

## CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, April 26, 2010, 5:30 p.m., regular meeting, Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, Todd Campbell, Lloyd Hodgin, Jim Kraft, Jeff Mitchell, Clint Rux and Jennifer Slight-Hansen. David Bunsness was absent. Staff members present were Lynn Lander, Robin Bobzien, Karl Alberts, Adam Altman and Ryan Soye.

Mayor Levsen led the Pledge of Allegiance.

### MINUTES

Mitchell moved, Rux seconded to approve the minutes of April 19, 2010 as circulated. All present voting aye, motion carried.

OPEN FORUM – Julie Johnson, Absolutely Aberdeen, was present to thank everyone for supporting the “Catch the Wind” event put on by Molded Fiber Glass. Jeff Andrews was present to discuss an easement at 819 Riverside Drive. No action taken.

### **OLD BUSINESS**

#### ORDINANCE NO. 10-04-08 – SUPPLEMENTING THE ANNUAL APPROPRIATION

Rux moved, Hodgin seconded to approve second reading as amended and final adoption of Ordinance No. 10-04-08. Upon roll call, all present voting aye, motion carried.

### **CONSENT CALENDAR**

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

SET HEARING DATE – May 10, 2010 at 5:30 p.m. for the following: RENEWAL OF RETAIL ON-OFF SALE MALT BEVERAGE LICENSES – Kusler’s Standard Service, Inc. dba Kusler’s, 602 S. Main St (w/video lottery); Lobes Investments Inc dba Gas N Goodies, 1106 S. 5<sup>th</sup> St (w/video lottery); Tom Inc dba Wild Card Casino dba 416 S. Dakota St (w/video lottery); Ron & Patricia Fischer dba South C Store, 1020 S. Main St (w/video lottery); E-Z Stop Food Marts Inc dba E-Z Stop Food Mart, 421 S. Roosevelt (w/video lottery); Gary L Nelson dba Lee Park Pro Shop, 1300 N. Hwy 281; BPO Elks Lodge #1046 dba Elks Lodge, 705 Circle Drive; NPC International Inc dba Pizza Hut #2767, 3311 6<sup>th</sup> Avenue SE; Ronco Foods Inc dba Shenanigans, 3315 6<sup>th</sup> Avenue SE #68; RENEWAL OF PACKAGE OFF-SALE MALT BEVERAGE LICENSE – Kessler’s Inc dba Kesslers Liquor, 621 6<sup>th</sup> Avenue SE.

ADVERTISEMENT FOR BIDS – City of Aberdeen Main Street Restoration – set bid date of May 11, 2010 at 2:00 p.m.

DECLARE SURPLUS PROPERTY – seven (7) PSI Air Tanks to be given to Bath Volunteer Fire Department.

RECEIVE & PLACE ON FILE – a letter of concern during State High School Activities events in city from SD Interscholastic Athletic Administrators Association.

LICENSES – Residential Building Contractor – Travis Struss; Sidewalk Contractor – Tim Martin Inc.; Advertising/Sign Hanging – Rose City Canopy & Sign; Private Security – Corey Davies.

PLAT – Hurlbert First Addition to Aberdeen in the SW ¼ of the NE ¼ of Section 11, T123N, R64W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, SD.

LOTTERY NOTICE – Machinists Local Lodge 862 – Big Buck Contest – receive and place on file.

DEPARTMENT REPORTS – Aberdeen Regional Airport Board Minutes; Alexander Mitchell Library Board Minutes; Park & Recreation Board Minutes; Board of Zoning Adjustment Minutes – receive and place on file.

All present voting aye, except Kraft abstained, motion carried.

### **NEW BUSINESS**

#### ORDINANCE NO. 10-04-01

Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 707 (C-2) and Section 710 (I-2) to Section 707 (C-2) Artz Outlot 1 in the SW ¼ of Section 14, T123N, R64W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, SD was presented. Mitchell moved, Rux seconded to approve first reading of Ordinance no. 10-04-01. Upon roll call, all present voting aye, motion carried.

#### ORDINANCE NO. 10-04-02

Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 704 (R-2) to Section 713 (M) Block 6 except the S. 164.82' and the S. 7' of Block 5, and all of Block 7, Melros Southview Addition in the S ½ of Section 19, T123N, R63W, Sunshine Park Addition to Melros Estates and Block 8, Melros Southview Addition in the S ½ of Section 19, T123N, R63W was presented. Hodgin moved, Agnitsch seconded to approve first reading of Ordinance No. 10-04-02. Upon roll call, all present voting aye, motion carried.

#### ORDINANCE NO. 10-04-03

Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 705 (R-3) and Section 707 (C-2) to Section 713 (M) Block 37, West Aberdeen Addition; Lots 1-7 and E. 12.5' of Lot 8 and E. 12.5' of Lot 23, and Lots 24-30, Block 49, West Aberdeen Addition and W ½ of V/Street (11<sup>th</sup> St. S.); Lots 1-17, Block 50, West Aberdeen Addition and V/Alley and W ½ of V/Street (11 St. S.) (S. 5<sup>th</sup> St. running E. and W. 187.5' adjacent to Lots 1-7) was presented. Mitchell moved, Hodgkin seconded to approve first reading on Ordinance No. 10-04-03. Upon roll call, all present voting aye, motion carried.

**ORDINANCE NO. 10-04-04**

Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 705 (R-3) to Section 713 (M) Lots 1-12, Block 51, Bennett & Thomas Addition, Aberdeen, Brown County, SD was presented. Hodgkin moved, Kraft seconded to approve first reading of Ordinance No. 10-04-04. Upon roll call, all present voting aye, motion carried.

**ORDINANCE NO. 10-04-05**

Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 707 (C-2) to Section 713 (M) 57.3' x 320' strip North of Block 17, Coe & Howard Addition except H-1 (Park), Aberdeen, Brown County, SD was presented. Agnitsch moved, Hodgkin seconded to approve first reading of Ordinance No. 10-04-05. Upon roll call, all present voting aye, motion carried.

**ORDINANCE NO. 10-04-06**

Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 705 (R-3) to Section 713 (M) Lots 1-6, Block 20, Bennett & Thomas Addition, Aberdeen, Brown County, SD was presented. Hodgkin moved, Kraft seconded to approve first reading of Ordinance No. 10-04-06. Upon roll call, all present voting aye, motion carried.

**RECOMMENDATION ON BIDS – NORTH STATE STREET**

Bids were received and opened for North State Street Roadway Improvements (Project ST-2010-3); a detailed list is on file with the Finance Office. Campbell moved, Rux seconded to award low bid to Lien Transportation in the amount of \$151,169.83 and authorize the City Manager and Finance Officer to sign all necessary documents after approval by the City Attorney. All present voting aye, with the exception of Hodgkin abstaining, motion carried.

**RECOMMENDATION ON BIDS – 15<sup>TH</sup> AVENUE NE**

Bids were received and opened for 15<sup>th</sup> Avenue NE Street Extension (Project ST-2010-4), a detailed list is on file with the Finance Office. Rux moved, Agnitsch seconded to award low bid to Aberdeen Asphalt in the amount of \$458,690.08 and authorize the City Manager and Finance Officer to sign all necessary documents after approval by the City Attorney. All present voting aye, motion carried.

#### PAY ESTIMATE

Mitchell moved, Hodgkin seconded to approve payment and authorize the City Manager to sign Pay Est. #18 – WWTP Improvements – Phase 2B – PKG Construction in the amount of \$196,346.20. Upon roll call, all present voting aye, motion carried.

#### BILLS

Mitchell moved, Kraft seconded to approve the following audited claims for services, supplies, repairs and maintenance: Northwestern Energy 26,231.42; Dakotacare Administrative Services & Claims 75,497.65; Sunlife 514.00; Nelson Auto Center 19,143.00; Datamatic 825.80; RDO Equipment Co 91,660.00; Wright & Sudlow 40,809.15; Wright & Sudlow 97,109.55; United Parcel Service 45.85. Upon roll call, all present voting aye, motion carried.

#### PAYROLL

Agnitsch moved, Hodgkin seconded to approve payroll for the period April 11 through 24, 2010 and city share of social security, old age & survivor's insurance, retirement and health/life insurance: Governing Body 4,698.68; City Manager 4,707.51; Governing Body 4,401.60; Finance 14,072.00; HR 6,948.00; Building 392.69; Computer 3,334.40; Planning/Zoning 11,025.60; Engineer 9,626.09; Police 90,995.50, Amanda Buck 17.48/hr, Nathan Eisenmenger 17.48/hr; Fire 79,738.16; Fire Prevention 3,739.20; Housing/Building 4,717.60; Street 26,034.64, Patrick Krause 10.00/hr; Traffic 4,425.30, Steven Devoe 10.00/hr; Solid Waste 20,226.98, Michael Abu-Sirriya 10.00/hr, Sean Crawford 10.00/hr, Shaun Hettich 10.00/hr, Taylor Ormand 10.00/hr, John Wegehaupt 10.00/hr; Transportation 12,651.80; Library 20,841.89, Marilyn Kohles 13.00/hr; Parks, Recreation & Forestry 77,196.53, Terry Baadte 8.50/hr, Amanda Barry 9.00 or 11.25/hr, Eric Bengs 9.75/hr, Christian Christianson 8.50/hr, Dixie Daly 12.00/hr, Levi Drube 8.75/hr, Ryan Ellingson 10.00/hr, Andrew Feiock 10.75/hr, Keith Gunn 8.50/hr, Bryce Hanson 8.75/hr, Taylor Huck 8.50/hr, John Koerner 10.50/hr, Derek Larson 10.00/hr, Jason Leinen 15.07/hr, Owen McGregor 8.50/hr, Timothy Nikolas 11.25/hr, James Odegaard 9.50/hr, Richard Papke 9.25/hr, Katelyn Pietz 8.00/hr, Sean Rasmussen 9.75/hr, Janice Reich 13.75/hr, Deborah Rieck 10.25/hr, Adam Sahli

8.50/hr, Brian Spanton 8.50/hr, Charles Strom 8.50/hr, Owen Swanson 9.50/hr, Wayne Two Hearts 8.50/hr, Jerald VanDover 8.50/hr, Phillip VanDover 9.25/hr, David Vick 8.75/hr, Kaye Weber 8.50/hr, Cody Wesch 8.50/hr, Kelli Wiedebush 10.00/hr; Airport 10,427.70; Pipe 17,014.31, Micah Hanson 9.75/hr, Lucas Jung 10.00/hr, Cole Lemke 10.00, Jamie Link 10.00/hr, Beau Voegeli 9.75/hr; Water Treatment 15,858.26, Walter Bauer 16.00/hr, Joshua Erhardt 10.00/hr, Dustin Griese 15.07/hr, Logan Wherry 10.00/hr; Meter 5,229.99; Wastewater 16,023.14, Jacob Hamik 10.00/hr; Pump 4,750.39, Corbin Surat 10.00/hr; Wells Fargo 105,796.09; SD Retirement System 58,253.92.  
Upon roll call, all present voting aye, motion carried.

#### OTHER

Robin Bobzien, City Engineer, updated the council on work on the overpass. Lynn Lander, City Manager, asked for a work session on May 3<sup>rd</sup> at 4:30 p.m. to discuss the Wind Energy Ordinance.

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

Prepared by Cathy Feickert  
For the Finance Office

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Finance Officer