

CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, December 7, 2009, 5:30 p.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, Clint Rux and Jennifer Slight-Hansen. Staff members present were Lynn Lander, Adam Altman, Robin Bobzien, Don Lanpher, Dave Osborn, Ryan Soye, Brett Bill and Karl Alberts.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Mitchell moved, Hodgins seconded to approve the minutes of November 30 and December 1, 2009, as circulated. All voting aye, motion carried.

OPEN FORUM – Matt Walberg was present to discuss several issues brought by the NSU Student Association – 1) traffic control at 14th Avenue SE & State; 2) university/city collaboration with recycling; 3) student discounts at various businesses; and 4) lighting on sidewalks and recreational trails. No action was taken.

OLD BUSINESS

CONTINUED – HEARING

This being the time and place set for a continued hearing on Renewal of Retail On-Sale Liquor License for Saguirre Inc dba Mazatlan Mexican Restaurant, 1 South First Street (w/video lottery and Sunday sales), no one was present to testify, recommendations for approval were received, Mitchell moved, Kraft seconded to approve the license. All voting aye, motion carried.

CONSENT CALENDAR

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

REGISTRATION – 2010 Lobbyist for City Manager Lynn Lander.

ANNUAL PERCENTAGE – increase in Sales Tax 10 month collections projected to 12 months for 2009.

ADVERTISEMENT FOR BIDS – one new Refuse Collection Unit for Public Works Department – Solid Waste Division – set hearing date of December 23, 2009 at 2:00 p.m.

PETITION TO VACATE – public-right-of-way – that portion of alley right-of-way

directly west of Lots 5 to 7, Block 9, Garden Park Addition; that portion of a 5' wide public alley right-of-way directly west of south 9.5' of Lot 4, Block 9, Garden Park Addition; that portion of alley adjacent to the east side of Lot 1, exc. The north 6' and Lot 2 exc. The south 34' of Moulton's Addition (Block 5, Pleasant Hill Addition) – refer to City Attorney, City Engineer and Planning/Zoning Director for review and recommendations.

RENEWAL – Airport #9 lease agreement with Martin Beving dba Beving Aerial Crop Service.

LICENSES – Home Day Care – Tracy Wykoff; Sidewalk Contractor – Neil Bellikka dba B & B Contracting; Residential Building Contractor – Tri-State Insulation Company.

LOTTERY NOTICE – Friends Drop In Club – receive and place on file.

All voting aye, motion carried.

NEW BUSINESS

ORDINANCE NO. 09-12-02

Ordinance to provide for the fixing of wages of city officials and employees for the year 2010 was presented. Bunsness moved, Hodgkin seconded to approve first reading of Ordinance No. 09-12-02. Upon roll call, all voting aye, motion carried.

ORDINANCE NO. 09-12-03

Ordinance establishing the number of regular full-time positions and their position titles, and fix the bonds of city officials and employees was presented. Mitchell moved, Campbell seconded to approve first reading of Ordinance No. 09-12-03. Upon roll call, all voting aye, motion carried.

ORDINANCE NO. 09-12-04

Ordinance setting certain fees and charges for services provided by the City of Aberdeen was presented. Rux moved, Slaughter-Hansen seconded to approve first reading of Ordinance No. 09-12-04. Upon roll call, all voting aye, motion carried.

ORDINANCE NO. 09-12-05

Ordinance amending Division 6 of Chapter 8 of the Municipal Code relating to Residential Building Contractors was presented. Discussion followed. Mitchell moved to call the question. Motion failed by roll call vote. Campbell moved, Kraft seconded to approve first reading. Upon roll call, Rux, Bunsness, Agnitsch,

Campbell, Kraft and Mayor Levsen voting aye, Hodgins, Slight-Hansen and Mitchell voting nay, motion carried.

HEARING ON APPLICATIONS FOR ALCOHOLIC BEVERAGE LICENSES

This being the time and place set for a hearing on applications for alcoholic beverage licenses, no one was present to testify, Rux moved, Mitchell seconded to approve the following applications: TRANSFER OF RETAIL ON-SALE LIQUOR LICENSE – from Lamont Companies Inc dba Lamont Companies, 3310 7th Avenue SE to Aberdeen Mavericks LLC dba Maverick's, 720 Lamont Street, contingent upon final inspection for certificate of occupancy. RENEWAL OF RETAIL ON-SALE LIQUOR LICENSES – Elf Inc dba Circus Sports Bar & Grill, 14 3rd Avenue SE (w/video lottery & Sunday sales); Flame Inc dba Flame Café-Lounge, 2 South Main Street (w/video lottery & Sunday sales); RENEWAL OF PACKAGE OFF-SALE LIQUOR LICENSES – Treinta Inc dba C-Express, 2303 6th Avenue SE; Ochenta Inc dba The Wolf Stop, 524 6th Avenue SE; West Hill Inc dba Sooper Stop West, 802 6th Avenue SW; Sooper Stop Inc dba Sooper Stop, 19 North Dakota Street. SPECIAL TWO-DAY RETAIL ON-OFF SALE MALT BEVERAGE LICENSE ON JULY 9 AND 10, 2010 – for Aberdeen Downtown Association dba Great Aberdeen Pigout, Central Park, 2nd Avenue SE and South Kline Street – continue for one week to allow for inspection by Health Department. RENEWAL OF RETAIL ON-SALE LIQUOR AND PACKAGE OFF-SALE LIQUOR LICENSES – Pirates Cove Inc dba Pirates Cove, 337 North Roosevelt Street (w/video lottery); Pirates Cove Inc dba Pirates Cove, 337 North Roosevelt Street – continue for one week to allow for inspection by Health Department. All voting aye, motion carried.

TAXI CAB LICENSE

Bunsness moved, Mitchell seconded to accept recommendation of the Police Department and deny new Taxi Cab Driver License for Milo Hirning and refund fee of \$15.00. All voting aye, motion carried.

ABERDEEN REGIONAL AIRPORT

Mitchell moved, Kraft seconded to approve payment and authorize the City Manager to sign the following pay estimates: Pay Est. #4 – AIP #3-46-0001-29-2009 Hangar Taxilane – Dakota Contracting - \$164,309.71; Pay Est. #6 – AIP #3-46-0001-29-2009 Hangar Taxilane – Helms & Associates - \$13,335.75; Pay Est. #11 – Environmental Assessment – Helms & Associates - \$10,963.13. Upon roll

call, all voting aye, motion carried.

AUTOMATED METER READING SYSTEM BID RECOMMENDATION

Rux moved, Hodgins seconded to approve the award bid for Automated Meter Ready System to Dakota Supply Group and authorize the City Manager and Finance Officer to sign the necessary documents after approval by the City Attorney. All voting aye, motion carried.

PUBLIC SAFETY BUILDING SITE WORK PROJECT

Mitchell moved, Kraft seconded to approve and authorize the Mayor to sign Change Order #6 – quantities installed in field – Dahme Construction – increase of \$40,712.70; and Pay Est #8 (Final) – work completed – Dahme Construction - \$60,965.21. Upon roll call, all voting aye, motion carried.

Bunsness moved, Slight-Hansen seconded to approve payment and authorize the City Manager to sign Pay Est #1 – 8th Avenue North Intersection – Ringgenberg Electric - \$3,962.76. Upon roll call, all voting aye, motion carried.

BILLS

Hodgins moved, Agnitsch seconded to approve the following audited claims for services, supplies, repairs and maintenance: Anderson Agency 2,788.25; US Bank 13,895.96; American News 634.82; Mettler Sigmund Engineering 800.00; Aberdeen Development Corp 14,166.67; Praxair Distribution Inc 50.60; Douglas Johnson 158.00; Anderson Agency 2,218.00; Beadle Floral & Nursery 577.18; Best Business Products 17.54; Bonnie Bitz 3,140.00; Clark Engineering Corp 87.21; Overhead Door Brown County 25.00; Cradys Radiator Shop 160.00; Vosika Fencing 615.32; Evergreen Supply 31.83; Cole Papers 513.62; Farm Power Mfg 609.33; Jensen Rock & Sand 1,065.11; Carquest Auto Parts 543.06; Graham Tire 57.96; Grote Body Shop 837.20; Hedahls Inc 266.32; Herges, Kirchgasser, Geisler & Assoc 1,722.50; CWD Aberdeen 65.13; House of Glass 731.56; Nelson Sales & Service 21.18; HF Jacobs & Son 156.00; Kesslers Inc 282.39; Kleins Dollar Store 21.56; Mac's Inc 37.21; Cara Romeo 20.00; McFarland Supply Co 312.00; Michael Todd & Co 362.30; NSU Workstudy 641.14; Office Equipment 614.35; South Dakota Magazine 19.00; Dakota Supply Group 1,330.66; Midstates Printing 3,488.02; Safety Service 85.00; Schwan Welding & Boiler 202.50; Sheehan Mack Sales 77.57; Sherwin Williams Co 24.25; Crawford Truck Sales 54.89; Walling Water Mgmt 115.75; CD Exchange 41.00; Sound Decisions 47.99; J & K Mowing

Service 100.00; Universal Inc 564.00; Pro-Build 9.38; Western Printing 657.90; Don Lanpher 28.00; Woodman Refrigeration 106.12; Wright & Sudlow 290.00; United Rotary Brush Corp 270.86; Hannah Lagerquist 37.00; Gayle Neuhardt 600.00; Aberdeen Area Arts Council 340.00; Baker & Taylor Inc 3,216.63; Police 35.00; Gale 2,154.43; Illinois Theatrical Co 814.95; Melissa Propst 99.00; Fastenal Company 844.40; Tactical & Survival Specialties 2,765.33; Dan Pirlett 14.00; Banner Associates Inc 16,460.66; Electric Co of SD 129.68; Mitch Johnson 426.50; Mattern Electric 1,434.70; Scott Kusler 140.00; Reid Turner 84.00; Graves Tree Moving 1,660.50; Going for Baroque 850.00; Naomi Even 96.00; David Drapeau 165.00; Tyler Gurney 321.00; Barb Andrews 15.00; Custom Crete 5,730.62; University Bookstone 45.60; Hogle Landscapes 1,642.76; Daren Lorenz 402.00; Northern Truck Equipment 960.00; Kermith Mullner 221.00; Dependable Sanitation 906.20; New Trends 117.91; SD Wheat Growers Bath 23.75; Taylor Laundry 89.50; Time Books 45.90; Cartney Bearing 40.31; Pauer Sound & Music 963.98; Titan Access Account 91.39; Hub City Radio 125.00; Executive Management 19.96; Ebsco Subscription Service 9,431.87; Amy Lebeau 45.00; Pierson Ford Lincoln 29.33; West Payment Center 229.00; Parkview Nursery 423.91; Erdmann Oil Co 4,913.62; Dakota Broadcasting LLC 312.00; Northwestern Energy 58,122.57; Neil Bittner 35.00; Angela Stroschein 120.00; MTI Distributing 5,768.35; SD Park & Recreation 250.00; Dakota Fence Co 2,194.00; Experience Works SD 300.00; FAST Corp 2,090.00; Jennifer Schell 144.00; Derek Campbell 166.25; Ross Travanti 30.00; Fire Safety First 63.81; Quill Corp 159.95; Federal Express Corp 41.35; Ken's Superfair Foods 61.78; John Hepperle 240.00; Jerome Wild 360.00; Michael J Burns Architect 4,019.00; Bookpage 270.00; Hub Area Technical School 650.00; Century Business Products 31.19; Kenny Pulling Frame Repair 200.00; Menards Aberdeen 1,474.76; Northview Video 7.00; Companion Life Ins Co 52.10; Taste of Home Books 29.98; Shannon Broderson 44.00; Jill Gauffin 22.00; Tyhe Mischke 33.00; Reuers Auto Service 69.30; Ray Studnicka 100.00; Convention Visitors Bureau 29,749.53; Dakota Fluid Power 213.37; McQuillen Creative Group 211.25; Redlinger Bros Plumbing 1,844.78; Professional Mailing Aberdeen 2,592.39; Rod Kurtz 531.00; Steve Westby 262.50; Shirley Arment 21.20; Pomp's Tire Service 2,241.00; East River Electric Power 625.00; Carlson & Stewart Refrigeration 218.35; Dakota Oil 64.35; T'NT Concrete Inc 16,670.61; Ag Plus Farm

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& Ranch Supply 251.00; DSS Image Apparel 72.85; Advance Auto Parts 23.18; Genesis Lamp Corp 898.55; Learning Opportunities 197.37; Christopher Gross 35.00; Steve Markley 130.00; Terry Steinwandt 430.00; Kerry Wenbourne 60.00; Plunkett's Pest Control 234.00; Patricia Brosz 180.00; Cryotech Deicing Technology 13,250.16; John Kersten 877.50; Palmer Distributing 23.00; Randy Murphy 306.00; Tom Suedmeier 510.00; Allen Strand 112.00; Rose Mullner 170.00; Midwest Tape 21.99; West Sioux Ceramics 182.08; Grainger 86.27; Jefferson Partners LP 3,213.14; Ameripride Services Inc 681.60; Crescent Electric Supply 690.84; Treeline Tree Service 1,915.00; Weissmans Designs for Dance 39.85; Kelly Knispel 93.75; Domino's Pizza 84.81; Swanson Electric 268.78; Insurance Plus 1,410.40; Aberdeen Senior Center 1,194.82; Runnings Supply 855.44; Interstate Battery System SD 91.95; Gary's Engine & Repair 46.99; GCC Ready Mix-North Central Region 233.00; Uniform Center 347.48; Louise Nash 33.92; Jeanette Weig 33.92; Natasha Wells 42.40. Upon roll call, all voting aye, motion carried.

PAYROLL

Mitchell moved, Bunsness seconded to approve payroll for the period November 22 through December 5, 2009 and city share of social security, old age & survivors' insurance, retirement: Governing Body 4,647.48; City Manager 4,707.51; Attorney 4,285.60; Finance 13,626.05; HR 6,712.80; Building 176.76; Computer 3,258.40; Planning/Zoning 9,189.60; Engineer 9,244.00; Police 89,511.62; Fire 86,825.05; Fire Prevention 3,643.20; Housing/Building 4,592.80; Street 21,734.40; Traffic 4,078.40; Solid Waste 16,227.09; Transportation 11,953.95; Library 20,142.77; Parks, Recreation & Forestry 65,423.22, Jordan Voss 9.25/hr; Airport 11,105.23; Pipe 18,450.88; Water Treatment 15,482.40; Meter 4,636.36; Wastewater 16,028.00; Pump 4,387.06; Wells Fargo 95,619.16; SD Retirement 56,921.91. Upon roll call, all voting aye, motion carried.

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

Prepared by Cathy Feickert
For the Finance Office

Finance Officer

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