

## CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, November 16, 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. Also present was Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill and Karl Alberts.

Mayor Levsen led the Pledge of Allegiance.

### MINUTES

Hodgins moved, Slight-Hansen seconded to approve the minutes of November 9, 2009 as circulated. All voting aye, motion carried.

OPEN FORUM – No one was present.

### **CONSENT CALENDAR**

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

SET HEARING DATE – November 23, 2009 at 5:30 p.m. for application for Special One-Day Retail On-Off Sale Malt Beverage License on November 28, 2009 for Aberdeen Area Chamber of Commerce dba SD total Combat, Civic Arena, 203 South Washington Street.

SET HEARING DATE – November 30, 2009 at 5:30 p.m. for the following applications for renewal of alcoholic beverage licenses: RETAIL ON-SALE LIQUOR LICENSES – Matheus JCM Zomers dba The Drink, 420 S. Main Street (w/video lottery & Sunday sales); Loyal Order of Moose Lodge #590 dba Moose, 410 9<sup>th</sup> Avenue SW (w/video lottery & Sunday sales); Squirrel Inc dba Mazatlan Mexican Restaurant, 1 S. 1<sup>st</sup> (w/video lot & Sunday sales); PACKAGE OFF-SALE LIQUOR LICENSES – Ken's Supermarkets Inc dba Ken's Fairway Foods, 2105 6<sup>th</sup> Avenue SE; CCK Inc dba CK's East, 1202 8<sup>th</sup> Avenue NE; CC & K Inc dba CK's C-Store, 711 North 2<sup>nd</sup> Street; RETAIL ON-OFF SALE WINE LICENSE – Guadalajara III Inc dba Guadalajara Mexican Restaurant, 3015 6<sup>th</sup> Avenue SE #3.

LICENSES – Residential Building Contractor – Dan Burdette dba Burdette Electric, Inc. and Sidewalk Contractor – Charles R. Kornmann; Advertising/Sign Hanging –

Doug Beresford dba Custom Graphics Signs & Designs; Home Day Care – Nancy Langerock, Jill Helvig, Kathryn Nieman, Kimberly Leibelt.

APPOINTMENT – Mike Williams to the Comprehensive Plan Implementation Committee.

LICENSE – Transient Merchant – TAP Enterprises.

All voting aye, motion carried.

### **NEW BUSINESS**

#### HEARING ON APPLICATIONS FOR ALCOHOLIC BEVERAGE LICENSES

This being the time and place set for a hearing, no one was present to testify, Hodgin moved, Kraft seconded to approve the applications as follows:

RENEWAL OF RETAIL ON-SALE LIQUOR LICENSES – City of Aberdeen dba Aberdeen Airport Terminal, 4740 6<sup>th</sup> Avenue SE; HayJon Inc dba Daddy's, 719 North Main Street (w/video lottery & Sunday sales); HayJon Inc dba Rohly's Bar, 1524 6<sup>th</sup> Avenue SW (w/video lottery & Sunday sales); Ronco Foods Inc dba Shenanigan's, 3315 6<sup>th</sup> Avenue SE #68 (w/video lottery & Sunday sales); Rolling Hills Golf Club LLC dba Rolling Hills Golf, 546 Palmer Cr (w/video lottery & Sunday sales); Kay Dee Enterprises Inc dba Maverick's Steak & Cocktails, 1702 6<sup>th</sup> Avenue SE (w/Sunday sales); RENEWAL OF PACKAGE OFF-SALE LIQUOR LICENSES – E-Z Stop Food Marts Inc dba EZ Stop Food Mart, 421 S. Roosevelt Street; Kessler's Inc dba Kessler's Liquor, 621 6<sup>th</sup> Avenue SE; HayJon Inc dba Rohly's Bar, 1524 6<sup>th</sup> Avenue SW; Kay Dee Enterprises Inc dba Maverick's Steak & Cocktails, 1702 6<sup>th</sup> Avenue SE; RENEWAL OF RETAIL ON-OFF SALE WINE LICENSES – HayJon Inc dba Daddy's, 719 North Main Street; Kay Dee Enterprises Inc dba Maverick's Steak & Cocktails, 1702 6<sup>th</sup> Avenue SE.

RENEWAL OF RETAIL ON-SALE LIQUOR LICENSE – Fraternal Order of Eagles dba The Eagles, 316 South 2<sup>nd</sup> Street (w/video lottery & Sunday sales) – continue one week to complete final inspection by Fire Department.

TRANSFER OF RETAIL ON-SALE LIQUOR LICENSE – from Nelson Auto Electric Inc dba New York New York Bar, 208 South Main Street to JT Restaurants, LLC dba Max & Erma's, 715 North 10<sup>th</sup> Street – approve transfer contingent upon certificate of occupancy inspection by Fire Department.

TRANSFER OF RETAIL ON-OFF SALE MALT BEVERAGE LICENSE W/VIDEO LOTTERY – from HayJon Inc dba Scotty’s Drive Inn, 719 North Main Street to GPM Enterprise, Inc dba 4 Aces Casino, 901 6<sup>th</sup> Avenue SE, Suite C – approve transfer contingent upon certificate of occupancy inspection by Fire Department.

All voting aye, motion carried.

#### 2009 BUDGET TRANSFERS

Bunsness moved, Campbell seconded to approve Finance Department requests for approval to do the 2009 budgeted transfers as provided in the 2009 Annual Appropriation Ordinance No. 08-08-05. All voting aye, motion carried.

#### PAY ESTIMATES

Bunsness moved, Mitchell seconded to approve payment and authorize the City Manager to sign the following pay estimates: #5 – WWTP Improvements, Phase 2B – Lien Transportation - \$25,066.12; and #14 – WWTP Improvements, Phase 2B – PKG Construction - \$241,403.54. Upon roll call, all voting aye, motion carried.

#### BILLS

Mitchell moved, Kraft seconded to approve the following audited claims for services, supplies, repairs and maintenance: United Parcel Service 25.52; Northern Electric 2,829.70; Depository Trust Co 196,817.50; American News 2,427.81; Aberdeen Chamber of Commerce 10.00; Adjustment Training Center 4,904.70; Anderson Agency 60.00; Beadle Floral & Nursery 821.23; Best Business Products 68.71; RDO Equipment Co 812.01; Brown County Landfill 18,794.88; MES-Midam 1,011.05; City Treasurer 200.00; Hawkins Inc 14,033.30; Dakota Electronics 1,184.72; Dakota Pump & Control 233.57; Quality Welding Inc 216.80; Evergreen Supply 1,499.75; Cole Papers Inc 1,834.41; Farm Power Mfg Inc 11.07; GCR Tire Centers 533.72; Carquest Auto Parts 1,032.87; Grote Body Shop 247.65; Hach Co 909.84; Hauck Plumbing & Heating 140.82; Hedahl’s Inc 718.76; House of Glass 1,381.82; Joel Weig 38.00; Janitor Supply Co 81.00; Midcontinent Testing Lab 831.60; Keeleys Inc 492.50; Kesslers Inc 36.92; K-Mart Shopping Center 176.33; CDW Government Inc 1,640.83; Larson’s Blacksmith Shop 45.00; Aberdeen Taxi Service 327.50; Lawson Products Inc 295.23; Steven Lust

Automotive 3,074.45; Mac's Inc 13.25; Mattern Diesel Service 82.20; McFarland Supply Co Inc 616.88; Michael Todd & Co Inc 2,221.99; Sewer Duck 297.50; Aberdeen Ride Line 45.00; GFOA 225.00; Farnams Genuine parts 119.03; NSU Workstudy 12.76; Qwest Seattle 3,887.17; Brett Goodwin 21.00; Office Equipment 200.11; Safety Benefits Inc 165.00; Mardian Scrap Recycling Inc 208.80; Dakota Supply Group 9,439.54; Graymont Capital Inc 17,529.99; Midstates Printing 3,614.45; Avera St Luke's Hospital 1,456.63; Share Corp 1,575.60; Sheehan Mack Sales & Equipment Inc 173.25; Sherwin Williams Co 484.05; HD Supply Waterworks 798.20; Crawford Truck Sales 679.38; SD Dept of Transportation 2,043.50; Keith Sharisky 596.92; Stan Houston Equipment 261.59; Trent Anderson 21.00; Weismantel Rent-All 175.00; Department of Energy 7,805.20; Don Lanpher 235.00; AACE 225.00; Aberdeen Area Arts Council 116.24; Fastenal Company 535.05; Aberdeen Awards 22.00; Banner Associates Inc 188.00; Aberdeen Masonry 432.60; American Packaging I Inc 52.19; Morphotrak 5,618.00; Universal Silencer LLC 1,476.28; Rob Senger 21.00; Logan Dosch 75.00; Mike Tuch 75.00; Metal Arts 73.00; Superior Diving Repair Inc 195.00; Ellis Mfg Co Inc 300.00; Haztech Systems Inc 1,218.54; Action Training Systems 3,350.10; Digital Combustion Inc 1,177.30; Bullex Digital Safety 5,895.00; NENA 120.00; 2009 SDAFC Conference 240.00; Dial-A-Move 8,249.29; Newark 66.46; Dave Reder 75.00; Dependable Sanitation 18,146.99; New Trends 666.72; Taylor Laundry 16.00; First National Bank 43,200.00; Cartney Bearing Co 97.24; Energy Laboratories Inc 985.00; Todd Salfrank 38.00; Physio-Control Inc 565.00; Pauer Sound & Music Inc 2,400.00; Titan Access Account 2,409.00; Executive Management 679.09; Postmaster 170.72; Winter Equipment Company Inc 722.75; Travis Struss 5.00; Pierson Ford Lincoln 1,224.59; West Payment Center 326.03; Metro Fire 8,150.23; Stacy Vrchota 30.00; Geist Skid Steer Service 500.51; SD Department of Revenue 10,721.75; Erdmann Oil Co 9,507.85; Dakota Broadcasting LLC 500.00; Northwestern Energy 1,524.00; The Sewing Shoppe 139.00; Top Quality Sharpening Service 60.00; Mariah Mougey 36.00; Streicher's 670.57; David Osborn 201.70; Robert King 50.00; Northern Valley Communications 7,518.14; Lien Transportation 5,623.30; Aberdeen Police Dept 80.15; Poet Ethanol

Products 2,461.80; McMaster-Carr Supply Co 514.26; Medcenter One OCC Health Clinic 150.00; Dr Steve Redmond 500.00; Randy Meister 38.00; JDH Construction 5,672.67; Dave Usselman 390.00; William Winter 38.00; Mike Wolff 43,152.15; Northwestern Energy 987.54; Fire Safety First 136.95; Lynn Lander 203.78; Federal Express Corp 63.12; Ken's Superfair Foods 79.90; Florida Micro LLC 5,245.88; One Call Systems Inc 367.40; Kyburz-Carlson 6,790.00; Maloney & Maloney 875.00; Hartford Steam Boiler 50.00; Aberdeen Housing Authority 14,554.62; Sanford Health 40.00; Brad Janecke 5.00; Joshua Ochsner 24.00; Garratt-Callahan Co 1,434.16; Menards Aberdeen 855.62; SD Solid Waste Management Assn 54.67; Bound Tree Medical LLC 2,284.52; Financial Forms & Supplies 44.78; Convention Visitors Bureau 27,100.92; Dakota Fluid Power Inc 658.95; Professional Mailing Aberdeen 1,483.28; FSH Communications 60.00; Double D Body Shop 40.00; FCX Performance Inc 54.45; NCL of Wisconsin 1,228.05; Kyle Moser 12.00; Schmidt Construction Inc 163.20; Helena Chemical Company 1,264.00; Gardner Locksmith 80.00; Pomp's Tire Service 2,674.86; Van Diest Supply Co 1,950.00; Thomas Haegele 12.00; Dakota Oil 3,335.93; DPC Industries Inc 1,074.40; Pristine Water solutions 7,972.00; Lance Hammrich 12.00; Best Western Ramkota Watertown 1,134.00; Howe's Oil Co 16,722.80; SD Department of Revenue Special Tax 240.00; Wayne Krysowaty 21.00; Palmer Distributing 2,742.50; Blair Smith 21.00; Minorities & Success 1,795.00; Tapco 176.78; Aberdeen Chrysler Center 208.09; Aberdeen Asphalt Inc 1,640.00; California Contractor Supplies 298.80; Thatcher Company of Montana 7,811.44; Midco Communications 16.00; Butler Machinery co 1,804.02; L & O Acres Transport 3,697.23; Grainger 2,918.53; Darcy Schock 9.00; Ameripride Services Inc 634.27; Matt Leidholt 21.00; Crescent Electric Supply 345.38; Mario Gourde 57.00; Country Concrete/Landscaping 3,869.52; Northern Wireless Communications 160.00; Accurint 50.00; Batteries and Butter 100.09; G & R Controls 4,475.00; Tri-State Water 88.30; Diversified Inspection Inc 765.00; Bonn Express LLC 100.00; Domino's Pizza 62.09; Gellings Auto Service 57.85; Runnings Supply Inc 2,392.72; Interstate Battery System SD 640.65; Kevin VanMeter 38.00; Bob Braun 12.00; Pepper Entertainment Inc 1,000.00; SDRA 140.00; Kenneth

Deboer 31.80; Tim Martin 500.00; Lincoln Street Apts LLC 500.00; Julie Linder-Lyke 500.00; Christine Haggerty 11.96; Pat Faeth 33.92; Angela Huffman 38.16; Deb Olsen 20.44; Julie Romero 25.00. Upon roll call, all voting aye, motion carried.

There being no further business before the Council, Hodgkin moved, Slaight-Hansen seconded that the meeting be adjourned. All voting aye, motion carried.

Prepared by Cathy Feickert  
For the Finance Office

---

Finance Officer