

## JOINT CITY/COUNTY PROCEEDINGS

Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota, Tuesday, September 8, 2009, 9:00 a.m., Joint City/County meeting, Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, David Bunsness, Todd Campbell, Lloyd Hodgins, Jim Kraft, Jeff Mitchell and Clint Rux. Jennifer Slight-Hansen was absent.

County Commissioners present were Fischbach, Hansen, Wiese and Sutton. Commissioner Elliot was absent.

### ORDINANCE NO. 09-08-01-376

Hodgins moved, Campbell seconded to approve second reading and final adoption of Ordinance No. 09-08-01. Upon roll call, all present voting aye, motion carried.

Commissioner Sutton moved, Commissioner Wiese seconded to approve second reading and final adoption of Ordinance No. 09-08-01-376. All present voting aye, motion carried.

There being no further business before the Joint Council, Campbell moved, Rux 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

## CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, September 8, 2009, 9:15 a.m., regular meeting, Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, David Bunsness, Todd Campbell, Lloyd Hodgins, Jim Kraft, Jeff Mitchell and Clint Rux. Jennifer Slight-Hansen was absent.

Mayor Levsen led the Pledge of Allegiance.

## MINUTES

Agnitsch moved, Mitchell seconded to approve the minutes of August 31 and September 1, 2009, as circulated. All present voting aye, motion carried.

OPEN FORUM – no one was present.

Council Member Slaight-Hansen arrived at the meeting.

### **OLD BUSINESS**

ORDINANCE NO. 09-08-04

Rux moved, Bunsness seconded to approve second reading and final adoption of Ordinance No. 09-08-04. Upon roll call, all voting aye, motion carried.

### **CONSENT CALENDAR**

SET HEARING DATE – September 14, 2009 at 5:30 p.m., for application for Special One-Day Retail On-Off Sale Malt Beverage License on September 18, 2009 for Act 2 Inc. dba Aberdeen Community Theatre, 417 South Main Street.

LICENSES – Home Day Care – Jodi Gardner, Jessica French; Taxi Cab Driver – Jodi Gardner.

ADVERTISEMENT FOR BIDS – 2009-2010 Snow Removal for Aberdeen Regional Airport – set bid date of September 23, 2009 at 2:00 p.m.

2009 UPDATE – Aberdeen Regional Airport Wildlife Hazard Assessment – receive and place on file.

STREET USE REQUESTS – 200 Block South Washington Street – annual meeting – Northern Electric; 911-915 Squire Lane – Block Party – Larry Hanson and Randy Kantack.

LOTTERY NOTICES – American Legion Post 24, St. Mary's Church and Make-A-Wish Foundation of SD – receive and place on file.

All voting aye, motion carried.

### **NEW BUSINESS**

RESOLUTION NO. 09-09-01 R –

Mark McNeary was present to discuss the license fee and the new fee process. Jay Gellhaus was present to ask why the new license ordinance is needed at this time. After discussion, Hodgkin moved, Rux seconded to approve the following resolution:

## A RESOLUTION SETTING FULL SERVICE RESTAURANT ON-SALE LIQUOR LICENSE FEE

WHEREAS, the City of Aberdeen adopted Ordinance No. 08-12-06 authorizing the issuance of full service restaurant on-sale liquor licenses; and

WHEREAS, the city has yet to set a fee for such licenses; and

WHEREAS, the documented price of the on-sale liquor license most recently sold between January 1, 2003 and January 1, 2008 through an arm's length transaction is \$100,000; and

WHEREAS, the current fair market value of an on-sale liquor license is therefore \$100,000.

NOW, THEREFORE, BE IT HEREBY RESOLVED that the fee for a full service on-sale restaurant liquor license shall be \$100,000.

All voting aye, motion carried.

### HEARING ON APPLICATION

This being the time and place set for a hearing on application for Special One-Day Retail On-Off Sale Malt Beverage License on September 26, 2009 for Yelduz Shrine dba Yelduz Shrine Center, 802 South Main Street, no one was present to testify, recommendations for approval were received, Mitchell moved, Kraft seconded to approve the application. All voting aye, motion carried.

### REQUEST FOR SUPPLEMENT

Hodgin moved, Mitchell seconded to continue for one week the request for supplement of \$38,200 to repair water damage at Roosevelt Building. All voting aye, motion carried.

### CONTRACT

Rux moved, Campbell seconded to approve and authorize the City Manager to sign contract for 2009-2010 road salt with L & O Acres Transport Inc. All voting aye, motion carried.

### RECOMMENDATION ON BID

One bid for Wastewater Treatment Facility Phase 2B Improvements Screening Equipment Procurement was received and read. Bunsness moved,

Mitchell seconded to approve the bid from Huber Technology in the amount of \$209,800.00. All voting aye, motion carried.

#### DECLARE SURPLUS PROPERTY

A request to declare surplus property a 1998 Freightliner Truck with Vera lift, Vin #1FV6HLBA3WH905423, to be used as trade-in and approve payment of \$80,898.50 for a new bucket truck to ABM Equipment and Supply was presented. Bunsness moved, Slaight-Hansen seconded to approve the request. Upon roll call, all voting aye, motion carried.

#### ABERDEEN REGIONAL AIRPORT

Mitchell moved, Agnitsch seconded to approve and authorize the City Manager to sign Change Order #1 – install manhole, sewer service, removal of septic tank, and transport, place/compact city furnished base course for AIP #3-46-0001-029-2009 – hangar taxilane – Dakota Contracting Corp. – an increase in the amount of \$4,279.83. All voting aye, motion carried.

Bunsness moved, Rux seconded to approve payment and authorize City Manager to sign the following pay estimates: #1 – AIP #3-46-0001-29-2009 – Hangar Taxilane – Dakota Contracting - \$209,488.10; #22 – AIP #3-46-0001-27-2007 Taxiway 'D' – Helms & Associates - \$1,374.01; #3 – AIP #3-46-0001-29-2009 Hangar Taxilane – Helms & Associates - \$23,059.68; #9 – Environmental Assessment – Helms & Associates - \$15,258.09. Upon roll call, all voting aye, motion carried.

#### PAY ESTIMATES

Mitchell moved, Campbell seconded to approve payment of the following pay estimates: Pay Est. #17 – Public Safety Bldg. – Kyburz Carlson Construction - \$222,459.00; Pay Est. #5 – Fire Station #1 – Huff Construction - \$110,243.67; Pay Est. #3 – WWTP Improvements, Phase 2B – Lien Transportation - \$90,183.07; Pay Est. #12 – WWTP Improvements, Phase 2B – PKG Construction - \$151,951.21. Upon roll call, all voting aye, motion carried.

#### BILLS

Bunsness moved, Agnitsch seconded to approve the following audited claims for services, supplies, repairs and maintenance: US Bank 16,512.18; City

Treasurer 139.92; Paul Vetch 11.13; Kay Hohenecker 16.82; Donald Kreuser 9.80; Alvin Magnuson 6.19; Pheasant Partners 27.33; Patricia Okroi 23.77; Floyd Kendall 13.43; Teresa Wachs 8.02; John Schultz 75.03; Doris Kindel 37.26; Zubaum Properties 111.20; Brian Jarvis 44.24; Brian Jarvis 44.53; Robert Lamont 63.16; Perry Pitz 46.01; American News 629.43; Mettler Sichmeller Engineering 1,650.00; Aberdeen Development Corp 14,166.67; Karl's TV & Appliance 299.96; Praxair Distribution 276.40; Salvation Army 38.34; Country Books 29.98; Lisa Osman 240.00; Animal Health Clinic 85.00; Digi Photo Inc 40.00; Artz Equipment 361.00; Beadle Floral & Nursery 5,481.00; Best Business Products 526.30; Bonnie Bitz 3,580.00; Brick Propane 18.90; Brown County Landfill 352.44; Brown County Treasurer 298,178.97; Interior Design Concepts 380.00; Dakota Electronics 77.00; Lang's TV & Appliance 199.99; Don's Builders Hardware 224.00; Quality Welding Inc 27.00; Cole Papers 3,046.00; Farm Power Mfg 176.79; GCR Tire Centers 15.00; Jensen Rock & Sand 825.23; Carquest Auto Parts 485.13; Graham Tire 463.51; Hach Co 1,518.95; Hedahl's Inc 220.32; Petersen Mfg Co 275.00; CWD-Aberdeen 8,096.66; Lyle Signs 298.76; House of Glass 535.77; Nelson Sales & Service 79.92; HF Jacobs & Son 3,900.00; NTOA 40.00; Ken's Alignment Auto 62.40; Kessler's Inc 88.36; Klein's Dollar Store 259.19; Steven Lust Auto 102.45; Mac's Inc 22.26; Sewer Duck 144.00; Office Equipment 7.09; OK Tire Stores 165.00; Dakota Supply Group 5,869.22; Medicare Part B 314.94; Lorie Johnson 250.00; Midstates Printing 794.45; CI Sport 32.34; Schwan Electric 81.12; Schwan Welding 26.00; Sherwin-Williams co 224.32; J & K Mowing Service 270.00; Universal Inc 423.00; Town & Country Lumber 656.37; Academy Trophy 1,944.00; Pro-Build 159.53; Melledy Rostad 60.00; Dept of Energy 8,946.84; Woodman Refrigeration 115.82; Julie Jones 328.00; Hannah Lagerquist 26.64; Gayle Neuhardt 600.00; Baker & Taylor Inc 938.84; Allen E Gates 288.00; Gale 371.00; Highsmith Co Inc 96.80; Fastenal Company 342.04; Dan Pirlet 164.38; Banner Associates 14,591.29; Midland Press 243.00; Electric Co of SD 592.36; Michael J Jilek 70.00; Melanie Zinter 130.00; Homes are Possible Inc 1,000.00; Daktronics Inc 2,785.82; Charlene Blondo 467.00; Tony Arampatzis 1,000.00; Dependable Sanitation 4,085.84; Eric Duven 9.00; Justin Kones 235.00; Karen Wagner 328.00;

Travis Netzer 240.00; Taylor Laundry 77.00; David L Martinson 20.00; James Torbert 180.00; Kris Konickson 328.00; Pepsi-Americas Inc 407.61; Gary Hansen 20.00; Cartney Bearing Co 42.83; Coca-Cola Bottling Co 2,994.68; Hub City Radio 125.00; Executive Management 16.70; Radio Shack Corp 19.96; Jim Panerio 380.00; Subway of Aberdeen 398.80; Aspen Equip Co 62.40; Parkview Nursery 350.00; Nancy Eckert 127.40; Carolyn L Trautman 999.79; Max Eckrich 238.00; David A Johnson 88.00; Taylor D Johnson 80.00; John's Tree Service 1,590.00; Marcie Kvia 110.00; Virginia Lewis 238.00; Rick's Heating/AC 216.82; Megan Mehlhoff 121.00; Allison Mogen 209.00; Erdmann Oil 11,150.71; Katie Vandebos 99.00; Spencer Werth 209.00; Mid-Am Research Chemical 323.50; Dakota Broadcasting LLC 96.00; Northwestern Energy 60,591.99; Patricia A Baule 176.00; Paul Fellbaum 70.00; Heather Finn 150.00; MTI Distributing 1,752.38; Lien Transportation 65,392.88; Aberdeen Police Dept 32.54; JDH Construction 54,504.42; Gift Emporium Distributors 202.00; Towing Plus 50.00; Russ Berrie US Gift Inc 88.76; Fire Safety First 101.40; CEASD 160.00; Preserve South Dakota 50.00; Quill Corporation 353.63; Plainsman 90.00; Ken's Superfair Foods 5,663.04; Jacob Fuhrman 154.00; Jolene Geffre 154.00; Boyd Perkins 20.00; Amanda Davis 195.00; John Davis 200.00; Ronald E Parker 150.00; Century Business Products 16.67; Double L Ice 625.60; Combined Pool & Spa 44.00; Andrew Grandpre 80.00; Robert Klein 90.00; Menards Aberdeen 1,323.98; D's 163.80; Ken's Major Appliance 106.00; Rachel Peterson 110.00; Brock Halvorson 90.00; Ryan Parker 20.00; Denham McDermott 40.00; Tactical Mission Consulting 4,600.00; Frozen at Sea Production 250.00; Murphy Mack 40.00; Daniel Lee 70.00; Jennifer Courtney 60.00; Dale Fiedler 600.00; Anna Hakeman 20.00; Amy Laursen 20.00; NW Blade 80.00; Golden West Technologies 113.00; Frederic Hemke 20.00; Dennis McDermott 304.00; Julie Borr 256.00; Douglas Kenny 35.00; Reuers Auto Service 82.10; Ray Studnicka 134.00; Convention Visitors Bureau 31,330.54; McQuillen Creative Group 810.83; Movie Licensing USA 480.00; Turfwerks 503.49; Harve's Pro Prints 517.50; Professional Mailing 3,596.00; Dakota Mailing 36.09; NCL of Wisconsin 1,299.85; Shirley Arment 607.04; Helena Chemical Co 3,276.00; Robert Russell 1,000.00; Diamond Vogel Paint 1,288.98; Pomp's Tire Service 595.50; Van

Diest Supply 29,283.45; Camby's Pass Inc 361.85; Treatment Resources Inc 362.33; Dee Dee Raap 500.00; Dakota Oil 1,295.98; RJ Minimelts 2,765.00; T'NT Concrete Inc 56,912.85; Sean Crawford 180.00; Lisa Link 224.00; Phyllis Heier 343.00; Stephanie Raap 407.00; Bob Downie 407.00; DPC Industries Inc 1,611.60; Pristine Water Solutions 400.00; Craig Jones 256.00; Esther Thistle 422.00; Melvin Thistle 128.00; Paul Dutt 70.00; Kelly Wieser 158.00; Vessco Inc 77.47; DSS Image Apparel 210.00; Advance Auto Parts 11.99; Plaques & Engraving 1,450.00; Superior Tech Products 465.00; Aberdeen Air Show 2,000.00; MVTL Lab Inc 1,083.00; Christopher Gross 35.00; RDR Plumbing & Heating 207.22; Plunkett's Pest Control 234.00; Kristen Letcher 288.00; Kipp Brothers 738.34; Tractor Supply 74.78; Midwest Tape 1,653.32; Sue Gates 288.00; Midco Communications 154.02; West Sioux Ceramics 520.31; Grainger 989.09; Ameripride Services 690.28; Crescent Electric Supply 158.11; Northern Wireless Comm 159.80; Accurint 53.55; Batteries and Butter 63.06; Mid-America Power Center Inc 58.33; Muth Electric 395.00; United Parcel Service 42.47; Swanson Electric 666.33; Hillyard Sioux Falls 128.50; Aberdeen Senior Center 796.61; Runnings Supply 1,054.51; Interstate Battery System 73.95; Fisher's Cleaning Service 245.00; Gary's Engine & Repair 38.71; Cass Clay Creamery 1,109.20; Lyle Fritz 111.85; Rose Wiest 595.00; Brian Marcuson 36.04; Cory Sauerwein 500.00. Upon roll call, all voting aye, motion carried.

#### OTHER

Mayor Levsen mentioned the Library meeting dealing with location and type of facility will be held at 7:00 p.m., September 8, 2009.

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

Prepared by Cathy Feickert  
For the Finance Office

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