

NOTICE: CITY COUNCIL WILL MEET FOR A WORK SESSION ON OCTOBER 4TH AT 4:00 P.M. FOR A PRESENTATION BY NWPS ON PAST AND FUTURE PLANS AND AT 4:30 P.M. TO DISCUSS A PROPOSED MERCHANDISING ORDINANCE.

**NOTES, CITY COUNCIL MEETING, MONDAY, OCTOBER 4, 2010, 5:30 P.M.
COUNCIL CHAMBERS, MUNICIPAL BUILDING, 123 SOUTH LINCOLN STREET, 3RD FLOOR**

1. ROLL CALL AG BU CA KR MI RU SH SW LE

2. PLEDGE OF ALLEGIANCE

3. MINUTES, CITY COUNCIL MEETINGS OF SEPTEMBER 27 AND 28, 2010

AS CIRCULATED

AS CORRECTED

M/S RU SW BU AG SH CA MI KR LE

OPEN FORUM 5:30 TO 5:40 P.M. – 1. SEE FORMAT GUIDELINES AT END OF AGENDA

4. **OLD BUSINESS**

A. ORDINANCE NO. 10-09-01 – AN ORDINANCE AMENDING ORDINANCE NO. 1164 TO REZONE CERTAIN DESCRIBED PROPERTY FROM SECTION 708 (C-3) TO SECTION 705 (R-3)
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
POSSIBLE SECOND READING AND FINAL ADOPTION

M/S RU SW BU AG SH CA MI KR LE

B. ORDINANCE NO. 10-09-06 – SNOW REMOVAL ORDINANCE IMPLEMENTING CHANGES NECESSARY FOR THE CITY'S NEW SNOW REMOVAL PLAN
POSSIBLE SECOND READING AS AMENDED AND FINAL ADOPTION

M/S RU SW BU AG SH CA MI KR LE

5. **CONSENT CALENDAR**

- A. APPLICATIONS FOR ALCOHOLIC BEVERAGE LICENSES – SET HEARING DATE OF OCTOBER 18, 2010 AT 5:30 P.M. FOR THE FOLLOWING:
1. **NEW RETAIL ON-OFF SALE WINE LICENSE**
WAL-MART STORES, INC. DBA WAL-MART SUPERCENTER #1520, 3820 7TH AVENUE, SE
 2. **TRANSFER OF RETAIL ON-OFF SALE MALT BEVERAGE LICENSE W/VIDEO LOTTERY**
FROM TOM INC. DBA WILD CARD CASINO, 416 S. DAKOTA STREET
TO TOM INC. DBA WILD CARD CASINO, 206 S. DAKOTA STREET
 3. **TRANSFER OF RETAIL ON-OFF SALE MALT BEVERAGE LICENSE W/VIDEO LOTTERY**
FROM RANDALL E. WEBER DBA EDDIE'S NORTHSIDE SINCLAIR, 208 N. 2ND STREET
TO MIDWESTERN-FLACK, LLC DBA JOKERS WILD CASINO, 416 S. DAKOTA ST., SUITE #3
- B. LICENSES:
1. ADVERTISING/SIGN HANGING – ELITE SIGNS & GRAPHIX
 2. SIDEWALK CONTRACTOR – TRAVIS STRUSS
- C. BOARD APPOINTMENT – HEATH JOHNSON TO THE ABERDEEN PLANNING COMMISSION
- D. PETITION TO VACATE PUBLIC RIGHT-OF-WAY – WEST 18' OF S. JAY STREET RIGHT-OF-WAY BETWEEN FIRST AVENUE, SE AND ALLEY ADJACENT TO 224 FIRST AVENUE, SE – REFER TO CITY ATTORNEY, CITY ENGINEER AND PLANNING/ZONING DIRECTOR FOR RECOMMENDATIONS
- E. PETITION TO REZONE – FROM SECTION 704 (R-2) TO SECTION 707 (C-2) PROPERTY DESCRIBED AS LOTS 2 AND 3, SKYWAG ADDITION IN THE SW ¼ OF SECTION 11, T123N, R64W OF THE 5TH P.M., ABERDEEN, BROWN COUNTY, SOUTH DAKOTA – SET HEARING DATE OF OCTOBER 25, 2010 AT 5:30 P.M.

POSSIBLE APPROVAL OF CONSENT CALENDAR

6. **NEW BUSINESS**

- A. RESOLUTION NO. 10-10-03 R –ESTABLISH CONSOLIDATED BOARD OF EQUALIZATION
POSSIBLE APPROVAL OF RESOLUTION TO CONSOLIDATE THE LOCAL BOARD OF EQUALIZATION WITH THE COUNTY BOARD OF EQUALIZATION

- B. HEARING ON APPLICATION FOR **SPECIAL ONE-DAY RETAIL ON-OFF SALE MALT BEVERAGE LICENSE ON OCTOBER 14, 2010 FOR ABERDEEN AREA CHAMBER OF COMMERCE DBA SD WHEAT GROWERS, 908 S. LAMONT STREET**
POSSIBLE APPROVAL OF APPLICATION FOR SPECIAL ONE-DAY MALT BEVERAGE LICENSE FOR THE CHAMBER OF COMMERCE CONTINGENT UPON OBTAINING A TEMPORARY CERTIFICATE OF OCCUPANCY AT 908 S. LAMONT STREET

- C. 2010 BUDGETED TRANSFERS
POSSIBLE APPROVAL TO AUTHORIZE THE CITY FINANCE DEPARTMENT TO DO THE 2010 BUDGETED TRANSFERS BETWEEN THE DEBT SERVICE FUNDS AND THE SPECIAL SALES TAX FUND AS PROVIDED IN THE 2010 ANNUAL APPROPRIATION ORDINANCE NO. 09-08-05

- D. INSTALLATION OF A PREFABRICATED COMMUNICATION BUILDING AT THE WASHINGTON STREET WATER TOWER SITE
POSSIBLE APPROVAL TO ALLOW NVC TO PLACE A PREFABRICATED BUILDING AT THE SITE OF THE SOUTH WATER TOWER TO HOUSE CELLULAR COMMUNICATION EQUIPMENT

- E. BILLS: FLEET SERVICES – FUEL FOR AMBULANCES \$274.65
DAKOTA PUMP & CONTROL – NW LIFT STATION PUMP - MATERIALS ONLY \$55,350.00
US BANK – DEPARTMENTS' CREDIT CARD PURCHASES \$18,824.82

1. OPEN FORUM PROVIDES AN OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE CITY COUNCIL WITH QUESTIONS, CONCERNS OR COMMENTS ON ITEMS, WHICH ARE NOT ON THE AGENDA. CITIZENS ARE ASKED TO SIGN UP TO SPEAK PRIOR TO THE OPEN FORUM PORTION OF THE MEETING. OPEN FORUM WILL BE LIMITED TO 10 MINUTES (IF NO ONE IS IN ATTENDANCE FOR THE OPEN FORUM, THE REGULAR MEETING MAY BEGIN) UNLESS A MAJORITY OF THE CITY COUNCIL AGREES TO EXTEND THE TIME

PERIOD. THE OPEN FORUM MAY NOT BE USED TO MAKE PERSONAL ATTACKS, TO AIR PERSONALITY GRIEVANCES, TO MAKE POLITICAL ENDORSEMENTS, OR FOR POLITICAL CAMPAIGN PURPOSES. OPEN FORUM WILL NOT BE USED AS A TIME FOR PROBLEM SOLVING OR REACTING TO THE COMMENTS MADE, BUT, RATHER FOR HEARING THE CITIZEN FOR INFORMATIONAL PURPOSES. THE CITY COUNCIL MAY RESPOND WITH REQUEST FOR CITY MANAGEMENT TO FOLLOW UP AND REPORT BACK ON ANY ISSUE RAISED DURING THE PUBLIC ADDRESS TIME. A PRESENTATION MAY NOT EXCEED TWO MINUTES IN DURATION.

2. ADA COMPLIANCE: THE CITY OF ABERDEEN FULLY SUBSCRIBES TO THE PROVISIONS OF THE AMERICAN'S WITH DISABILITIES ACT. IF YOU DESIRE TO ATTEND THIS PUBLIC MEETING AND ARE IN NEED OF SPECIAL ACCOMMODATIONS, PLEASE NOTIFY THE CITY FINANCE OFFICE AT LEAST 8 HOURS PRIOR TO THE MEETING SO APPROPRIATE AUXILIARY AIDS AND SERVICES CAN BE MADE AVAILABLE. THE CITY COUNCIL MEETS WEEKLY ON MONDAYS AT 5:30 P.M. EXCEPT WHEN A HOLIDAY FALLS ON MONDAY, IN WHICH CASE THE MEETING IS HELD AT 9:00 A.M. ON TUESDAY MORNING.

3. A COPY OF THE SUBJECT MATTER ON THE CITY COUNCIL MEETING AGENDA IS AVAILABLE FOR PUBLIC DISTRIBUTION AT THE CITY FINANCE OFFICE.