

The City Council met at 4:00 p.m., August 20, 2012, in City Council Chambers for a work session open to the public to discuss the proposed 2013 Budget.

#### CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, August 20, 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, Jeff Mitchell, Mark Remily, Clint Rux, Jennifer Slaughter-Hansen, and Laure Swanson. City staff members present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, Karl Alberts, Don Lanpher, Doug Johnson, and Gene Morsching.

Mayor Levsen led the Pledge of Allegiance.

#### MINUTES

Mitchell moved, Rux seconded to approve the minutes of August 13, 2012, as circulated. All voting aye, motion carried.

OPEN FORUM – Jack Hollinsworth was present to discuss the Roosevelt Building Project. Toby Royer from Sheehan Mack Sales was present to discuss motor graders.

#### OLD BUSINESS

##### ORDINANCE NO. 12-08-03

Rux moved, Remily seconded to approve second reading and final adoption of Ordinance No. 12-08-03 amending a section of the Aberdeen Municipal Code dealing with alcohol laws. Remily moved, Swanson seconded the motion to amend Ordinance to reflect state law. Motion passes by voice vote. Upon roll call of the original motion for second reading and final adoption of Ordinance No. 12-08-03, Agnitsch, Campbell, Remily, Mitchell, Rux, Slaughter-Hansen, Swanson, and Mayor Levsen voting aye, Bunsness voting nay, motion carried.

##### ORDINANCE NO. 12-08-04

Mitchell moved, Rux seconded to approve second reading and final adoption of Ordinance No. 12-08-04 amending a section of the Aberdeen Municipal Code dealing with conflict of interest and campaign finance. Upon roll call, all voting aye, motion carried.

#### CONSENT CALENDAR

Remily moved, Agnitsch seconded to approve the following items on the consent calendar: LICENSE – Taxi Cab Driver – Louis D. Brown

All voting aye, motion carried.

#### NEW BUSINESS

##### PUBLIC HEARING – ANNUAL APPROPRIATIONS FOR 2013

This being the time and place set for a public hearing, Mayor Levsen opened the hearing regarding the proposed annual appropriations for the City's Fiscal Year 2013. No

one was present to make comments. Mayor Levsen closed the hearing.

**ORDINANCE NO. 12-08-05**

An Ordinance supplementing the 2012 Budget for various unanticipated projects, activities, and expenses was presented. Bunsness moved, Rux seconded to approve first reading of Ordinance No. 12-08-05. Upon roll call, all voting aye, motion carried.

**RESOLUTION NO. 12-08-02R**

Bunsness moved, Mitchell seconded to approve Resolution No. 12-08-02R:

**RESOLUTION DECLARING SURPLUS PROPERTY**

BE IT RESOLVED by the Aberdeen City Council, that the following described property is declared surplus property and may be disposed of according to law in accordance with SDCL §23A-37-13, said property to be described as follows:

<u>Description</u>	<u>Tag #</u>	<u>Incident #</u>
.22 Browning Pistol #05000293	#47054	
.44 Black Powder Revolver #06000664	#49794	
Remington .270 Rifle	#11002723	#11001546
Springfield 20 Gauge Shotgun #11001546	#11002724	
Maverick 12 Gauge Shotgun #07001756	#53330	
New England Shotgun #05000600	#47139	
9mm Hi Point Pistol	#10003529	#10001620
SKS Rifle	#10003515	#10001620
Remington 12 Gauge Shotgun #10001620	#10003514	
Winchester 12 Gauge Shotgun #05002302	#48823	

BE IT FURTHER RESOLVED by the Aberdeen City Council that the Chief of Police may trade-in this surplus property to any licensed firearms dealer, as allowed by law.

All voting aye, motion carried.

**COMMUNITY EVENT PERMIT – FALLOUT CREATIVE COMMUNITY**

Bunsness moved, Mitchell seconded to approve a Community Event Permit for Dan Cleberg of Fallout Creative Community’s “Fallout Art & Music Festival” on September 7<sup>th</sup> from 12:00 noon to 12:00 midnight and on September 8<sup>th</sup> from morning to

11:00 p.m. on South Main Street from 2<sup>nd</sup> Avenue, SW to 2<sup>nd</sup> Avenue, SE. All voting aye, motion carried.

#### RECOMMENDATION ON BIDS – ASBESTOS ABATEMENT

Bids were opened and publicly read for Asbestos Abatement at the Former Bethlehem Lutheran Church. A detailed list is on file in the Finance Office. Rux moved, Swanson seconded to award the Asbestos Abatement Bid to Gary Snow & Associates, Inc. of Pierre, SD in the amount of \$24,034.00 and authorize the City Manager and City Finance Officer to sign all necessary documents after approval by the City Attorney. All voting aye, motion carried.

#### MILL AND OVERLAY PROJECT

Bunsness moved, Mitchell seconded to approve and authorize the City Manager to sign Change Order #1 in the amount of \$26,290.70 and Pay Estimate #1 in the amount of \$245,678.36 to Lien Transportation for work on the Mill and Overlay Improvements Project. Upon roll call, all voting aye, motion carried.

#### KLINE STREET STORM SEWER PROJECT

Mitchell moved, Remily seconded to approve and authorize the City Manager to sign Change Order #1 in the amount of \$18,906.92 and Pay Estimate #5 in the amount of \$261,050.37 to B & B Contracting for work on the Kline Street Storm Sewer Project. Upon roll call, all voting aye, motion carried.

#### PAYMENT REQUESTS

Bunsness moved, Swanson seconded to approve the following: Payment Request #6 – Engineering Services for the Elm River Intake Study – Clark Engineering in the amount of \$1,238.81 and Payment Request #7 (Final) – work/retainage on the 15<sup>th</sup> Avenue, NE Street Extension – Dahme Construction in the amount of \$5,000.00. Upon roll call, all voting aye, motion carried.

#### BILLS

Bunsness moved, Agnitsch seconded to approve the following audited bills for services, supplies, repairs and maintenance: United Parcel Service 64.28; Guardian 100.40; Towing Plus 200.00; Joel Williams 39.53; Lindell Kemmet 25.06; Stephen Almond 34.48; Ryan Barr 68.33; Gertrude Hopfinger 37.99; Shelly Hansen 75.13; American News 2,482.87; Aberdeen Chamber of Commerce 54.00; Aberdeen Development Corp 200.00; ASPIRE Inc 1,877.20; Lisa Osman 264.00; Beadle Floral & Nursery 3,188.00; MARCO Inc 823.82; RDO Equipment Co 929.59; Brown County Landfill 18,514.92; KONE Inc 1,189.83; Northern Plains Animal Health 124.50; NDSU Soil Testing Lab 35.85; Dahme Construction 35,430.00; Hawkins Inc 10,021.64; Dakota Electronics 599.75; EH Wachs 536.64; Nathan Opdahl 5.00; Don's Builders Hardware 62.00; Dennis Gavin 10,446.70; John Crane Inc 709.99; One Source 30.00; Eddie's Northside 22.00; Kim

Imhoff 12.00; Evergreen Supply 262.67; Engstrom Appraisal Agency Inc 1,250.00; Cole Papers Inc 1,162.29; Farm Power Mfg Inc 192.41; Carus Corp 9,700.00; OfficeMax Inc 256.23; Carquest Auto 949.82; Graham Tire Co 2,380.40; HACH Co 2,388.96; Direct Automation LLC 640.00; Tim Medenwald 21.00; Hedahls Inc 748.39; CWD-Aberdeen 108.20; Lyle Signs Inc 3,272.00; Joel Weig 163.00; Ann Kathleen Kusler 75.00; Nelson Sales & Service, LLC 102.22; Johnson Controls 371.13; Amy Wietgreffe 20.00; James N Reed 195.00; Amanda Korak 70.00; Kesslers Inc 194.38; KELO TV 1,610.00; Mike Olson 54.00; Doug Vilhauer 54.00; Aberdeen Taxi Service 279.00; Lawson Products Inc 489.20; Scott Ristau 30.00; Jessica Perkins 60.00; Patricia Kirkpatrick 30.00; Cassandra Danielson 20.00; Lexipol LLC 4,900.00; Jensen Rock & Sand Inc 49,755.12; Norlab Inc 213.00; Steven Lust Automotive 202.08; United Laboratories 329.20; Milbank Winwater 1,602.72; Tools Plus Industries 343.28; Monster Fuses 2,400.00; Sonetics Corp 2,975.90; MAC's Inc 22.51; Old Dutch Foods, Inc 184.68; Aberdeen Sandblasting & Painting 150.00; North Star Energy LLC 142.39; Benjamin Victor Studios 371.00; Nella Thompson 1,049.40; Lisa Reich 56,250.00; Don Montileaux 500.00; NB Golf LLC 1,100.00; Raymond J Schneider-Kuhn 250.00; Revolution Dancewear 2,260.45; Michael Todd & Co Inc 3,954.76; Grote Sheet Metal Inc 1,131.15; Municipal Code Corp 3,265.80; Avera Home Medical Equipmt 49.00; Boy Scout 51 Troup 200.00; Farnums Genuine Parts 800.66; Northern Electric 4,598.73; A & B Business Solutions 479.02; Pantorium 38.39; Parcel Erickson Texaco 60.00; Dakota Supply Group 4,659.55; Midstates Printing 977.47; Ringgenberg Electric Inc 1,403.36; Safety Service Inc 235.60; Avera St Luke's Hospital 1,868.68; SHARE Corp 3,874.40; Sheehan Mack Sales & Equipment 287.09; Sherwin-Williams Co 1,077.90; Crawford Trucks & Equipment 319.36; SD Dept of Transportation 12,069.18; SD Municipal League 20.00; Sound Decisions 255.60; Stan Houston Equipment 15.55; Marshall Lovrien 20.00; Rock River Arms Inc 3,740.00; Academy Trophy Co 45.00; Pro-Build 33.12; Melledy Rostad 230.00; Public Safety Center Inc 102.40; Western Area Power Adm 10,131.19; Western Printing 91.90; Wright & Sudlow 47,196.10; ZEP Manufacturing Co 251.91; Julie Jones 96.00; Fastenal Co 135.19; The UPS Store 11.64; Aberdeen Awards 22.00; American Planning Assn 100.00; Rob Senger 12.00; Mattern Electric 82.00; Michael J Jilek 40.00; Carol White 1,405.01; Jerke Irrigation 263.34; Ramada Inn-Aberdeen 150.00; Charlene Blondo 254.00; Dependable Sanitation 18,907.10; Dakota Ink & Toner 274.28; Sarah Suko 200.00; Alert All Corp 517.00; Tanner Jondahl 123.00; SD Wheat Growers Bath 60.10; Justin Kones 196.00; Karen Wagner 80.00; Sioux Falls Kenworth Inc 319.20; Taylor Laundry 16.00; David L Martinson 20.00; James Torbert 112.00; Kris Konickson 200.00; Continental Carbonic Products Inc 4,832.10; Pepsi-Cola 306.42; M & T Fire & Safety Inc 170.50; Gary Hansen 20.00; Cartney Bearing Co 73.92; Diana Daly 54.00; SD Dept Health Lab 1,146.00; Physio-Control Inc 6,410.22;

Titan Access Acct 7,025.17; Hub City Radio 2,250.00; Foerster Testing 865.00; Dennis Kornder 73.89; Executive Management 535.19; Vickie Salo 35.00; Sheri Whiteside 35.00; Atlantic Tactical 269.97; Jim Panerio 239.00; Travis Struss 12.00; Pierson Ford-Lincoln-Mercury 1,791.24; Pro Hydro-Testing 946.00; Krohmer Plumbing Inc 874.42; West Payment Center 598.48; North Central Farmers Elevator 9,210.33; Jenny L Gross 190.00; David A Johnson 236.00; Taylor D Johnson 194.00; Virginia Lewis 112.00; AT & T 962.32; Mariah Mougey 12.00; Streicher's Inc 206.95; Paul Fellbaum 50.00; Luke Nelson 9.00; Creative Coatings 3,121.20; Neil Bittner 135.38; Heather Nelson 222.00; Northern Valley Communications 32.56; MTI Distributing 132.30; Kirk's Auto 775.12; Michael Marmorstein 208.00; Lien Transportation Co 40,750.02; Aberdeen Police Dept 10.00; Shopko LLC 73.26; McMaster-Carr Supply Co 271.83; Carlsen Funeral Home 675.00; MedCenter One OCC Health Clinic 350.00; Dr Steve Redmond 500.00; State Radio Communications 2,250.00; Northwestern Energy 2,316.80; Barb Reifenrath 11.00; Kimberly Carda 112.00; Tori Heier 120.00; Towing Plus 175.00; Fire Safety First 296.06; Action Pest Control 125.00; Fleet Services 284.06; Joye Ward 160.00; South Dakota One Call 807.45; Timothy Wileman 194.00; Lutheran Social Services 120.00; Ken's Superfair Foods 36.22; AVG Technologies 3,586.33; Flint Hills Resources LP 261,783.96; Maloney & Maloney 343.75; Karl Alberts 131.10; Kory Pickrel 207.00; Sanford Health 155.00; Michael A Wilson 35.00; Menards Aberdeen 1,140.12; Rachel Peterson 160.00; Allied Electronics Inc 102.78; Marshall-Bond Pumps Inc 465.35; Dennis McDermott 175.00; Julie Borr 112.00; Bound Tree Medical LLC 2,131.34; Fluke Electronics 116.00; Water & Environmental Engineering 40.00; Michael Roemmich 5.00; Creative Services Of New England 287.95; Convention Visitors Bureau 40,894.34; A Child Is Missing 450.00; Dakota Fluid Power Inc 1,704.54; McQuillen Creative Group Inc 48.75; EZ-Liner 123.66; Christopher Jacobson 190.00; Luke Bergjord 132.00; Borns Group 2,957.72; Sara Weischedel 56.00; The Carpet Cleaners 2,080.25; John Patzlaff 70.00; Dalton Peterson 77.00; Jeremy Schutter 140.00; Bailey Geist 88.00; NCL of Wisconsin 200.25; Myron Corp 165.55; Tyler Technologies 1,181.25; Ferguson Waterworks 2,769.74; US Plastic Corp 70.04; Oshkosh Corp 418.73; Aberdeen Shuttle 485.00; Pomp's Tire Service 455.08; Wallwork Truck Center 280.26; SD Public Assurance Alliance 115.00; Dakota Oil 4,524.28; Push, Pedal, Pull 275.00; Lisa Link 112.00; Phyllis Heier 127.00; Stephanie Raap 279.00; Bob Downie 112.00; Pristine Water Solutions 16,497.51; Esther Thistle 279.00; Paul Dutt 176.00; Kelly Wieser 128.00; Brett Bill 52.00; DSS Image Apparel 35.00; Advance Auto Parts 7.98; Tim Blue 21.00; MVTL Laboratories Inc 379.00; Howes Oil Co 25,050.62; Howard's Service 60.00; Christopher Gross 147.00; Kelvin Boschee 54.00; Aberdeen Plumbing & Heating Inc 221.60; 3D Specialties Inc 13,068.84; Aberdeen Chrysler Center 9,255.41; Aberdeen Asphalt Inc 4,048.10; Nielsen's 565.29; Sue Gates

200.00; Thatcher Company of Montana 25,411.51; Midcontinent Communications 335.63; Alan Ruhlman 122.10; Jerry Ochsner 45.61; Butler Machinery Co 2,930.88; Grainger 50,342.43; Sanitation Products Inc 129.49; Geffdog Designs 3,338.79; Ameripride Services Inc 684.66; Janel Ellingson 73.89; Crescent Electric Supply 5.71; Mario Gourde 12.00; Northern Wireless Communications 479.40; Midwest Pump & Tank 3.15; Weissmans Designs For Dance 5,201.45; Knight Towing 600.00; Tri-State Water 48.00; Bonn Express LLC 100.00; Haar Plumbing & Heating 306.24; Donald Fogle 40.29; Runnings Supply Inc 1,851.09; Gary's Engine & Repair Inc 566.73; Frontier Precision 67.28; Pops Blue Rhythm Band 500.00; Ethan Barton 96.82; James McElhaney 1,028.75; Leslie VanBeek 36.00; Randy Wheeler 634.00; Tim Hiemer 227.18; Brian Haygood 492.84. Upon roll call, all voting aye, motion carried.

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

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