,832.27; David A Johnson 169.00; Taylor D Johnson 130.00; Virginia Lewis 169.00; Active Data Systems 1,000.00; Dakota Broadcasting LLC 96.00; Melony Malsam 25.00; Northwestern Energy 72,024.67; Dakota Security Systems 698.85; Livestock Specialist Inc 401.70; Heather Nelson 156.00; MTI Distributing 2,520.77; Douglas J Kadrmas 99.00; Matthew Guthmiller 110.00; Michael Marmorstein 143.00; Lien Transportation Co 63,864.36; Shopko LLC 29.99; FAST Corp 675.00; Firewood & Company 2,280.00; Jennifer Schell 78.79; Tori Heier 143.00; Upper Plains Contracting 63.75; Laurel Sharisky 55.00; Fire Safety First 53.45; Mailbox Money 300.00; Joye Ward 143.00; Timothy Wileman 100.00; ACE Refrigeration 695.90; Storybook Sewing Ladies 396.00; Ken's Superfair Foods 4,931.62; O'Reilly Auto Parts 18.59; Jerome Wild 210.00; Day-Timers Inc 48.97; John Vogel 202.50; Double L Ice 774.60; West River Beverage Inc 948.50; Melissa & Doug, LLC 156.43; Northern Escrow Inc 13,756.70; Menards Aberdeen 2,020.41; Rachel Peterson 88.00; NW Blade 67.50; Dennis McDermott 160.00; Julie Borr 208.00; Overdrive Inc 207.29; Store Supply Warehouse 256.79; Ray Studnicka 100.00; The Brookings Register 99.00; Convention Visitors Bureau 29,703.27; Dakota Fluid Power Inc 1,074.21; McQuillen Creative Group Inc 837.50; Midwest Mini Melts 2,880.00; Sherwin-Williams Co 1,101.82; Chistopher Jacobson 130.00; Sonja Kaiser 100.00; Wylie Thunder Road 128.00; Ransom County Gazette 50.00; Sargent County Teller 50.00; Luke Bergjord 105.00; Karla Nelson 130.00; Francotyp-Postalia Inc 101.85; Creative Forecasting Inc 60.00; Sara Weischedel 65.00; Spectrum Promotional Products 578.09; Valley City Times Record 167.00; M Lynn Verschoor 574.50; Grant Manhart 20.00; John Patzlaff 30.00; Dalton Petersen 130.00; Jeremy Schutter 390.00; Bailey Geist 150.00; FEI Inc 118.97; Confluence 2,000.00; Ferguson Waterworks 192.97; Recreation Supply Co 85.00; Camby's Pass Inc 762.94; Dakota Oil 1,121.74; John W Hock Co 650.45; American Red Cross 80.00; Lisa Link 208.00; Phyllis Heier 144.00; Stephanie Raap 208.00; Bob Downie 208.00; Matt Parrott & Sons Company 573.00; Esther Thistle 223.00; Paul Dutt 208.00; Kelly Wieser 190.00; The Crossroads Hotel/Event Ctr 218.97; DSS Image Apparel 455.00; Intl Institute of Municipal Clerks 250.00; Plunkett's Pest Control 167.00; Aberdeen Plumbing & Heating Inc 52.95; Cunningham Electric 106.08; Brown County Weed & Pest Brd 124.24; Butler Machinery Co 208.83; L & O Acres Transport 1,424.08; Grainger 347.55; SD Library Network 26,241.00; Geffdog Designs 454.78; Ameripride Services Inc 914.47; Universal Publications 195.00; J Gross Equipment 275.00; Associated Supply Co Inc 13,840.11; A-1 Sanitation 4,456.92; Tri-State Water 53.75; Swanson Electric 903.97; Chance Rides Manufacturing 460.07; Hillyard Sioux Falls 25.75; Aberdeen Senior Center

1,160.00; WYSS Associates Inc 1,087.90; Runnings Supply Inc 4,793.93; Gary's Engine & Repair Inc 117.31; Gillund Enterprises Inc 173.76; Cass Clay Creamery Inc 810.60; Washington Street Apartments LLC 1,000.00; Deanna Vogel 26.80; Brenda Kohlman 12.00; Esther Hall 1,975.43; Diana Kramer 10.60; David Dinger 5,359.20; Ryan Vogel 314.04; Premier Chemical 30.00; Renee Idler 700.00. Upon roll call, all 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 Mary Campton for the Finance Office. /s/ Karl Alberts, Finance Officer. Published at the approximate cost of \_\_\_\_\_.