

CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, Monday, June 4, 2012, 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, Jim Kraft, Jeff Mitchell, Clint Rux, and Laure Swanson. Council Member Jennifer Slight-Hansen was absent. City staff present were Robin Bobzien, Ken Hubbart, and Jerry Kost.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Mitchell moved, Campbell seconded to approve the minutes of May 29, 2012, as circulated. All present voting aye, motion carried.

OPEN FORUM – Tom Burgard was present to inquire why the amount for the possible purchase of the Bill Fry property was not listed on the agenda. He was told that it was finalized after the agenda was published and the amount is \$56,250.00.

OLD BUSINESS

CONTINUED – PURCHASE AGREEMENT FOR BILL FRY PROPERTY

Bunsness moved, Mitchell seconded to continue the discussion of the Purchase Agreement for the Bill Fry property located at Lot 2, Hagerty and Lloyd's 2nd Subdivision, 213 3rd Avenue, SE. All present voting aye, motion carried.

CONSENT CALENDAR

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

SET BID DATE – of June 19, 2012 at 2:00 p.m. – advertisement for bids on the Demolition of Former Bethlehem Lutheran Education Wing Project BLDG 2012-2.

LICENSES – Private Security – Christopher M. Ivy; Advertising/Sign Hanging – Western Printing.

SET HEARING DATE – of June 25, 2012 at 5:30 p.m. for the following petitions to rezone: Rezone from Section 707 (C-2) to Section 705 (R-3) property described as Lot 3, McGregor's Subdivision of Lots 1 – 3, Block 15, Thomas Addition of the 5th P.M., Aberdeen, Brown County, South Dakota; Rezone from Section 705 (R-3) to Section 707 (C-2) property described as Lots 688 and 689 of Morning Heights Subdivision in the N ½ of Section 19, T123N, R63W, Aberdeen, Brown County, South Dakota.

RENEWAL OF ALCOHOLIC BEVERAGE LICENSES: Retail On-Off Sale Malt Beverage Licenses – OCHO Inc. dba Casino Korner, 707 N. 2nd Street w/video lottery; TREINTA Inc. dba C-Express, 2303 6th Avenue, SE w/video lottery; NUEVE Inc. dba C-Express 8th Avenue, 1202 8th Avenue, NE w/video lottery; OCHO Inc. dba C-Express North 2nd, 711 N. 2nd Street w/video lottery; Midwestern-Flack LLC dba Dakota Players Club, 1715 6th Avenue, SE #A w/video lottery; Double Up Inc. dba Dakota Prairie Casino, 524 S. 1st Street w/video lottery; Trina Zomers dba Double Shots, 420 S. Main Street; BPO Elks Lodge dba Elks, 705 Circle Drive; G & T Gaming, Inc. dba 121 N. Roosevelt Street (Inactive) w/video lottery; Midwestern-Flack LLC dba Jokers Wild Casino, 416 S. Dakota Street w/video lottery; Hungry's Restaurant Inc. dba Marlins Family Restaurant, 604 S. Hwy #281; DOM Inc. dba Moccasin Creek Casino, 1711 4th Avenue, SE w/video lottery; MUNCHIES Inc. dba Munchies, 2301 6th Avenue, SE w/video lottery; South C Store Inc. dba South C Store, 1020 S. Main Street w/video lottery; P & M Enterprizes Inc. R & A Bar, 5 S. Main Street; I-90 Fuel Services Inc. dba Starlite Truckstop, 602 S. Hwy #281 w/video lottery; OCHENTA Inc. dba The Wolf Stop, 524 6th Avenue, SE w/video lottery; Retail On-Off Sale Malt Beverage & SD Farm Wine License – Bargain Mart Inc. dba Bargain Mart, 115 N. Main Street; Package Off-Sale Malt Beverage License – Ron

Guthmiller dba Louie's Service, 2323 8th Avenue, NE.

All present voting aye, motion carried.

NEW BUSINESS

RECOMMENDATION ON BID – MILL AND OVERLAY

Bids for Mill and Overlay Improvements Project ST-2012-1 were opened and publicly read. Campbell moved, Rux seconded to award the only bid for the Mill and Overlay Project to Lien Transportation, Inc. in the amount of \$227,401.50 and authorize the City Manager and City Finance Officer to sign the necessary documents after approval by the City Attorney. All present voting aye, motion carried.

RECOMMENDATION ON BIDS – HOLGATE POND SHEET PILING

Bids for Holgate Pond Sheet Piling Improvements Project SS-2012-3 were opened and publicly read. A detail list of the bids is on file at the Finance Office. Bunsness moved, Mitchell seconded to award the Holgate Pond Sheet Piling Project to Dahme Construction in the amount of \$135,134.50 and authorize the City Manager and City Finance Officer to sign the necessary documents after approval by the City Attorney. All present voting aye, motion carried.

PURCHASE OF CHRISTMAS WREATHS

Margot Gillette from the Aberdeen Downtown Association was present to request the purchase of Christmas Wreaths for Downtown Aberdeen Streets. Bunsness moved, Rux seconded to approve the purchase of 48 Christmas Wreaths for Downtown Aberdeen from

Temple Display, Ltd. in the amount of \$18,476.05. All present voting aye, motion carried.

PAYMENT REQUEST – ACCESSIBLE QUADRANT

Bunsness moved, Kraft seconded to approve payment and authorize the City Manager to sign the Pay Estimate #2 in the amount of \$43,940.00 to Wright and Sudlow, Inc. for work completed on the Accessible Quadrant Improvements Project. Upon roll call, all present voting aye, motion carried.

BILLS

Kraft moved, Bunsness seconded to approve the following audited bills for services, supplies, repairs and maintenance: HF Jacobs & Sons 103,960.75; Ryan Contracting Co 195,633.05; AT & T Mobility 1,764.10; J & K Mowing Service 1,100.81; MD Construction LLC 965.00; US Postal Service 2,371.74; US Bank 34,447.44. Upon roll call, all present voting aye, motion carried.

PAYROLL

Mitchell moved, Rux seconded to approve the payroll from May 20, 2012 through June 2, 2012 and city share of social security, old age and survivor's insurance, retirement and health/life insurance: Wells Fargo 113,222.45; SD Retirement System 59,356.52; Governing Body 3,192.28; City Manager 6,240.31; City Attorney 3,574.40; Finance 13,291.00; HR 6,810.40; Building 194.29; Computer 3,503.20; Planning/Zoning 11,545.60; Engineering 11,321.98; Police 92,798.92; Mark Miller 20.27/hr, Melissa Pagel 20.27/hr; Fire 83,784.27; Fire Prevention 2,529.60; Housing/Building 4,956.80; Street 24,629.93; Traffic 5,471.44; Solid Waste 21,593.74; Transportation 12,548.41; Library 21,002.62, Diane Ackerson 8.00/hr, Kayla Stoebner 8.00/hr; Parks, Recreation & Forestry 133,597.15, Amy Albrecht 10.10/hr, 370/week, Marissa Aldinger 11.00/hr, 15.00/lesson, Jordan Allbee 8.00/hr, 40/team, or 13-21/game, Erika Bachmeier 7.85/hr, Shyla Balo 8.35/hr, Ross Barton 8.00/hr, 15.50-23/class, Brittany Bauer 12.60/hr, Brandon Bertsch 8.50/hr, Jamison Bjur 8.00/hr, 40-42/team, or 13-21/game, Kemari Blumhardt 9.60/hr, Kelli Boekelheide 8.00/hr, 44/team, Emily Bohle 8.00/hr, 44/team, Heather Bonn 11.00/hr, 15.00/lesson, Brooke Braun 7.60/hr, Madolin Busson 11.00/hr, Ethan Case 8.00/hr, 16.50-23/class, Ashley Daughters 8.85/hr, Ashley Dean 7.50/hr, Jennifer Deutsch

10.00/14.00/20.00/hr, Joseph Dulik 7.10/hr, Hailey Ecker 7.60/hr, Gene Eisenbeisz 10.00/hr, 530/week, Chad Ellingson 9.50/hr, Austin Fischbach 8.00/hr, 54-66/team/week, Kara Fischbach 8.85/hr, Mattison Flakus 7.50/hr, Stephanie Fritz 7.85/hr, Aaron Fuller 8.00/hr, 52-64/team, Tyler Fuller 10.35/hr, Thomas Gallagher 8.00/hr, 42-54/team, or 13-21/game, Jill Gauffin 9.35/hr, Bailey Geist 8.00/hr, Jacob Gellhaus 8.00/hr, 15.50-23/class, Caitlin Geyer 8.00/hr, 42/team, Cody Gunther 7.85/hr, Lindsey Hahler 8.10/hr, Brittany Hanson - 8.00/hr, 19.50-34/class, Meggie Hanson 7.60/hr, Amy Harr 9.85/hr, McKenzie Hengel 8.35/hr, Brendon Hoellein 8.00/hr, 44-54/team, or 13-21/game, Rachel Hollan 7.60/hr, Andrew Holmstrom 8.00/hr, 46-56/team, or 13-21/game, Tiahna Holtey 8.00/hr, 15.50-23/class, Jennifer Janish 7.50/hr, Benjamin Jastram 8.00/hr, 13-21/game, Chance Karlen - \$8.00/hr, \$42-52/team, or 13-21/game, Marissa Keahey 10.25/hr, Dominic King - 8.00/hr, 42/team, or 13-21/game, Tyler Kjenstad 8.00/hr, 42-52/team, or 13-21/game, Chris Kolb 8.00/hr, 48/team, Ashley LaFave 8.00/hr, 44-52/team, Hannah Langbehn 7.25/hr, Derek Larson 10.25/hr, Alexis Lloyd 8.10/hr, Gabrielle Lund 8.50/hr, Tiffany Lundberg 7.60/hr, Chris Malsam 8.00/hr, 13-21/game, Mikayla Malsam 8.00/hr, 40/team, Luke Malsom 8.00/hr, 44/team, Sara Mangan 8.10/hr, Steve Markley 10.00/hr, 510/week, Justin Mayer 8.00/hr, 40/team, Kristin McCafferty 10.00/hr, 510/week, Lauren McCafferty 8.00/hr, or 44-52/team, Jordan McQuillen 8.75/hr, Emily Miller 8.00/hr, 40-48/team, Caitlin Moran 8.00/hr, 40-48/team, or 13-21/game, Kelsey Mundt 8.00/hr, Amy Neitzel 8.00/hr, 40-48/team, Shelby Peterson 8.00/hr, 40-48/team, Denise Punt 11.00/hr, 15.00/class, Erin Punt 7.50/hr, Peter Ramey 8.50/hr, Mitchell Reed 9.50/hr, Christy Renner 7.60/hr, Kelli Renner 9.85/hr, Roberta Rernleitner 8.00/hr, 16.50-24/class, 40-50/team, Grace Rieck 8.00/hr, Mairghread Rigg 9.35/hr, Rachel Rogers 8.00/hr, 40/team, Jordan Rohrbach 8.50/hr, Matthew Rohrbach 8.00/hr, 40/team, or 13-21/game, Ashley Rook 8.00/hr, 42-50/team, Brendan Roso 8.00/hr, 44-46/team or 13-21/game, Tabitha Schrenk 8.00/hr, Ashley Schultz 8.85/hr, Rylie Schumacher 8.35/hr, Chase Severson 8.00/hr, 40/team, Daniel Severson 7.85/hr, Brandon Sieck 7.60/hr, Ronald Sieler 8.00/hr, 13-21/game, Destini Steckler 9.35/hr, Taylor Schweitzer 7.50/hr, Jessica Stolle 8.85/hr, Trisha Strohfus 7.85/hr, Braedon Sutton 7.60/hr, Riley Swenson 8.00/hr, 42-52/team, or 13-21/game, Mariah Taylor 7.60/hr, Allison Thielsen - 7.85/hr, Amanda Tobin 8.00/hr, 42-52/team, Sydnee Torrence 9.10/hr, Tom VanOrman - 8.00/hr, 50-60/team, Skyler Vearrier 7.60/hr, Trey Vilhauer 8.00/hr, 40/team, or 13-21/game, Abby Vogel 7.60/hr, Katie Vogel 8.35/hr, Kyle Walz 8.00/hr, 44-54/team or 13-21/game, Kaitlin Weisenburger 7.25/hr, Elizabeth Wensmann 7.60/hr, Joshua White 8.00/hr, 42-52/team or 13-21/game, Timothy Wileman 8.00/hr, 46-56/team or 13-21/game, Abby Woytassek 8.10/hr, Michael Zerr 10.50/hr, Kim Zimmerman - 10.00/hr, 410/week, Airport 11,935.13; Pipe 24,209.60; Water Treatment 16,897.35; Meter 3,802.40; Wastewater 16,227.53, Justin Tollefson 15.45/hr; Pump 5,554.87. Upon roll call, all present voting aye, motion carried.

There being no further business, Rux moved, Swanson seconded that the meeting be adjourned. All present voting aye, motion carried.

Prepared by Mary Campton for the Finance Office. /s/ Jerry L. Kost, Deputy Finance Officer.

CITY COUNCIL PROCEEDINGS

Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota, June 7, 2012, 9:00 a.m., Special City Council Meeting to canvas election results. Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, David Bunsness, Jeff Mitchell, Clint Rux, and Laure Swanson. Council Members Todd Campbell, Jim Kraft, and Jennifer Slight-Hansen were absent.

RESOLUTION NO. 12-06-01 R

WHEREAS, on January 3, 2012, the City Council of the City of Aberdeen set the time and date for the Annual Municipal Election to be held in the City with the regular June Primary Election on June 5, 2012. The purpose being to elect a City Council Alderman for the NE District and to submit a Ballot Question referring Resolution No. 12-02-04R that declared surplus property described as Block 2, Mel-Ros Sixth Addition to Mel-Ros Estates for possible sale according to state law to the city voters for an affirmative majority vote.

WHEREAS, at the Annual Municipal Election held in the several polling places in the City of Aberdeen, South Dakota on Tuesday, June 5, 2012, there were cast the following votes for Office of City Council Alderman, to wit: Alderman for NE District five-year term: James H. Kraft 407 votes, Mark Remily 409 votes, there being a total of 816 legal votes cast for city Council Alderman, NE District. There were cast the following votes for possible sale of City Surplus Park Land: Yes, 1,591 votes to allow the sale of property; No, 998 votes not to allow the sale of property, there being a total of 2,589 legal votes cast for possible sale of Surplus City Park Land,

WHEREAS, the returns of said election have been delivered and canvassed by the City Council, and

WHEREAS, Mark Remily received a majority of the legal votes cast for City Council Alderman, NE District,

WHEREAS, a majority of the legal votes cast were for the sale of Surplus City Park Land,

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABERDEEN, that the voting majority of the citizens of Aberdeen are allowing the sale of Surplus City Park Land described as Block 2, Mel-Ros Sixth Addition to Mel-Ros Estates and the City Finance Officer is hereby directed to issue the proper Certificates of Election to Mark Remily, elected City Council Alderman, NE District for a term of five-years, Clint Rux, having no opposition at the Municipal Election, elected City Council Alderman, SE District for a term of five-years, and Todd Campbell, having no opposition at the Municipal Election, elected City Council Alderman, NW District for a term of five-years.

All present voting aye, motion carried.

There being no further business before the Council, Bunsness moved, Agnitsch seconded that the meeting be adjourned. All present voting aye, motion carried.
Prepared by Mary Campton for the Finance Office.