

COMMISSIONERS PROCEEDINGS

City Commission Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, April 25, 2005, regular meeting of the Board of Commissioners, Mayor Levsen presiding. Present at roll call were Commissioners Hodgkin, Klabo, Omland and McQuillen.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Commissioner McQuillen moved, Commissioner Omland seconded to approve the minutes of April 18, 2005, as circulated. All voting aye, motion carried.

ORDINANCE NO. 05-03-03

Commissioner Klabo moved, Commissioner McQuillen seconded to approve second reading and final adoption of Ordinance No. 05-03-03. Upon roll call, all voting aye, motion carried.

RESOLUTION NO. 05-04-04 R

Commissioner Omland moved, Commissioner Hodgkin seconded to approve the following resolution:

WHEREAS, the City of Aberdeen and County of Brown have worked together to provide a proper drainage for property described as Drainage Lot A, Mehlhoff's Eleventh Addition to North Plains Subdivision to the City of Aberdeen, Brown County, South Dakota and any and all interest they may have in Lots One through Eight (1-8), Block One (1), Mehlhoff's Eleventh Addition to North Plains Subdivision to the City of Aberdeen, Brown County, South Dakota, and

WHEREAS, the City of Aberdeen provided in-kind work to properly develop the drainage on the above-described property with the understanding that Brown County would deed this property to the City of Aberdeen, and

WHEREAS, the above described property has been transferred as contemplated, and

WHEREAS, the only interest the City of Aberdeen has is in maintaining Drainage Lot A of the above-described property, and

WHEREAS, the remaining portion of the property does not provide any benefit to the City of Aberdeen, specifically, any and all interest they may have in Lots One through Eight (1-8), Block One (1), Mehlhoff's Eleventh Addition to North Plains Subdivision to the City of Aberdeen, Brown County, South Dakota, and

WHEREAS, this property has been previously been advertised and a sufficient bid obtained,

IT IS HEREBY RESOLVED, by the Aberdeen City Commission declares any and all interest they may have in Lot One through Eight (1-8), Block One (1), Mehlhoff's Eleventh Addition to North Plains Subdivision to the City of Aberdeen, Brown County, South Dakota, to be surplus and authorize the Mayor to sign any deeds to transfer the property to the successful bidders, Lonnie G. Anderson and Judith J. Anderson.

All voting aye, motion carried.

HEARING

This being the time and place set for a hearing on application for a Special One-Day Retail On-Off Sale Malt Beverage License for May 23, 2005 – Presentation College dba Presentation College Strode Center, 1500 N. Main Street, no one was present to testify, recommendation for approval was received, Commissioner McQuillen moved, Commissioner Klabo seconded to approve and authorize the Mayor to sign application. All voting aye, motion carried.

SET HEARING DATE

Commissioner McQuillen moved, Commissioner Klabo seconded to set a hearing date of May 9, 2005 at 5:30 p.m. for applications for alcoholic beverage licenses: RENEWAL OF ON-OFF SALE MALT BEVERAGE LICENSES – Saguirre Inc. dba Mazatlan Mexican Restaurant, 1 S. 1st Street; JCW Investments LLC dba Aberdeen East Super 8 Motel, 2401 – 6th Ave. SE; Loeb's Investments Inc. dba Gas N Goodies, 1106 S. 5th Street; Len Scherr dba Sammy's Restaurant & Omelette Shop, 212 S. Main Street; Gary L. Nelson dba Lee Park Pro Shop, 1300 N. Hwy #281; Aberdeen Legion Baseball Assn. Db a Legion Baseball, 1225 Brown County #19; Fraternal Order of Eagles dba Eagles Aerie #632, 316 S. 2nd Street; BPO Elks Lodge dba Elks #1046, 705 Circle Drive; R & F Enterprises LLC dba White House Inn, 500 – 6th Ave. SW; Lafayette Casino Corp. dba Lafayette Casino, 3015 – 6th Ave. SE #1; Yuxing Kang & Zin Cheung Chen dba Buffet China Restaurant, 1721 – 6th Ave. SE; RENEWAL OF PACKAGE OFF-SALE MALT BEVERAGE LICENSE – Casey's Retail Company dba Casey's General Store, 224 S. Dakota Street. All voting aye, motion carried.

FARM LEASE

Commissioner Hodgkin moved, Commissioner McQuillen seconded to approve and authorize the Mayor to sign Cash Farm Lease with Harlan Young. All voting aye, motion carried.

SET BID DATE

Commissioner Hodgkin moved, Commissioner McQuillen seconded to set a bid date of June 8, 2005 at 2:00 p.m. for advertisement for bids for 2005 Wastewater Treatment Facility Phase I Improvements. All voting aye, motion carried.

SET HEARING DATE

Commissioner Omland moved, Commissioner McQuillen seconded to set a hearing date of May 16, 2005 at 5:30 p.m. for Petition to vacate public right-of-way: A 10' x 40' alley right-of-way adjacent to the east lot line of Lots 11 and 12, Hall's Subdivision, Block 7, Hagerty and Lloyds Addition and adjacent to the West Lot Line of Lot 9, Hall's Subdivision, Block 7, Hagerty and Lloyds Addition, all located in the NE ¼ of Section 13, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota. All voting aye, motion carried.

BUILDING PERMITS

Commissioner Hodgkin moved, Commissioner McQuillen seconded to approve a request for a one year extension for building permit #2677-S, 124 S. 4th Street. All voting aye, motion carried.

Commissioner Hodgkin moved, Commissioner McQuillen seconded to approve a request of an extension to March 27, 2006 for building permit #27661-L, 906 S. 4th Street. All voting aye, motion carried.

PLATS

Commissioner Klabo moved, Commissioner Omland seconded to approve the following plats: Be it resolved by the City Commission of Aberdeen, South Dakota, that the plat showing "Young's South Park Addition to Aberdeen, South Dakota", having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Be it resolved by the City Commission of Aberdeen, South Dakota, that the plat showing "Young's Railroad Addition in West Half of Section 25-T123N-R64W of 5th P.M.,

Brown County, South Dakota”, having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Be it resolved by the City Commission of Aberdeen, South Dakota, that the plat showing “Rolling Hills Village Fifth Addition to the City of Aberdeen, Brown County, South Dakota”, having been examined is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Be it resolved by the City Commission of Aberdeen, South Dakota, that the plat showing “Schwan Electric Second Subdivision in Aberdeen, South Dakota”, having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

Be it resolved by the City Commission of Aberdeen, South Dakota, that the plat showing “ADC 2005-1 Subdivision in Aberdeen, South Dakota,” having been examined, is hereby approved in accordance with the provisions of SDCL of 1967, Chapter 11-3, and any amendments thereof.

All voting aye, motion carried.

NEW POSITIONS

Commissioner McQuillen moved, Commissioner Omland seconded to approve new positions for Planning Technician and Building Inspector. All voting aye, motion carried.

STORM WATER OUTREACH

Commissioner McQuillen moved, Commissioner Hodgin seconded to approve up to \$2,000.00 to participate in the Storm Water Outreach Alliance Group through the South Dakota Department of Transportation. All voting aye, motion carried.

REQUEST TO HIRE

Commissioner Hodgin moved, Commissioner Klabo seconded to approve a request to hire Walter Lenius for \$3,175.00 to plug artesian well at the Water Treatment Plant. All voting aye, motion carried.

FIREWORKS PERMIT

Commissioner Hodgin moved, Commissioner McQuillen seconded to approve and authorize the Mayor to sign Fireworks Public Display Permit for City Parks, Recreation and Forestry Department and Premier Pyrotechnics. All voting aye, motion carried.

CONTRACT

Commissioner Klabo moved, Commissioner Omland seconded to approve and authorize the Mayor to sign contract for couplings, pipe and pvc elbows – Milbank Winwater Works Company. All voting aye, motion carried.

LICENSE

Commissioner McQuillen moved, Commissioner Klabo seconded to approve a transient merchant license for Daniel J. Fabian dba Fabian Seafood Company. All voting aye, motion carried.

PAY REQUEST

Commissioner Hodgins moved, Commissioner Omland seconded to approve payment for pay request for electrical professional services at Berbos Well Field – Northern Electric in the amount of \$91,241.86. Upon roll call, all voting aye, motion carried.

PAY ESTIMATES

Commissioner Hodgins moved, Commissioner McQuillen seconded to approve and authorize the Mayor to sign and approve payment for pay estimate #29 for engineering for WTP Improvements – Banner Associates in the amount of \$36,628.19. Upon roll call, all voting aye, motion carried.

DEPARTMENT REPORTS

Commissioner Klabo moved, Commissioner Omland seconded to receive and place on file the following department reports: Aberdeen Regional Airport Board Minutes; Alexander Mitchell Library Minutes; Aberdeen Parking Board Minutes; Park & Recreation Board Minutes and Board of Zoning Adjustment Minutes. All voting aye, motion carried.

BILLS

Commissioner Omland moved, Commissioner Klabo seconded to approve the following audited claims for services, supplies, repairs and maintenance: United Parcel Service 84.35; First Administrators Inc 153,948.89; Northern Valley Communications 179.55; AT&T 7.20; SD Dept of Revenue 29.74; BP Amoco 74.46; Northwestern Energy 11,327.90; Northwestern Electric Cooperative 6,511.43; Aberdeen Business Improvement District 17,799.87; NE Regional Health & Fitness 420,000.00; Aberdeen Family YMCA 6,265.55; Don Lanpher Jr. 82.00. Upon roll call, all voting aye, motion carried.

RESOLUTION NO. 05-04-05 R

Commissioner Omland moved, Commissioner Klabo seconded to approve the following resolution:

WHEREAS, the City of Aberdeen is a recipient of a HUD Economic Development Initiative – Special Projects Grant from the U.S. Department of Housing and Urban Development as administered by City of Aberdeen and the Northeast Council of Governments (NECOG), and;

WHEREAS, the City of Aberdeen is required to designate an environmental certifying officer for the purpose of signing required environmental documents pertaining to this grant,

NOW THEREFORE, BE IT RESOLVED, that Mike Levsen, Mayor, for the City of Aberdeen be hereby designated as the City's environmental certifying officer for the purpose of signing correspondence and other required documents and forms.

All voting aye, motion carried.

FARM LEASE

Commissioner McQuillen moved, Commissioner Omland seconded to approve and authorize the Mayor to sign Airport Hayland Lease #28 with Sharp's Inc. All voting aye, motion carried.

There being no further business before the Board, Commissioner Klabo moved, Commissioner Omland seconded that the meeting be adjourned. All voting aye, motion carried.

Prepared by Cathy Feickert
For the Finance Office

Finance Officer