

CITY COUNCIL PROCEEDINGS

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, March 25, 2019 at 5:30 p.m., regular meeting of the Board of City Council Members, Mayor Mike Levsen presiding. Present at roll call were City Council Members David Bunsness, Alan Johnson, Dave Lunzman, Dennis “Mike” Olson, Rob Ronayne by teleconference call, Clint Rux by teleconference call, and Jennifer Slight-Hansen. City Council Member Mark Remily was absent. City Staff present were Lynn Lander, Ron Wager, Robin Bobzien, Brett Bill, Karl Alberts, Dave McNeil, Randy Meister, J R Huebner, Aaron Kiesz, and Doug Johnson.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Motion by Bunsness, second by Olson to approve the minutes of the City Council Meeting of March 18, 2019, as circulated. Upon roll call, all present voting aye, motion carried.

OPEN FORUM

Robin Bobzien, City Engineer, and Scott Meints, Brown County Emergency Manager, addressed the possibility of flooding in Brown County and discussed the steps taken to date and the status of the nearby watersheds.

Lisa Anderson, Director of Public Relations for the Aberdeen Area Chamber of Commerce, gave their marketing update.

OLD BUSINESS

ORDINANCE NO. 19-03-01

Motion by Slight-Hansen, second by Lunzman to approve second reading of Ordinance No. 19-03-01 declaring the Emerald Ash Borer (EAB) a public nuisance, establishing a licensing requirement for tree removal and maintenance, and delaying enforcement of such amendments by city officials until EAB is confirmed in Brown County. City Attorney Ron Wager explained the administration’s proposed changes to the Ordinance: first change would be to replace the word “Lab” with the word “Laboratory” and the second change would be language dealing with license requirements in Sec. 56-252 (7) changing “Proof of excise tax number. An applicant for a license under this chapter shall be required to supply his or her excise tax number to the city.” to read “Proof of state tax number. An applicant for a license under this chapter shall be required to supply his or her state sales use or excise tax number to the city.” Motion by Slight-Hansen, second by Bunsness to approve the change of the word “Lab” to “Laboratory” in the Ordinance as recommended by the City Attorney. Upon roll call, all present voting aye, motion carried. Motion by Olson, second by Johnson to approve the change in Sec. 56-252 (7) from “Proof of excise tax number” to read “Proof of state tax number” as recommended by the City Attorney. Upon roll call, all present voting aye, motion carried. Keith Miller, local tree service owner, proposed changed to the ordinance. Dr. John Ball, SDSU Professor and Arborist, provided information on Emerald Ash Borer. Aaron Keisz, City Forester, discussed the proposed changes to the ordinance. Ray Bauer, local tree service owner, discussed the proposed

license. Motion by Bunsness, second by Johnson to postpone the second reading of Ordinance No. 19-03-01 for two weeks. Upon roll call, all present voting aye, motion carried.

CONSENT CALENDAR

Motion by Lunzman, second by Slight-Hansen to approve the following items on the consent calendar:

LICENSE – Advertising/Sign Hanging – T. Eric Farrar dba Rosenbaum’s Signs & Outdoor Advertising Inc.

PLAT – Lust Second Addition to the City of Aberdeen in the SW ¼ of Section 14, T123N, R64W of the 5th P.M., Brown County, SD (1514 – 6th Avenue, SW)

REQUEST PERMISSION – to serve and permit consumption of alcoholic beverages at Wylie Park Pavilion on July 5, 2019 for a Marzahn Wedding Reception.

LOTTERY NOTICES – Boys & Girls Club of Aberdeen; Presentation College Booster Club – receive and place on file.

DEPARTMENTS’ BOARD REPORTS AND MINUTES – Aberdeen Airport Board Meeting Minutes; Aberdeen City Planning Commission Meeting Minutes; Brown County/Aberdeen City Planning Commission Meeting Minutes; Board of Zoning Adjustment Meeting Minutes; K.O. Lee Aberdeen Public Library Board of Trustees Meeting Minutes.

Upon roll call, all present voting aye, motion carried.

NEW BUSINESS

ORDINANCE NO. 19-03-02

City Planning/Zoning Director Brett Bill presented Ordinance No. 19-03-02 to rezone Lot 2, Lust Second Addition to the City of Aberdeen in the SW ¼ of Section 14, T123N, R64W of the 5th P.M., Brown County, SD (1514 – 6th Avenue, SW) from (I-2) Unrestricted Industrial District and (C-2) Highway Commercial District to (C-2) Highway Commercial District for first reading. Motion by Johnson, second by Bunsness to approve first reading of Ordinance No. 19-03-02. Upon roll call, all present voting aye, motion carried.

HEARING ON TRANSFER OF MALT BEVERAGE LICENSE

Mayor Levsen opened a hearing on an application for a transfer of a Retail On-Off Sale Malt Beverage & SD Farm Wine License with Video Lottery from James D. Frericks at Golden Aces Casino, 614 – 6th Avenue, SW to Treinta Inc. at C-Express Suite #3, 2303 – 6th Avenue, SE Suite #3. No one was present to testify in opposition of the request for the transfer of the malt beverage license. Mayor Levsen closed the hearing. Motion by Olson, second by Bunsness to approve the transfer of the Malt Beverage & SD Farm Wine License with Video Lottery from James D. Frericks at 614 – 6th Avenue, SW to Treinta Inc. at 2303 – 6th Avenue, SE Suite #3. Upon roll call, all present voting aye, motion carried.

HEARING ON SPECIAL ONE-DAY LIQUOR LICENSE

Mayor Levsen opened a hearing on an application for a Special One-Day Liquor License on April 13, 2019 for the Boys & Girls Club’s Winefest Renaissance at 1121 – First Avenue, SE.

No one was present to testify in opposition of the request for the special liquor license. Mayor Levensen closed the hearing. Motion by Olson, second by Lunzman to approve the special One-Day Liquor License on April 13th for the Boys & Girls Club at 1121 – First Avenue, SE. Upon roll call, all present voting aye, motion carried.

BILLS

Motion by Johnson, second by Bunsness to approve payment of the bills listed for March 25, 2019, and any additions thereto, such bills having been audited by the Finance Officer and fully itemized and authorize the Mayor or City Manager to sign, and the Finance Officer to countersign, all warrants for payment of the following approved bills: APWA 1,345.00; MARCO Technologies LLC 230.78; Aberdeen Lawn Care 440.00; Dan Waldman 32.00; Olson's Pest Technicians 1,200.00; Joe Fitz 32.00; Holiday Inn Express 121.99; AFFINIS 1,593.01; AE2S 780.24; Lynn Lander 126.00; SD Ready Mixed Concrete Assoc. 495.00; Stuart Nelson 32.00; Aberdeen Chrysler Center 65.00; Northwestern Energy 21,841.58; Business Improvement Dist. 2,568.46; Nationwide Employee Benefits 602.87; United Parcel Service 227.88; Clubhouse Hotel & Suites 1,116.00; George Freeman 82.16; Harry Preston 26.14; BAB Management, LLC 25.81; HAPI 15.85; Property Management & Con. 77.88; Wayne Fischer 41.30; Corey Vosika 26.16; Rob Mattern 35.55; Dave Johnson 27.81. Upon roll call, all present voting aye, motion carried.

CITY MANAGER'S REPORT

City Manager Lynn Lander had City Attorney Ron Wager talk about the cable franchise ordinance and agreements.

There being no further business, motion by Bunsness, second by Olson to adjourn the meeting. All present voting aye, motion carried.

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