

CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, September 28, 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.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Mitchell moved, Slight-Hansen seconded to approve the minutes of September 21, 2009 as circulated. All voting aye, motion carried.

OPEN FORUM – No one was present.

CONSENT CALENDAR

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

SET BID DATE – October 14, 2009 at 2:00 p.m. for advertisement for bids for 1) 2009-2010 snow removal services – Public Works Department and 2) 15th Avenue NE Street Extension.

LICENSE – Journeyman Plumber – Robert Wyllie.

SET HEARING DATE – October 5, 2009 at 5:30 p.m. for application for Special One-Day Retail On-Off Sale Malt Beverage License on October 10, 2009 for Aberdeen Downtown Association dba Brews & Blues, 201 South Main Street.

APPOINTMENT – Scott Grebner to the Comprehensive Plan Implementation Committee.

LOTTERY NOTICE – Wyndam Hotel Group for United Way – receive and place on file.

DEPARTMENT REPORTS – Alexander Mitchell Library Board Meeting Minutes; Aberdeen Regional Airport Board Minutes; Park & Recreation Board Minutes; Aberdeen City Planning Commission Minutes; Brown County/Aberdeen City Planning Commission Minutes – receive and place on file.

All voting aye, motion carried.

NEW BUSINESS

HEARING – ONE DAY RETAIL LICENSE

This being the time and place set for a hearing, no one was present to testify, recommendations for approval were received, Mitchell moved, Kraft seconded to approve application for Special One-Day Retail On-Off Sale Malt Beverage License on October 8, 2009 for Aberdeen Area Chamber of Commerce dba Farm Credit Services, 4835 – 6th Avenue SE. All voting aye, motion carried.

2010 WASTEWATER RATES

Bunsness moved, Kraft seconded to amend the 2009 Annual Fee Schedule to keep the Wastewater rates at the 2009 levels for 2010. All voting aye, motion carried.

ACCEPTANCE OF BID

Mitchell moved, Bunsness seconded to accept the lone bid of \$325.00 for snow blower at the Water Treatment Plant from Troy Malsam, Bath, SD and declare snow blower surplus. All voting aye, motion carried.

LETTING OF 8TH AVENUE PROJECT

Bunsness moved, Campbell seconded to approve awarding the bid to Ringgenberg Electric for the 8th Avenue North Intersection Project in the amount of \$399,515.79. All voting aye, motion carried.

UTILITY & RIGHT-OF-WAY CERTIFICATES

Bunsness moved, Agnitsch seconded approval of Utility and Right-of-Way Certificates for the SD Department of Transportation for Depot Restoration Project. All voting aye, motion carried.

CONTRACTS

Hodgin moved, Rux seconded to approve and authorize the City Manager to sign contracts for Malchow Parking Lot Improvements – Ti-Zack Concrete Inc. All voting aye, motion carried.

SOUTH DAKOTA STREET WATER AND SEWER PROJECT

Campbell moved, Rux seconded to approve and authorize the City Manager to sign the following: Change Order #1 – quantities installed in field – B & B Contracting – a decrease in the amount of \$1,443.36 and Pay Est. #1 (Final) – work

completed – B & B Contracting in the amount of \$179,942.84. Upon roll call, all voting aye, motion carried.

PAY ESTIMATES

Mitchell moved, Bunsness seconded to approve payment and authorize the City Manager to sign the following pay estimates: #4 – Fairgrounds Road Reconstruction – Upper Plains Contracting - \$781,597.18; and #7 – Public Safety Building Site Work – Dahme Construction - \$125,152.97. Upon roll call, all voting aye, motion carried.

BILLS

Mitchell moved, Bunsness seconded to approve the following audited claims for services, supplies, repairs and maintenance: United Parcel Service 48.09; Dakotacare Admin Services 38,277.35; Sun Life Insurance 514.00; J & K Mowing Service 963.53; Fleet Services 303.41; Alltel 1,726.26. Upon roll call, all voting aye, motion carried.

PAYROLL

Kraft moved, Bunsness seconded to approve payroll for the period from September 13, 2009 through September 26, 2009 and city share of social security, old age & survivor's insurance, retirement: Governing Body 4,647.48; City Manager 4,707.51; Attorney 3,285.60; Finance 12,861.28; HR 6,712.80; Building 254.09; Computer 3,258.40; Planning/Zoning 9,501.60; Engineer 10,331.65; Police 84,715.07; Fire 78,987.99, Lance Hammrich 1,605.54/bw; Fire Prevention 2,325.60; Housing/Building 4,592.80; Street 21,759.74; Traffic 4,145.29; Solid Waste 15,062.40; Transportation 11,995.89; Library 20,854.15; Parks & Recreation 79,308.72, Scott Banik 9.75/hr, Samantha Bullard 9.00/hr, Emily Davis 9.00/hr, Linda Fluharty 10.00/hr, Arionna Harms 7.25/hr, Julie O'Donnell 11.25/hr, Melissa Sletto 9.00/hr; Airport 10,903.85; Pipe 18,673.15; Water Treatment 15,967.91; Meter 4,884.33; Wastewater 16,420.49; Pump 4,283.20; Wells Fargo 95,822.19; SD Retirement System 55,447.93. Upon roll call, all voting aye, motion carried.

OTHER

Rux moved, Kraft seconded to set a hearing for Retail Liquor and Off-Sale Package Liquor License on October 26, 2009 at 5:30 p.m. for the Silver Dollar Bar. All voting aye, motion carried.

Campbell moved, Bunsness seconded to direct City Manager and City Attorney to review the ordinances regarding contractor's license to allow exemptions for small apartment owners. All voting aye, motion carried.

EXECUTIVE SESSION

Hodgin moved, Bunsness seconded to move into executives session to discuss legal matters. All voting aye, motion carried.

Hodgin moved, Rux seconded to move out of executive session. All voting aye, motion carried.

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

Prepared by Cathy Feickert
For the Finance Office

Finance Officer

JOINT CITY/COUNTY PROCEEDINGS

Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota, September 29, 2009, 8:45 a.m., Joint City/County meeting, Mayor Mike Levsen presiding. Present at roll call were Council Members Bunsness, Slight-Hansen, Campbell and Mitchell. Rux, Hodgin, Agnitsch and Kraft were absent.

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

ORDINANCE NO. 09-09-01-377

Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) to Section 714 (M-AG) Lot 1, Brenner Addition in the SW ¼ of Section 16, T123N, R64W of the 5th P.M., Brown County, South Dakota was presented. Bunsness moved, Mitchell seconded to approve first

reading of Ordinance No. 09-09-01. Upon roll call, all present voting aye, motion carried.

Commissioner Sutton moved, Commissioner Elliot seconded to approve first reading of Ordinance No. 09-09-01-377. All voting aye, motion carried.

ORDINANCE NO. 09-09-02-378

Ordinance amending Ordinance No. 1164 to rezone certain described property from Section 701 (A-1) to Section 714 (M-AG) Moen-Rudolph Subdivision in Lot 1, Evelo's Outlots in the SE ¼ of Section 35, T123N, R64W of the 5th P.M., Brown County, South Dakota was presented. Bunsness moved, Mitchell seconded to approve first reading of Ordinance No. 09-09-02. Upon roll call, all present voting aye, motion carried.

Commissioner Elliot moved, Commissioner Sutton seconded to approve first reading of Ordinance No. 09-09-02-378. All voting aye, motion carried.

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

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