

CITY COUNCIL PROCEEDINGS

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, June 17, 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, Mark Remily, Rob Ronayne, and Clint Rux. City Council Member Jennifer Slaughter-Hansen was absent. City Staff present were Ron Wager, Robin Bobzien, Brett Bill, Karl Alberts, and Tanner Jondahl.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Motion by Rux, second by Olson to approve the minutes of the City Council Meeting of June 10, 2019, as circulated. All present voting aye, motion carried.

OPEN FORUM – No one was present.

CONSENT CALENDAR

Motion by Bunsness, second by Remily to approve the following items on the consent calendar:

HEARING CANCELLED FOR JUNE 17, 2019 – withdrawal of applications for new Retail On-Off Sale Malt Beverage & SD Farm Wine License and a new Retail On-Off Sale Wine & Cider License by Tokyo Sushi & Steakhouse LLC dba 3315 – 6th Avenue, SE #68.

SET BID DATE – of July 9, 2019 at 2:00 p.m. for bids on a 2019 Trench Roller for the Utility Water Department.

NOTICES – sale of surplus real property at 102 – 4th Avenue, SE on July 1, 2019 at 1:00 p.m. and public hearing on June 24, 2019 at 5:30 p.m. for final approval of the sale of the 102 – 4th Avenue, SE property.

LICENSE – Private Security – Deali Dillard.

REQUEST FOR STREET/TRAIL USE – 821 Railroad Avenue, SE to South State Street for YMCA Crossfit Competition on July 20, 2019.

LOTTERY NOTICES – American Legion Sidney L. Smith Post 24 and St. Mary’s Church – receive and place on file.

All present voting aye, motion carried.

NEW BUSINESS

ORDINANCE NO. 19-05-04

City Attorney Ron Wager presented Ordinance No. 19-05-04 for first reading to repeal the extraterritorial zoning jurisdiction of the City of Aberdeen. Motion by Rux, second by Remily to approve first reading of Ordinance No. 19-05-04 repealing the extraterritorial zoning jurisdiction of the City of Aberdeen and amending the Aberdeen City Code. Upon roll call, all present voting aye, motion carried.

RESOLUTION NO. 19-06-04R

City Attorney Ron Wager presented Resolution No. 19-06-04R (Brown County

Resolution #R22-19) jointly authorizing and ratifying with Brown County all actions and decisions of the planning departments, commissions, and zoning boards during the transition period to repeal the extraterritorial zoning jurisdiction of the City of Aberdeen. Motion by Ronayne, second by Bunsness to approve Resolution No. 19-06-04R (Brown County Resolution #R22-10) as follows:

RESOLUTION #R22-19/RESOLUTION NO. 19-06-04R
JOINT RESOLUTION AUTHORIZING AND RATIFYING ACTIONS
OF PLANNING DEPARTMENTS, COMMISSIONS AND ZONING BOARDS
DURING TRANSITION TO REPEAL CITY OF ABERDEEN
EXTRATERRITORIAL ZONING JURISDICTION

WHEREAS, Brown County and the City of Aberdeen provide for the health, safety, and property of their residents and citizens through the comprehensive zoning ordinances adopted by their respective governing bodies; and

WHEREAS, the City of Aberdeen desires to repeal its extraterritorial zoning jurisdiction; and

WHEREAS, persons seeking to comply with the zoning regulations within three miles of the City's corporate limits during the repeal transition period should not be put to additional inconvenience, cost, or uncertainty by the respective planning departments or by the procedures to appeal matters or request hearings before the respective planning commissions and board of zoning authority; and

WHEREAS, the public is best served if actions and decisions of the County and City planning departments, planning commissions, and boards of zoning authority that continue to serve the principles, policies, and objectives of the zoning regulations of the County and City during the transition for such repeal are formally authorized or, if already taken, ratified as the approved action or decision of the authority having jurisdiction over such matter.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the actions and decision of the County and City planning departments, planning commissions, and boards of zoning authority that continue to serve the principles, policies, and objectives of the zoning regulations of the County and City during the period of time necessary to effectively repeal the extraterritorial zoning jurisdiction of the City of Aberdeen are hereby authorized or, if already taken, ratified as the approved action or decision of the authority having jurisdiction over such matter. Upon roll call vote, number of AYES: 8 – Bunsness, Johnson, Lunzman, Olson, Remily, Ronayne, Rux, and Mayor Levsen; number of NAYS: 0, motion carried.

RESOLUTION NO. 19-06-01R

City Planning/Zoning Director Brett Bill explained a petition from Roby Johnson and Jon Walberg requesting the vacation of public right-of-way described as the South 15' of 12th Avenue, NW public right-of-way adjacent to Lots 1 – 12, Block 4, Corrected Plat of the Highlands of Aberdeen commencing at the West right-of-way line of North 3rd Street public

right-of-way and continuing West for 300.66' to point of termination at East right-of-way line of North 4th Street public right-of-way (1123 North 3rd Street and 1120 North 4th Street). Motion by Bunsness, second by Rux to approve Resolution No. 19-06-01R to vacate the property as requested. Vote to approve Resolution No. 19-06-01R: number of AYES 8 – Bunsness, Johnson, Lunzman, Olson, Remily, Ronayne, Rux, and Mayor Levsen; number of NAYS: 0, motion carried.

HEARING ON TRANSFER OF LIQUOR LICENSE

Mayor Levsen opened a hearing on a transfer of a Retail On-Sale Liquor License from JT Restaurants LLC dba Max & Erma's, 715 North 10th Street, to Eagle River, LLC dba 715 North 10th Street. No one was present to testify in opposition of the request for the liquor license so Mayor Levsen closed the hearing. Motion by Rux, second by Remily to approve the transfer of a Retail On-Sale Liquor License from JT Restaurants LLC to Eagle River, LLC at 715 North 10th Street. All present voting aye, motion carried.

APPOINTMENT TO ABERDEEN PARKS AND REC BOARD

Motion by Bunsness, second by Johnson to appoint Bethany Russell to the Aberdeen Parks and Recreation Board for a three-year term ending June 30, 2022. All present voting aye, motion carried.

REAPPOINTMENT TO ABERDEEN AIRPORT BOARD

Motion by Rux, second by Johnson to reappoint Carl Perry to the Aberdeen Airport Board for a second five-year term ending June 30, 2024. All present voting aye, motion carried.

BILLS

Motion by Bunsness, second by Olson to approve payment of the bills listed for June 17, 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: CenturyLink 3,921.70; Country Concrete/Landscaping 625.50; NVC 1,057.56; J & K Mowing Service 1,070.84; Lien Transportation co. 2,088.00; Frederickson Law Office 475.00; Dependable Sanitation 121.00; SD Dept. Environment & Natural Resources 10,050.00; Borns Group 4,484.18; Midwest Alarm Co. 282.96; American News 2,357.79; Aberdeen Chamber of Commerce 27,500.00; Aberdeen Development Corp. 14,166.67; Praxair Distribution Inc. 121.19; MARCO Technologies 897.89; Brown County Landfill 20,573.64; Dakota Riggers & Tool Supply 10,301.62; NDSU Soil Testing Lab 60.00; Dahme Construction 2,037.50; Hawkins Inc. 2,640.00; Dakota Electronics 3,983.60; Performance Oil & Lubricants 246.50; Cole Papers Inc. 1,600.45; Farm Power Mfg. Inc. 156.56; GCR Tires & Service 1,732.44; Flexible Pipe Tool Company 171.25; Jensen Rock & Sand Inc. 39,358.20; Graham Tire Co. 93.48; HACH Co. 924.54; Direct Automation LLC 2,868.97; Auto Value Part Stores/Hedahls 2,087.28; Lyle Signs Inc. 1,967.50; Nelson Sales & Service, LLC 64.36; HF Jacobs & Son 1,606.69; NTOA 13,774.00; Kesslers Inc. 46.90; Steven Lust Automotive 574.14; MAC's Inc. 256.79; Ferguson Enterprises, Inc. 35.30; Michael Todd

& Co. Inc. 5,247.78; Sanford Health Occupational Medicine Clinic 6,371.00; Farnams Genuine Parts 169.72; Northern Electric 7,094.54; Pantorium 13.00; Dakota Supply Group 382.89; Graymont Capital Inc. 14,809.20; Midstates Group 2,670.57; Cross Country Freight Solutions, Inc. 181.67; Rockmount Research & Alloys, Inc. 303.20; Safety Service Inc. 1,912.05; Avera St. Luke's Hospital 452.77; SHARE Corp. 693.00; Crawford Trucks & Equipment 2,365.62; Keith Sharisky 490.00; Stan Houston Equipment, Inc. 886.11; Western Area Power Adm 7,081.41; Wright & Sudlow 28,641.69; Diesel Machinery Inc. 28.80; Aberdeen Area Arts Council 6,000.00; Fastenal Company 232.24; Totally Tubular Mfg 150.36; BRITE 9,411.07; Target Specialty Products 31,731.21; Mattern Electric 142.86; Metering & Technology Solutions 1,911.82; Olson's Pest Technicians 2,400.00; Harms Oil Company 46,094.08; MacQueen Emergency Group 757.15; Tony Bisbee 17.00; NSU 304,000.00; Tom Wanttie 1,091.45; Dependable Sanitation, Inc. 294.00; Dakota Ink & Toner 550.52; Productions Monkeys.com 4,631.34; IACP 875.00; First National Bank 8,025.00; Energy Laboratories Inc 1,625.00; SD Dept. Health Lab 423.00; Physio-Control Inc. 1,217.85; Titan Access Acct 906.17; Hub City Radio 240.00; Automationdirect.com Inc. 285.00; Executive Management 299.84; US Postal Service 234.00; Climate Control 404.90; DANKO Emergency Equipment Co. 74.53; Dakota Outdoors 416.43; Pierson Ford-Lincoln-Mercury 707.02; West Payment Center 649.49; Barton Hearing & A/C Inc. 463.61; Holiday Inn Express 731.94; SD Dept. of Revenue 29,625.73; Univar USA Inc. 7,181.80; ARFF Specialists, LLC 4,900.00; The Sewing Shoppe 25.00; NVC 111.17; MTI Distributing 206.04; Kirk's Auto 4,695.65; POET Ethanol Products 1,822.58; AFFNIIS 652.39; McMaster-Carr Supply Co 588.87; Dr. Steve Redmond 500.00; Midland Lease Division 250.91; Jon Droege 1,150.00; AE2S 585.18; SD One Call 311.36; Lutheran Social Services 120.00; Federal Express Corp. 44.36; Day-Timers Inc. 55.07; Joshua Ochsner 49.00; Menards 819.97; Aberdeen Community Concert 2,500.00; Bound Tree Medical LLC 4,885.30; Aqua Pure Inc. 3,925.00; Convention Visitors Bureau 40,957.70; Dakota Fluid Power Inc. 1,315.40; McQuillen Creative Group Inc. 118.75; Borns Group 1,405.28; Impact Janitorial 4,055.57; AT & T 442.49; Volk Upholstery 45.00; NCL of Wisconsin 572.41; Tyler Technologies 853.25; Schmidt Construction Inc. 28,826.30; Matheson Tri-Gas Inc. 257.59; Aberdeen Shuttle 187.50; John Kirnan 43.00; Pomp's Tire Service, Inc. 274.15; Michael Law 111.00; Konica Minolta Premier Finance 126.85; American Solutions for Business 41.97; GALLS Inc. 2,057.72; Business Improvement Dist. 95,000.00; Dakota Oil 526.58; Crouch Irrigation 80.00; Brett Bill 53.00; DSS Image Apparel 499.25; Advance Auto Parts 9.03; Jordan Dahme 175.00; Laursen Asphalt Repair Equip. LLC 223.18; North Central Rental/Leasing 13,857.20; Austin Nath 175.00; Landon Binfet 175.00; MVTL Lab Inc. 446.50; Donau Carbon US LLC 25,518.22; Vollan Oil Co. 1,628.51; 3D Specialties Inc. 1,383.66; ED M. Feld Equipment Co. 169.00; Aberdeen Chrysler Center 52.35; Midcontinent Communications 2,257.44; Kyle Stoddard 175.00; Butler Machinery Co. 6,587.93; GRAINGER 172.48; Zoll Medical Corp. 925.00; Geffdog Designs 3,925.13; Cooper Animal

Clinic 127.79; Arrow International, Inc. 562.50; Shane Smith 53.00; David Dosch 53.00; WEB Water Bottling Co. 59.00; Ameripride Services Inc. 837.73; Country Concrete/Landscaping 7,573.38; Knight Towing 110.00; Builders Firstsource Inc. 101.04; Diamond Dry Cleaning 30.00; A-1 Sanitation 856.44; Muth Electric 227.35; Tri-State Water, Inc. 23.50; 121 Benefits 292.00; Mitch Aman 175.00; Northern Plains Psychological 4,740.00; NAEMT 20.00; Aberdak Club 555.00; CWF Masonry & Construction Inc. 30,299.89; Office Depot 551.16; Haar Plumbing & Heating Inc. 115.21; George Jones 388.40; Core & Main LP 2,444.91; Transource Truck & Equipment, Inc. 233.35; Stephanie Sorensen, Phd 100.00; Jonathon Murdy 1,730.69; Blaze Publications Inc. 675.00; Runnings Supply Inc. 2,658.65; Interstate Battery 848.60; Mes Companies 982.50; The Spirit of Qz, LLC 850.00; Grate Interpreting 62.70; Amazon Capital Services 1,297.63; Brookings Police Dept. 100.00; Gary's Engine & Repair Inc. 224.97; Frontier Precision, Inc. 2,745.00; Eide Bailly LLP 23,285.00; Sandra Olsen 63.90; Liberty Raba 20.00; Janet Wipf 5.75. Upon roll call, all present voting aye, motion carried.

ADJOURN

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

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