

## CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, May 11, 2009, 5:30 p.m., regular meeting, Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, Nancy Aman, David Bunsness, Todd Campbell, Lloyd Hodgin, Jim Kraft, Jeff Mitchell and Clint Rux.

Mayor Levsen led the Pledge of Allegiance.

### MINUTES

Campbell moved, Rux seconded to approve the minutes of May 4, 2009 as circulated. All voting aye, motion carried.

### PROCLAMATION

Mayor Levsen read and proclaimed May 13, 2009 as Law Enforcement Torch Run for Special Olympics South Dakota.

### **OLD BUSINESS**

#### CONTINUED – APPLICATION FOR SPECIAL ONE-DAY RETAIL LICENSE

Hodgin moved, Kraft seconded to continue a request by Downtown Association to continue for another week the application for Special One-Day Retail On-Off Sale Malt Beverage License for August 29, 2009 for Aberdeen Downtown Association dba Sizzlin Summer Nights, First Avenue SE between Main Street and Market Street. All voting aye, motion carried.

### **CONSENT CALENDAR**

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

SET HEARING DATE – May 26, 2009 at 9:00 a.m. for applications for Special One-Day Retail On-Off Sale Malt Beverage License and for Community Event Permit for June 27, 2008 – SD Total Combat LLC dba SD Total Combat, South Main Street from 2<sup>nd</sup> Avenue to 3<sup>rd</sup> Avenue.

SET HEARING DATE – May 26, 2009 at 9:00 a.m. for applications for Renewal of Alcoholic Beverage Licenses – RETAIL ON-OFF SALE MALT BEVERAGE LICENSE – BPO Elks Lodge dba Elks Lodge, 705 Circle Drive; Double Up Inc dba Dakota Prairie Casino, 524 South 1<sup>st</sup> Street (w/video lottery); CCK Inc dba CK's East, 1202 8<sup>th</sup> Avenue NE (w/video lottery); CCK Inc dba Casino's Korner, 707 North 2<sup>nd</sup> Street (w/video lottery); CC

& K Inc dba CK's C-Store, 711 N. 2<sup>nd</sup> Street (w/video lottery); Aberdeen Hardball Association dba 1225 Brown County 19; R & F Enterprises LLC dba White House Inn, 500 6<sup>th</sup> Avenue SW (w/video lottery); D & G Investments Inc dba Grande Casino, 913 6<sup>th</sup> Avenue SE (w/video lottery); GPM Enterprise Inc dba Deuces Wild Casino, 915 6<sup>th</sup> Avenue SE (w/video lottery); D & G Investments Inc dba Royale Casino, 202 6<sup>th</sup> Avenue SE (w/video lottery); Hungry's Restaurant Inc dba Marlins Family Restaurant, 604 S. Hwy #281; PACKAGE OFF-SALE MALT BEVERAGE LICENSE – Ron Guthmiller dba Louie's Service, 2323 8<sup>th</sup> Avenue NE.

ADVERTISEMENTS FOR BIDS – Police Department Furnishings – set bid date of May 22, 2009 at 2:00 p.m.; one new single Conductor Color TV Camera and Transporter for the Public Works Department – Utility Division – set bid date of May 27, 2009 at 2:00 p.m.

LICENSES – Home Day Care – Becky Bonn; Jessica Rombs; Jodi Fish; Susan Artz.

TAX ABATEMENT – New Life Fellowship Church of \$10,130.74 – tax exempt.

LOTTERY NOTICE – Brown County Democrats – receive and place on file.

7 ayes, 1 nay (Bunsness), motion carried.

### **NEW BUSINESS**

#### **HEARING ON APPLICATIONS FOR RENEWAL**

This being the time and place set for a hearing on applications for renewal of alcoholic beverage licenses, no one was present to testify, recommendations for approval were received, Rux moved, Agnitsch seconded to approve and authorize the Mayor to sign the following: RETAIL ON-OFF SALE MALT BEVERAGE LICENSES – Gary L Nelson dba Lee Park Pro Shop, 1300 N Hwy #281; Ron & Patricia Fischer dba South C Store, 1020 S Main Street (w/video lottery); Ronco Foods Inc dba Shenanigans, 3315 6<sup>th</sup> Avenue SE #68 (w/video lottery); Yong Chen dba Imperial Buffet, 311 S Main Street; Saguirre Inc dba Mazatlan Mexican Restaurant, 1 S 1<sup>st</sup> Street (w/video lottery); Kusler's Standard Service Inc dba Kusler's, 602 S Main Street (w/video lottery); LaFayette Casino Corp dba LaFayette Casino, 3015 6<sup>th</sup> Avenue SE #1 (w/video lottery); Aberdeen QMG LLC dba Qdoba Mexican Grill, 3828 6<sup>th</sup> Avenue SE #H; E-Z Stop Food Marts Inc dba E-Z Stop Food Mart, 421 S Roosevelt Street (w/video lottery); PACKAGE OFF-SALE MALT BEVERAGE LICENSE – Casey's Retail Company dba Casey's General Store, 224 S Dakota Street. All voting aye, motion carried.

#### CONTRACTOR LICENSE

Rux moved, Kraft seconded to approve a Residential Building Contractors License for Sea Atwood dba Atwood Maintenance. All voting aye, motion carried.

#### REQUEST FOR SUPPLEMENTAL ALLOCATION

A request for supplemental allocation from Promotion Fund for Northern Route to the Black Hills Association and the Native American Cultural Center and Museum was presented. Hodgin moved, Aman seconded to set a work session for June 1, 2009 to discuss this item. All voting aye, motion carried.

#### REQUEST FOR EASEMENT

Campbell moved, Rux seconded to approve an easement for Lew and Lisa Koch at 714 3<sup>rd</sup> Avenue SW. All voting aye, motion carried.

#### ABERDEEN REGIONAL AIRPORT

Hodgin moved, Aman seconded to approve and authorize the Mayor to sign contract extension for Wildlife Hazard Management with Bill Antonides dba Gander Island Consulting Service Inc. All voting aye, motion carried.

Mitchell moved, Bunsness seconded to approve and authorize the Mayor to sign Pay Est. #5 – environmental assessment with Helms & Associates in the amount of \$10,887.06. Upon roll call, all voting aye, motion carried.

#### RECOMMENDATION ON BIDS

Bunsness moved, Aman seconded to approve recommendation to reject all bids for road oils. All voting aye, motion carried.

#### REQUEST FOR PERMISSION TO SERVE

A request for permission to serve and permit consumption of alcoholic beverages at Wylie Park Pavilion for the Investment Center's Picnic on June 4, 2009, was presented. Mitchell moved, Kraft seconded to approve the request. All voting aye, motion carried.

#### INTERLOCAL AGREEMENT

Rux moved, Mitchell seconded to approve and authorize the Mayor to sign Interlocal Agreement between City of Aberdeen and Brown County for the 2009 Bryne Justice Assistance Grant Program Award. All voting aye, motion carried.

#### CONTRACT & BONDS

Kraft moved, Mitchell seconded to approve and authorize the Mayor to sign contract and bonds for Ninth Avenue NE Street Improvements – Dahme Construction. All voting aye, motion carried.

#### PAY ESTIMATE

Mitchell moved, Agnitsch seconded to approve payment for Pay Est #13 – Public Safety Building – Kyburz Carlson Construction in the amount of \$338,318.00. 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 40.10; Dakotacare Admin Services 17,787.71; City Treasurer 72.00; City Treasurer 345.03; Bernard Gerber 12.72; Kevin Schwartz 15.90; Sheila Egan 23.85; Betty Heine 14.31; Myrene Hettich 12.72; Mary Jane Wagner 25.44; Mel Thistle 33.39; HD Supply Waterworks 24,570.00; Dakota Supply Group 77,660.55; American News 1,664.90; Aberdeen Development Corp 64,166.67; Anchor Industries Inc 1,526.70; Praxair Distribution Inc 24.67; Best Business Products 78.07; Bonnie Bitz 2,740.00; RDO Equipment 41.57; Brown County Landfill 18.72; Fabric Warehouse 216.32; HC Clark Implement 5,450.00; Dakota Electronics 1,322.15; Vosika Fencing 10,798.00; Quality Welding Inc 237.37; Cole Papers Inc 76.95; Farm Power Mfg 37.00; Jensen Rock & Sand 712.50; Carquest Auto Parts 775.36; Graham Tire Co 60.78; Hedahl's Inc 603.80; Herges Kirchgasser Geisler & Assoc 98.47; House of Glass 55.28; Nelson Sales & Service 1,240.62; NTOA 40.00; Janitor Supply Co 226.40; Kesslers Inc 592.08; Kleins Dollar Store 44.67; K-Mart Shopping Center 43.14; Corners of the World Inc 179.12; Steven Lust Automotive 655.34; Mac's Inc 61.81; DM Merchandising 1,667.67; Cara Romeo 123.70; Propet Distributors 750.35; McFarland Supply Co 52.92; Boy Scout Troop 51 200.00; Farnams Genuine Parts 101.72; OK Tire Stores 127.00; Overhead Door Company/Br County 224.49; Kromer Co 679.34; Dakota Supply Group 2,478.15; Lorie Johnson 250.00; Midstates Printing Inc 10,868.55; Sanders Sew-N-Vac Inc 44.50; Schwan Electric Inc 69.62; Schwan Welding & Boiler 30.60; Share Corp 241.50; Sheehan Mack Sales & Equipment 785.65; Fay's Refrigeration Service 1,406.55; Mobridge Tribune 230.00; SD Dept Revenue & Regulation 13.00; Town & Country Lumber Inc 56.43; Academy Trophy Co 258.00; Pro-Build 55.81; Weismantel Rent All 184.00; Don Lanpher

44.00; Positive Promotions 90.53; Woodman Refrigeration 22.64; Hannah Lagerquist 35.15; Gayle Neuhardt 600.00; Aberdeen Area Arts Council 1,362.10; Mac's Electric 66.26; Baker & Taylor Inc 1,384.57; Fastenal Company 241.87; Travelers Directory Service 416.00; Westcoast Sales/Marketing Inc 730.56; Midland Press 4.65; Miracle Recreation Equipment 52.00; Pioneer Products Inc 2,183.74; Upstart 476.80; Ray Payer 306.00; Ladner Electric 134.49; Daktronics Inc 1,181.25; Kermith Mullner 288.00; Oriental Trading 578.19; Dependable Sanitation 598.00; New Trends 5.98; Taylor Laundry 79.50; Fordham Signs 2,757.00; First National Bank 13,700.00; Pepsi Americas Inc 200.00; Theatre House Inc 1,362.90; Caitlin Oelke 240.00; Ackerman Acoustics 2,040.82; Mark Hoven 151.50; Executive Management 16.93; Ebsco Subscription Service 6.00; Best Cob LLC 829.00; Climate Control 8,424.81; Beacon Athletics 2,156.80; Dave Anderson 300.00; Charlene O'Malley 167.05; Precision Small Engine Co 395.10; Uline 509.57; Parkview Nursery Inc 185.97; Nancy Eckert 9.00; SD Dept of Revenue 11,551.16; AT&T 3.46; Northwestern Energy 60,170.31; Streicher's 1,527.50; David Osborn 198.54; Neil Bittner 77.97; Angela Stroschein 180.00; Northern Valley Communications 141.38; MTI Distributing 1,513.83; Kirk's Auto 944.00; Poet Ethanol Products 1,488.00; Judie DeWald 400.00; FAST Corp 4,250.00; Jennifer Schell 288.00; Home Federal Bank 104,500.00; JDH Construction 168,802.63; Lift Pro Equipment 390.41; Bismarck Tribune 287.50; Towing Plus 75.00; Terri Miller 80.00; Quill Corp 194.60; Federal Express Corp 31.81; Ken's Superfair Foods 1,502.86; Kiwanis Club 100.00; Laura Akkerman 140.00; Deborah Duffy 180.00; Michael J Burns Architect 2,038.19; Survey Supply Inc 60.50; Kiesler's Police Supply 1,967.00; Kid Core 425.00; ADB Airfield Solutions 1,190.00; Ken's Auto Repair 561.64; Mass Marketing Inc 120.00; Megan Poe 9.58; Careertrack 143.00; Dakota Research Services 1,200.00; Business Frontier Index 498.00; Mentor Media 442.99; Steve Wilson 580.00; Century Business Products 23.43; Sanford Health 593.00; Menard's Aberdeen 1,081.57; Ray Studnicka 100.00; Convention Visitors Bureau 41,888.34; Dakota Fluid Power 120.81; McQuillen Creative Group 2,192.90; Professional Mailing Aberdeen 2,328.40; Francotyp-Postolia Inc 101.85; FSH Communications 60.00; Rod Kurtz 50.00; Oshkosh Corp 282.15; SD Humanities Council 35.00; Van Diest Supply 29,596.04; Pecoware Company 355.37; RV Park Hunter 40.00; Global Impressions USA 5,085.00; Camby's Pass Inc 957.65; Treatment Resources 1,061.56; Galls Inc 499.95; Dakota Oil 158.86; Advance Auto Parts

89.99; Superior Tech Products 3,050.00; Genesis Lamp Corp 616.73; Learning Opportunities 226.44; Research Tech International 371.25; Steve Markley 50.00; Terry Steinwandt 50.00; Plunkett's Pest Control 167.00; Aberdeen Plumbing & Heating 215.26; Patricia Brosz 360.00; Cunningham Electric 53.04; Edmo Distributors Inc 91.43; Randy Murphy 288.00; Tom Suedmeier 384.00; Rose Mullner 176.00; Midwest Tape 1,965.14; Midco Communications 144.21; Grainger 177.30; Ameripride Services 608.13; Crescent Electric 136.58; Weissmans Designs for Dance 319.10; J Gross Equipment 137.22; G & R Controls 75.00; Swanson Electric 902.94; Aberdeen Senior Center 796.61; Haar Plumbing & Heating 260.00; Runnings Supply 1,441.86; Interstate Battery System 373.86; Verizon Wireless 229.80; GCC Ready Mix-North Central Region 246.00; Court Street Lighting 544.15; Eide Bailly LLP 8,000.00; Cheryl Olson 108.00; Qwest 50.00; Terrill Lenling 12.00; Deborah Ihde 710.00. Upon roll call, all voting aye, motion carried.

#### PAYROLL

Kraft moved, Aman seconded to approve payroll for the period from April 26 through May 9, 2009 and city share of social security, old age and survivor's insurance, retirement and health/life insurance: Governing Body 6,185.94; Attorney 3,285.60; Finance 13,618.40; HR 6,712.80; Building 209.90; Computer 3,339.48; Planning/Zoning 10,756.00; Engineer 9,286.18; Police 82,413.26; Fire 78,096.73, Michael Murphy 1,528.18/bw, Joshua Ochsner 1,528.18/bw, Jesse Rystrom 1,605.54/bw, Lauren Stearns 1,528.18/bw; Fire Prevention 2,325.60; Housing/Building 4,592.80; Street 21,734.40; Traffic 4,459.21, Robert Carlson 9.50/hr; Solid Waste 16,503.64, Michael Fogel 9.50/hr; Transportation 11,964.83; Library 20,311.53; Parks & Recreation 75,165.96, Thomas Angerhofer 8.50/hr, Dixie Daly 11.00/hr, John Koerner 10.50/hr, Coby Krege 7.50/hr, Ira Muldoon 8.50/hr, Mackenzie Musel 8.25/hr, James Odegaard 9.25/hr, Caitlin Oelke 8.00/hr, Julian Okroi 8.50/hr, Richard Papke 9.00/hr, Albert Singer 9.50/hr, Rocky Ruscherer 8.50/hr, Dianne Stiles 8.00/hr, Phillip VanDover 9.00/hr, Peter Wickard 9.50/hr, Gabriel Young 9.25/hr; Airport 11,050.10; Pipe 18,480.82, Steve Jacobson 9.50/hr; Water Treatment 15,833.56, Jordan Punt 9.50/hr, Logan Wherry 9.50/hr; Meter 3,230.47, Jeromy Thorstenson 17.31/hr ; Wastewater 16,294.43, Jake Hamik 9.50/hr; Pump 4,413.03; Wells Fargo 93,289.28; SD Retirement System 54,271.96. Upon roll call, all voting aye, motion carried.

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

Prepared by Cathy Feickert  
For the Finance Office

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Finance Officer