

CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, September 7, 2010, 9:00 a.m., regular meeting, Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, David Bunsness, Jim Kraft, Jeff Mitchell, Clint Rux, and Laure Swanson. Todd Campbell and Jennifer Slaughter-Hansen were absent. Staff members present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, Neil Bittner and Karl Alberts.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Rux moved, Kraft seconded to approve the minutes of August 30 and 31, 2010 as circulated. All present voting aye, motion carried.

OPEN FORUM – no one was present.

CONSENT CALENDAR

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

SET HEARING DATE – September 20, 2010 at 5:30 p.m. for the following applications for Transfers of Alcoholic Beverage Licenses: 1) Transfers of Package Off-Sale Liquor and Retail On-Off Sale Malt Beverage Licenses with video lottery from CCK Inc dba CK's East, 1202 8th Avenue NE to Nueve Inc dba One Stop of Aberdeen, 1202 8th Avenue NE; 2) Transfers of Package Off-Sale Liquor and Retail On-Off Sale Malt Beverage Licenses with video lottery from CC & K Inc dba CK's C-Store, 711 N. 2nd Street to Ocho Inc dba C-Express North Second, 711 N. 2nd Street; 3) Transfer of Retail On-Off Sale Malt Beverage License with video lottery from CCK Inc dba Casino Korner, 707 N. 2nd Street to Ocho, Inc dba Casino Korner, 707 N. 2nd Street.

REQUEST PERMISSION TO SERVE AND PERMIT – consumption of alcoholic beverages at Wylie Park Pavilion, September 17 and 18, 2010 for Lee/Lunsetter Wedding.

PETITIONS TO REZONE – set hearing date of September 27, 2010 at 5:30 p.m. for the following petitions: 1) rezone from Section 708 (C-3) to Section 705 (R-3) property described as Lots 13-14, Block 27, Bennett & Thomas Addition in the NW ¼ of Section 13, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota; 2) rezone from Section 705 (R-3) and Section 710 (I-2) to Section 705 (R-3) property described as proposed Lot 1, Plat of Aberdeen Public Schools First Addition located in the NE ¼ of Section 23,

T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota.

PETITIONS TO REZONE (three mile jurisdiction) – set Joint Hearing date of September 28, 2010 at 8:45 a.m. for the following: 1) Rezone from Section 701 (A-1) to Section 714 (M-AG) property described as Beckler and Engel 1st Addition in the SW ¼ of Section 27, T123N, R63W of the 5th P.M., Brown County, South Dakota; 2) Rezone from Section 701 (A-1) to Section 714 (M-AG) property described as proposed Lot 3, Jody and Stacy Lindsey Subdivision in the NE ¼ of Section 35, T123N, R64W of the 5th P.M., Brown County, South Dakota excluding the portion of Foot Creek zoned (A-2) Green Belt District.

REQUESTS FOR STREET USE – Silver Dollar Bar – alley behind bar at 119 South Main Street and Lynn Karrigan – Cedar Drive.

LICENSES – Home Day Care – Joan Hanson and Residential Building Contractor – The Paladine Corp.

LOTTERY NOTICES – American Legion Post 24 and Make a Wish Foundation of South Dakota – receive and place on file.

All present voting aye, motion carried.

NEW BUSINESS

ORDINANCE NO. 10-09-05

Ordinance No. 10-09-05 – 2011 Annual Appropriation Ordinance was presented for first reading. Rux moved, Swanson seconded to approve first reading of Ordinance No. 10-09-05. Upon roll call, all present voting aye, motion carried.

HEARING ON SPECIAL ONE DAY LICENSE

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 11, 2010 for NESD Celtic Faire and Games, Inc dba SD Total Combat Event, Civic Arena, 203 South Washington Street, no one was present to testify, recommendations for approval were received, Mitchell moved, Rux seconded to approve license. All present voting aye, motion carried.

FEDERAL AVIATION GRANT

Mitchell moved, Kraft seconded to approve and authorize the City Manager to sign Grant Agreement for Airport Project #3-46-0001-30-2010 to expand general aviation (GA) apron, rehabilitate general aviation apron and snow plow attachment for front-end loader. All present voting aye, motion carried.

REQUEST TO PURCHASE

Rux moved, Bunsness seconded to approve a request to purchase computer

equipment and software from Mitel Datanet in the amount of \$29,787.57. All present voting aye, motion carried.

RECOMMENDATION ON BIDS

Bids were opened and publicly read for 2010-2011 Snow Removal Services. Bunsness moved, Rux seconded to accept all bids and to rent equipment as needed in order of price and authorize the City Manager and Finance Officer to sign the necessary documents after approval by the City Attorney. A detailed list is on file at the Finance Office. All present voting aye, motion carried.

CHANGE ORDER

Bunsness moved, Swanson seconded to approve and authorize the City Manager to sign Change Order #1 – an increase in the amount of \$30,254.00 to JDH Construction for work on Main Street Restoration. All present voting aye, motion carried.

8TH AVENUE NE STREET IMPROVEMENTS

Rux moved, Mitchell seconded to approve the following: Change Order #2 – quantities installed – Upper Plains Contracting in the amount of \$45,626.43; Pay Est. #6 (Final) – work completed – Upper Plains Contracting in the amount of \$57,085.55. Upon roll call, all present voting aye, motion carried.

PAY REQUESTS

Bunsness moved, Mitchell seconded to approve the following pay requests and authorize the City Manger to sign: 1) 2010 Ford Horton Ambulance – Premier Specialty Vehicles - \$133,000.00; 2) Pay Est. #2 – work on South Roosevelt Street – Aberdeen Asphalt Inc - \$64,073.39; 3) Pay Est. #1 – WWTP Improvements Screening Equipment – Huber Technologies - \$188,820.00; 4) Pay Est. #19 – WWTP Improvements, Phase 2B – PKG Contracting, Inc - \$58,164.79; 5) Pay Est. #8 – WWTP Improvements, Phase 2B – Lien Transportation - \$24,646.05. Upon roll call, all present voting aye, motion carried.

BILLS

Kraft moved, Agnitsch seconded to approve the following audited claims for payment: United Parcel Service - \$58.06; and US Bank - \$18,765.01. Upon roll call, all present voting aye, motion carried.

OTHER

Mayor Levsen noted there may be a quorum at the community branding open house on Thursday, September 9th. No action will be taken if a quorum is present.

There being no further business, Mitchell moved, Swanson seconded that the meeting

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be adjourned. All present voting aye, motion carried.

Prepared by Cathy Feickert
For the Finance Office

Finance Officer