

## CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, May 6, 2013, 5:30 p.m., regular meeting of the Board of Council Members, Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, David Bunsness, Todd Campbell, Jeff Mitchell, Clint Rux, Jennifer Slaughter-Hansen, and Laure Swanson. Council Member Mark Remily was absent. City staff present were Lynn Lander, Adam Altman, Robin Bobzien, Karl Alberts, and Don Lanpher. Mayor Levsen led the Pledge of Allegiance.

## MINUTES

Mitchell moved, Rux seconded to approve the minutes of April 29, 2013, as circulated. All present voting aye, motion carried.

OPEN FORUM – No one was present.

## PROCLAMATIONS

Mayor Levsen read and proclaimed “NALC National Food Drive Day” on May 11, 2013 and “National Travel and Tourism Week” on May 4 through May 13, 2013.

OLD BUSINESS

## TAX INCREMENT FINANCING – WASHINGTON BUILDING

No discussion or action was taken regarding Tax Increment Financing District #17 – Washington Building.

CONSENT CALENDAR

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

SET HEARING DATE – of May 20, 2013 at 5:30 p.m. for the application for a New Package Off-Sale Liquor License for Kessler Fuel, LLC dba 702 6<sup>th</sup> Avenue, SE

SET HEARING DATE – of May 20, 2013 at 5:30 p.m. for the application for Transfer of Retail On-Off Sale Malt Beverage License with Video Lottery from Arment Investments LLC dba Rainforest Casino, 3001 6<sup>th</sup> Avenue, SE #4 to Arment Investments LLC dba Rainforest Casino, 416 South Dakota Street, Suite #3.

PETITION OF VOLUNTARY ANNEXATION – Lot E, Easton’s Subdivision in the SE ¼, NE ¼ of Section 14, T123N, R64W – Refer to City Attorney, City Engineer, and Planning/Zoning Director for review and recommendations.

SET HEARING DATE – of May 28, 2013 at 5:30 p.m. for the following petitions to rezone:

- 1) Rezone from (R-2) District to (M) District property described as Outlot C in the NE ¼ of Section 12, T123N, R64W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota; 2) Rezone from (R-2) District to (M) District property described as North Plains Outlot B except W. 602.33’ thereof in the NW ¼ of Section 7, T123N, R63W and Drainage Lot S except the South 60’ thereof in the NE ¼ of Section 7, T123N, R63W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota; 3) Rezone from (R-2) District and (R-2/R-4) Districts to (M) District property described as Lots A, B, and C, Maloney Subdivision in the N ½ of Section 11, T123N, R64W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota; 4) Rezone in the three mile jurisdiction from (A-1) District to (M-AG) District property described as Stoecker’s Outlot A, Rombs Outlot A, and the North 466’ of the 466.67’ West of the East 1,088.33’ all in the NE ¼ of Section 32, T124N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota; 5) Rezone from (I-2) District and (C-2) District to (C-2) District property described as proposed Lots 1 and 2, Kessler’s Third Addition to Aberdeen in the NE ¼ of Section 22, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota.

All present voting aye, motion carried.

**NEW BUSINESS****RESOLUTION NO. 13-05-02R**

Rux moved, Swanson seconded to approve the following Resolution No. 13-05-02R:

**RESOLUTION IN SUPPORT OF THE ABATEMENT OF REAL PROPERTY TAXES**

WHEREAS, SDCL Chapter 10-18 provides for abatement of certain real property taxes; and

WHEREAS, SDCL §10-18-6 requires that a municipality approve such abatements when the real property upon which is levied the tax to be abated is located in a municipality; and

WHEREAS, the City assessed a special assessment of \$17,525 to the real property commonly known as 13/15 9<sup>th</sup> Avenue SE, and more particularly described as Lot 10, Block 51, 2<sup>nd</sup> Addition to the City of Aberdeen, Parcel Key 9254, which property is owned by Justin D. Shultis; and

WHEREAS, Shultis has agreed to sell the property and the purchaser has agreed to pay a portion of the assessment directly to the City; obviating the necessity for the special assessment.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Aberdeen City Council for the City of Aberdeen hereby requests abatement of \$17,525 in special assessments certified by the City of Aberdeen to the above-described property; and

BE IT FURTHER RESOLVED that the City Council for the City of Aberdeen authorizes the Finance Officer to accept the sum of \$14,500 as accord and satisfaction of the special assessment on this property, provided that the purchaser of this property remits such sum within ten (10) days of the assessment being removed from the County tax rolls.

Motion carried by voice vote.

**COMMUNITY EVENT PERMITS**

Bunsness moved, Agnitsch seconded to approve the Community Event Permits for the Fallout Creative Community's "Art & Bicycle Spectacle" on May 24 to May 26 and the "Fallout Art & Music Festival" on September 6 to September 7 on 2<sup>nd</sup> Avenue, SW, 2<sup>nd</sup> Avenue, SE and South Main Street including street closures and time extensions for the events. All present voting aye, motion carried.

**UNCOLLECTIBLE AMBULANCE ACCOUNTS**

Swanson moved, Mitchell seconded to declare \$44,329.81 in unpaid ambulance accounts as uncollectible and assign these accounts to collections. All present voting aye, motion carried.

**BILLS**

Mitchell moved, Rux seconded to approve the following audited bills for services, supplies, repairs and maintenance: AT & T 2,627.58; AT & T Mobility 421.50; NVC 80.97; Dependable Sanitation 52.00; Midcontinent Communications 137.07; Home Federal Bank 210,365.12; JDH Construction 51,000.00; Kathy Hasebrook 25.57; Dan Mata 6.40; First Premier Realty 26.22; The Electric Co of SD 86.11; US Bank Corp. 40,098.24. Upon roll call, all present voting aye, motion carried.

**PAYROLL**

Rux moved, Swanson seconded to approve the payroll for period from April 21, 2013 through May 4, 2013 and City's share of social security, old age & survivor's insurance, retirement, health & life insurance: Wells Fargo 111,521.47; SD Retirement System 60,532.56; Governing Body 3,192.28; City Manager 6,399.23; City Attorney 3,681.60; Finance 13,354.62; HR 7,016.00; Building 298.03; Computer 3,783.30; Planning/Zoning 11,892.00; Engineering 10,356.80; Police 91,910.88, Ryan Lowmiller 18.64/hr, Fire 83,905.56, Brett Goodwin 15.75/hr, David Koch 15.75/hr, Joshua Ochsner

15.75/hr, Fire Prevention 4,011.20; Housing/Building 5,105.60; Street 27,118.01; Traffic 4,193.18; Solid Waste 21,254.71; Transportation 13,656.50; Library 21,685.45; Parks, Rec & Forestry 81,468.23, Shannon Broderson 9.00/hr, Thomas Carlson 10.00/hr, Alexis Doerr 8.25/hr, Robb Erickson 9.50/hr, Jacynda Gellhaus 7.25/hr, Autumn Gross 9.00/hr, Timothy Houge 9.00/hr, Amber Kallas 7.25/hr, Biran Marcuson 9.50/hr, Kyle Nemec 8.75/hr, Justin Parsons 8.50/hr, Brittany Simon 8.75/hr, Wayne Two Hearts 9.25/hr, Sheilan Walz 9.25/hr, Dillon West 8.75/hr, Megan Wollman 12.35/hr; Airport 14,476.24, Richard Krokkel, Jr 19.39/hr, Pipe 19,944.95, Brandon Black 10.25/hr; Water Treatment 16,186.34; Meter 3,916.00; Wastewater 17,242.37; Pump 4,866.55. Upon roll call, all present voting aye, motion carried.

#### CITY MANAGER'S REPORT

Lynn Lander presented the City Manager's Report to the City Council.

#### EXECUTIVE SESSION

Mitchell moved, Rux seconded to move into executive session to discuss a contract. All present voting aye, motion carried. Bunsness moved, Rux seconded to move out of executive session. All present voting aye, motion carried.

There being no further business, Bunsness moved, Mitchell 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.