

City Council met for a work session at 4:00 p.m. on February 6, 2012 in City Hall Council Chambers regarding the Leadership Aberdeen Program.

#### CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, February 6, 2012, 5:30 p.m., regular meeting of the Board of Council Members, Mayor Levsen presiding. Present at roll call were Council members David Bunsness, Todd Campbell, Jeff Mitchell, Clint Rux, Jennifer Slight-Hansen, and Laure Swanson. Council Members Tom Agnitsch and Jim Kraft were absent. City staff members present were Lynn Lander, Robin Bobzien, Brett Bill, Karl Alberts, and Don Lanpher.

Mayor Levsen led the Pledge of Allegiance.

#### MINUTES

Mitchell moved, Rux seconded to approve the minutes of January 30, 2012, as circulated. All present voting aye, motion carried.

OPEN FORUM – No one was present.

#### CONSENT CALENDAR

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

SET HEARING DATE – of February 27, 2012 at 5:30 p.m. for a petition to rezone from Section 713 (M) to Section 705 (R-3) property described as Lot 1, Old Parks and Recreation Addition to the City of Aberdeen in the NE ¼ of Section 24, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota.

All present voting aye, motion carried.

#### NEW BUSINESS

##### RESOLUTION NO. 12-02-03 R

Bunsness moved, Campbell seconded to approve the following resolution:

##### RESOLUTION NO. 12-02-03 R

WHEREAS, a public hearing was held before the Planning Commission of the City of Aberdeen, South Dakota on October 18, 2011 at 7:00 p.m. in the Courthouse Basement in the Brown County Courthouse at 25 Market Street, Aberdeen, South Dakota, pursuant to notice of such hearing for the purpose of considering the creation of Tax Incremental District No. 15 and its proposed boundaries and;

WHEREAS, the Planning Commission of the City of Aberdeen did at its regular meeting on October 18, 2011, pass a resolution establishing the boundaries of such tax incremental district and did submit a recommendation to the City Council of the City of Aberdeen, South Dakota, recommending the creation of the said Tax Incremental District No. 15 and;

WHEREAS, the Planning Commission of the City of Aberdeen, South Dakota, at its regular meeting on October 18, 2011, held in the Courthouse Basement in the Brown County Courthouse at 25 Market Street, Aberdeen, South Dakota, did pass a resolution adopting the Project Plan for the proposed Tax Incremental District No. 15 and did recommend to the City Council of the City of Aberdeen, South Dakota, that it approve and adopt the project plan and;

WHEREAS, such action by the Planning Commission of the City of Aberdeen was done in accordance with SDCL Chapter 11-9 and such action by the Planning Commission was done at a regular meeting of the said Planning Commission after notice properly given and after due hearing and being appropriately and properly advised; and

WHEREAS, on October 24, 2011, the City Council for the City of Aberdeen adopted Resolution No. 11-10-03 R, creating TIF 15 and defining the boundaries thereof as

“the W ½ of the NE ¼ of Section 30, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota;” and

WHEREAS, the applicant has replatted the subject property, and also wishes to exclude a portion of the original TIF district from the district; and

WHEREAS, no change in the Project Plan is contemplated or effected hereby, and therefore redetermination of the tax incremental base is not required.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Aberdeen, South Dakota, that the boundaries of the proposed Tax Incremental District No. 15 be and the same are hereby designated as:

Lots A, B, C, D, E, F, H, I, M, N, O, and P of Homes Are Possible First Central Subdivision to Aberdeen in the W ½ of the NE ¼ of Section 30, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota.

and that specific lots to be included in said Tax Incremental District No. 15 are as set forth and identified in the Project Plan on file in the office of the City Finance Officer of the City of Aberdeen, South Dakota, located at 123 S. Lincoln Street, Aberdeen, South Dakota 57401-4215 and in the office of Planning and Zoning of the City of Aberdeen, South Dakota, located at 123 South Lincoln Street, Aberdeen, South Dakota 57401-4215.

BE IT FURTHER RESOLVED that, except as specifically amended hereby, the rest of Resolution No. 11-10-03 R shall remain in full force and effect.

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

#### HEARING – SALE OF ALCOHOLIC BEVERAGES

This being the time and place set for a hearing on a license application for sale of alcoholic beverages, Rux moved, Slight-Hansen seconded to continue for one week the hearing on an application for a Special Two-Day Retail On-Off Sale Malt Beverage License - July 13 and 14, 2012 for Aberdeen Downtown Association dba Aberdeen Music Fest, Central Park, 2<sup>nd</sup> Avenue and South Kline Street until the proper information for a Community Event Permit Application is submitted so that City Departments can review it and make their recommendations. All present voting aye, motion carried.

#### LOW INCOME HOUSING – ABERDEEN HOUSING AUTHORITY

A Low Income Housing Tax Credit/Home Fund application for a 41 unit apartment building on the corner of South Jackson Street and 1<sup>st</sup> Avenue, SE was presented to the City Council by Jody Zueger, Executive Director of Aberdeen Housing Authority. Bunsness moved, Mitchell seconded to approve the following Resolution of Necessity for Jackson Heights Apartments Low Rent Housing Project.

#### RESOLUTION NO. 12-02-02 R RESOLUTION OF NECESSITY

WHEREAS the Aberdeen Housing Authority is charged with providing and developing safe, decent, and sanitary housing within the City of Aberdeen and the surrounding area; and

WHEREAS there is a shortage of safe, decent, and sanitary housing within the City of Aberdeen; and

WHEREAS the Aberdeen Housing Authority proposes to construct a new low rent housing project, to be named “Jackson Heights Apartments,” and to be located at the corner of South Jackson Street and 1<sup>st</sup> Avenue SE, in the City of Aberdeen; and

WHEREAS, pursuant to SDCL §11-7-49 et seq., the Aberdeen Housing Authority must pass a resolution of necessity prior to initiating a low rent housing project, which resolution of necessity must then be approved by the governing body of the municipality in which the project is to be located.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the Aberdeen Housing

Authority finds that, due to the lack of safe, decent, sanitary low rent housing within the City of Aberdeen; there is a necessity to construct a new low rent housing project in the City of Aberdeen; and

BE IT FURTHER RESOLVED that a copy of this resolution of necessity shall be presented to the City Council of the City of Aberdeen for publication and consideration.

All present voting aye, motion carried.

Rux moved, Swanson seconded to approve to grant a waiver to Aberdeen Housing Authority for building permit fees and the utility hookup fee for one water and sewer connection for the Jackson Heights Apartments Project. All present voting aye, motion carried.

#### STIP RESOLUTIONS

Campbell moved, Mitchell seconded to approve the Surface Transportation Program (STIP) Resolutions for Urban Projects. All present voting aye, motion carried.

#### BUDGET SUPPLEMENT – POLICE DEPARTMENT

Rux moved, Slaight-Hansen seconded to approve a request for a budget supplement in the amount of \$32,000.00 for replacement of two damaged police patrol cars and a request to declare the damaged patrol cars - Unit #21 and Unit #27 as surplus property. All present voting aye, motion carried.

#### ELECTION AGREEMENT

Mitchell moved, Bunsness seconded to approve and authorize the Mayor to sign the 2012 Combined Election Agreement between Brown County, the Aberdeen School District #6-1, and the City of Aberdeen. All present voting aye, motion carried.

#### PAYMENT REQUESTS

Mitchell moved, Bunsness seconded to approve payments and authorize the City Manager to sign the following: Pay Estimate #2 – Work on 15<sup>th</sup> Avenue, NE Construction Project – Aberdeen Asphalt in the amount of \$55,722.56 and Pay Estimate #2 – work on the Library Drain Tile Project – B & B Contracting in the amount of \$36,043.91. Upon roll call, all present voting aye, motion carried.

#### BILLS

Rux moved, Swanson seconded to approve the following audited bills for services, supplies, repairs and maintenance: SD Public Assurance Alliance 260,557.05; Larson Enterprise 200.00; Helms & Associates 11,597.00; Jefferson Partners LP 686.04; US Bank 32,443.73; AT & T Mobility 1,800.64; Native American Cultural Center 10,000.00; Clark Engineering Corp 174,784.83; SD Dept of Transportation 79,115.88 Upon roll call, all present voting aye, motion carried.

There being no further business, Bunsness moved, Rux 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.