

## JOINT CITY/COUNTY PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, February 27, 2012, 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 Slaughter-Hansen, and Laure Swanson. County Commissioners present were Tom Fischbach, Mike Wiese, Duane Sutton, and Burt Elliot. County Commissioner Nancy Hansen was absent. City staff members present were Lynn Lander, Adam Altman, Robin Bobzien, Ken Hubbart, Karl Alberts, Mike Wilson, and Don Lanpher.

## ORDINANCE NO. 12-01-02-402

Ordinance No. 12-01-02 amending Ordinance No. 1164 to rezone certain described property from Section 704 (R-2) to Section 714 (M-AG) Lots 13A, 18, 19A, 20, and 22, DOK-B Subdivision in the SE ¼ of Section 22, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota was presented. Mitchell moved, Kraft seconded to approve first reading of Ordinance No. 12-01-02. Upon roll call, all voting aye, motion carried.

Fischbach moved, Elliot seconded to approve first reading of Ordinance No. 12-01-02-402 as presented. All present voting aye, motion carried.

## RESOLUTION NO. 12-02-01R-404

Resolution No. 12-02-01R to vacate public right-of-way described as: Dedicated right-of-way as shown on Lien Outlot B located in the SW ¼ of the SE ¼ of Section 15 and the SE ¼ of the SW ¼ of Section 15, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota; Dedicated right-of-way as shown on Lien Outlot C located in the NW ¼ of Section 22, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota; Dedicated right-of-way as shown as extending from Lien Outlot B west into the Railroad right-of-way in the SW ¼ of Section 15, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota was presented. Agnitsch moved, Campbell seconded to approve Resolution No. 12-02-01R. All voting aye, motion carried.

Wiese moved, Elliot seconded to approve Resolution No. 12-02-01R-404 as presented. All present voting aye, motion carried.

There being no further business before the Joint Council, Wiese moved, Fischbach 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, February 27, 2012, 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 Slaughter-Hansen, and Laure Swanson. City staff members present were Lynn Lander, Adam Altman, Robin Bobzien, Ken Hubbart, Karl Alberts, Mike Wilson, and Don Lanpher.

Mayor Levsen led the Pledge of Allegiance.

## MINUTES

Mitchell moved, Rux seconded to approve the minutes of February 21, 2012, as circulated. All voting aye, motion carried.

OPEN FORUM – Keith Peterson was present to discuss the possible sale of the City surplus property known as Sunshine Park.

OLD BUSINESS

## ORDINANCE NO. 12-02-02

Rux moved, Slaughter-Hansen seconded to approve second reading as amended and final adoption of Ordinance No. 12-02-02 regulating the weight of trucks. Upon roll call,

all voting aye, motion carried. Kraft moved, Campbell seconded the motion to reduce permit fees by 50% until December 31, 2012. All voting aye, motion carried. Bunsness moved, Campbell seconded the motion to remove the emergency clause for the spring load limit. Motion failed by voice vote.

**ORDINANCE NO. 12-02-04**

Mitchell moved, Swanson seconded to approve second reading and final adoption of Ordinance No. 12-02-04 dealing with the Aberdeen Airport Board. Upon roll call, all voting aye, motion carried.

**ACQUISITION OF AXLE SCALES**

Campbell moved, Kraft seconded to approve to authorize the acquisition of four Haenni WL 101 Wheel Load Weighers at a cost of \$4,895.00 per unit for the Aberdeen Police Department. All voting aye, motion carried.

**BUDGET AMENDMENT FOR SCALES**

Rux moved, Agnitsch seconded to approve an amendment to the Aberdeen Police Departments' Budget in the amount of \$19,580.00 for the purchase of weigher scales. All voting aye, motion carried.

**CONSENT CALENDAR**

Mitchell moved, Slaight-Hansen seconded to approve the following items on the consent calendar:

SET BID DATE – of March 13, 2012 at 2:00 p.m. for the following advertisements for bids: 2012 Asphaltic Concrete and Surfacing Repair Mix; 2012 Bituminous Oils; 2012 Seal Coat Aggregates.

SET HEARING DATE – of March 19, 2012 at 5:30 p.m. for a petition to vacate public right-of-way described as the 66' section line right-of-way adjacent to the east property line of Lot 2, NE ¼ of Section 22, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota.

PLATS – Lot 1, Sieh and Vilhauer 1<sup>st</sup> Subdivision in the City of Aberdeen in the NW ¼ of Section 19, T123N, R63W; Lot 1 and Lot 2, 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; Lot 1, Jackson Heights 1<sup>st</sup> Addition to Aberdeen in the SW ¼ of Section 18, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota.

DEPARTMENTS' REPORTS – Aberdeen Regional Airport Board Minutes; Aberdeen City Planning Commission Minutes; Brown County/Aberdeen City Planning Commission Minutes; Board of Zoning Adjustment Minutes; Park & Recreation Board Minutes – receive and place on file.

All voting aye, motion carried.

**NEW BUSINESS**

**ORDINANCE NO. 12-01-01**

Ordinance No. 12-01-01 amending Ordinance No. 1164 to rezone certain described property from Section 707 (C-2) to Section 705 (R-3) Lot 3, Block 2, Pleasant Hill Addition and Lots 3, 4, 5, and 6, Block 3, Garden Park Addition in the NE ¼ of Section 23, T123N, R64W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota was presented. Bunsness moved, Kraft seconded to approve first reading of Ordinance No. 12-01-01. Upon roll call, all voting aye, motion carried.

**ORDINANCE NO. 12-02-01**

Ordinance No. 12-02-01 amending Ordinance No. 1164 to rezone certain described property from Section 713 (M) to Section 705 (R-3) 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., Aberdeen, Brown County, South Dakota was presented. Mitchell moved, Swanson seconded to approve the first reading of Ordinance No. 12-02-01. Upon roll call, all voting

aye, motion carried.

**RESOLUTION NO. 12-02-04R**

Rux moved, Swanson seconded to approve the following resolution:

**RESOLUTION NO. 12-02-04R**

**RESOLUTION DECLARING REAL ESTATE SURPLUS PROPERTY AND  
SUBMITTING A CHANGE OF USE OF SUCH PROPERTY TO THE VOTERS**

BE IT RESOLVED by the Aberdeen City Council, that the following described real property is declared surplus property and may be disposed of according to law, said property to be described as follows:

All of the City of Aberdeen's right, title, and interest in:

Block 2, Mel-Ros Sixth Addition to Mel-Ros Estates, Aberdeen, Brown County, South Dakota.

The property being declared surplus is shown on the map attached hereto.

BE IT FURTHER RESOLVED that in accordance with SDCL 9-38-34, the question of the change of use of such surplus property shall be submitted to the voters of the City, and the Finance Officer is hereby directed to place such question on the ballot at the next regular municipal election; and

BE IT FURTHER RESOLVED that if the matter should receive an affirmative majority vote, then the Finance Officer shall dispose of the said surplus property in accordance with the laws of the State of South Dakota.

All voting aye, motion carried.

**BILLS**

Rux moved, Kraft seconded to approve the following audited bills for services, supplies, repairs and maintenance: United Parcel Service 134.16; Dakotacare Administrative Services 48,504.25; RhodesAnderson Insurance 6,600.00; Guardian 486.40; Northwestern Energy 10,933.87; Lizabeth Haberer 50.93; Raymond Hoerner 41.35; Gene Jerke 48.00; John Gebhart 24.76; Dr. John Bormes 24.00; Kenneth Zens 359.02; Robert Brown 22.15; Kent Properties 38.62; Derek Parks 54.61; Mildred Fink 24.70; Randall Hughes 57.03; Nancy Adams 7.04; Lakeview Add 33.26. Upon roll call, all voting aye, motion carried.

**PAYROLL**

Bunsness moved, Swanson seconded to approve the payroll for the period from February 12, 2012 through February 25, 2012 and city share of social security, old age & survivor's insurance, retirement & health/life insurance: Wells Fargo 101,023.72; SD Retirement System 60,672.07; Governing Body 3,192.28; City Manager 6,240.31; City Attorney 3,574.40; Finance 13,473.00; HR 6,810.40; Building 293.41; Computer 3,503.20; Planning/Zoning 11,545.60; Engineering 10,054.40; Police 99,164.19; Fire 87,114.27; Fire Prevention 2,529.60; Housing/Building 4,956.80; Street 25,047.90; Traffic 3,949.28; Solid Waste 16,218.14; Transportation 13,556.20; Library 21,075.69; Parks, Recreation & Forestry 71,591.38, Conner Hulshof 8.50/hr; Tiffany Lundberg 7.75/hr; Airport 11,235.11; Pipe 20,589.63; Water Treatment 16,943.82; Meter 3,896.55; Wastewater 17,215.20; Pump 5,212.88. 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.