

CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, November 15, 2010, 5:30 p.m., regular meeting, Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, David Bunsness, Todd Campbell, Jim Kraft, Jeff Mitchell, Clint Rux, Jennifer Slight-Hansen and Laure Swanson. Staff members present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill and Karl Alberts.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Mitchell moved, Bunsness seconded to approve the minutes of November 8, 2010 as circulated. All voting aye, motion carried.

OPEN FORUM – no one was present.

CONSENT CALENDAR

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

RECOGNITION – Friend of Housing Award to South Dakota Housing – Jody Zueger.

SET HEARING DATE – November 29, 2010 at 5:30 p.m. for applications for renewal of alcoholic beverage licenses for RETAIL ON-SALE LIQUOR LICENSES – Elf Inc dba Circus Sports Bar & Grill, 14 3rd Avenue SE w/video lottery; Ronco Foods Inc dba Shenanigans, 3315 6th Avenue SE #68 w/video lottery; Matheus JCM Zomers dba The Drink, 420 South Main Street w/video lottery; Randy Tewksbury dba Silver Dollar Bar, 119 South Main Street w/video lottery; Wild Oats LLC dba Wild Oats Sports Bar, 322 South Main Street w/video lottery; Skyline Recreation Inc dba Firehouse Lounge, 8th Avenue North Hwy 281 w/video lottery; PACKAGE OFF-SALE LIQUOR LICENSES – Randy Tewksbury dba Silver Dollar Bar, 119 South Main Street; Wild Oats LLC dba Wild Oats Sports Bar, 322 South Main Street; RETAIL ON-OFF SALE WINE LICENSE – Wild Oats LLC dba Wild Oats Sports Bar, 322 South Main Street.

LICENSES – Taxi Cab Drivers – Blake M. Bahn; Teresa E. Bohn-Bartholomew; Rosalie Bury; Tamalyn Elam; Kelly Ann Kirkland and Jordan Manning.

LOTTERY NOTICE – Prairie Stitcher's Ega – receive and place on file.

All voting aye, motion carried.

NEW BUSINESS

ORDINANCE NO. 10-11-02

Ordinance amending the Aberdeen Municipal Code by adding Sections 8-2 and 8-32.8 regarding outdoor smoking structures was presented. Bunsness moved, Mitchell seconded to approve first reading of Ordinance No. 10-11-02. Upon roll call, all voting aye, motion carried.

RESOLUTION No. 10-11-01R

Bunsness moved, Slight-Hansen seconded to approve Resolution No. 10-11-01 R – Resolution to vacate public right-of-way, the West 18' of South Jay Street Right-of-Way between First Avenue SE and alley adjacent to 224 First Avenue SE. All voting aye, motion carried.

HEARING – APPLICATIONS FOR ALCOHOLIC BEVERAGE LICENSES

This being the time and place set for a hearing on applications for alcoholic beverage licenses, no one was present to testify, recommendations for approval were received, Agnitsch moved, Slight-Hansen seconded to approve the following: RENEWAL OF RETAIL ON-SALE LIQUOR LICENSES – City of Aberdeen dba Aberdeen Airport Terminal, 4740 6th Avenue SE; BPO Elks Lodge 1046 Inc dba Elks Lodge, 705 Circle Drive;

P-M Enterprises Inc dba R & A Bar, 5 South Main Street w/video lottery; Saguirre Inc dba Mazatlan Mexican Restaurant, 1 South 1st Street w/video lottery; Two Cs Inc dba Schwan's Recreation, 714 1st Avenue NE w/video lottery; RENEWAL OF PACKAGE OFF-SALE LIQUOR LICENSES – Two Cs Inc dba Schwan's Recreation, 714 1st Avenue NE; Treinta Inc dba C-Express, 2303 6th Avenue SE; Ochenta Inc dba The Wolf Stop, 524 6th Avenue SE; Nueve Inc dba One Stop of Aberdeen, 1202 8th Avenue NE; Ocho Inc dba C-Express North Second, 711 North 2nd Street; EZ Stop Food Marts Inc dba EZ Stop Food Mart, 421 South Roosevelt Street; Kessler's Inc dba Kesslers Liquor, 621 6th Avenue SE; and NEW RETAIL ON-OFF SALE MALT BEVERAGE LICENSE – Eddie's Northside Sinclair LLC dba Eddie's Northside Sinclair, 208 North 2nd Street. All voting aye, motion carried.

2010 BUDGET TRANSFERS

Bunsness moved, Swanson seconded to approve to authorize the Finance Department to do the 2010 Budgeted Transfers between funds as provided in the 2010 Annual Appropriation Ordinance No. 09-08-05. All voting aye, motion carried.

FALL SCOPE OF WORK I & I STUDY

Campbell moved, Rux seconded to approve an agreement with Clark Engineering/Wenck Associates for the proposed tasks to be performed this fall and early winter. All voting aye, motion carried.

PARKING LEASE – BLACKSTONE

Campbell moved, Mitchell seconded to approve a six (6) month parking lease with Blackstone Developers LLC for the Bethlehem Lots. All voting aye, motion carried.

PERMIT – NORTHERN BEEF PACKERS

Rux moved, Slight-Hansen seconded to approve to reactivate Building/Zoning Permit No. 35571A without additional fees, in addition extend the three (3) year expiration date from 02-08-2011 to 12-31-2011. All voting aye, motion carried.

15th AVENUE STREET EXTENSION PROJECT

Rux moved, Bunsness seconded to approve and authorize the City Manager to sign Change Order #1, additional quantities – Dahme Construction – increase in the amount of \$39,072.08; and Pay Est. #4 – work completed on project – Dahme Construction in the amount of \$140,719.14. Upon roll call, all voting aye, motion carried.

BILLS

Bunsness moved, Swanson seconded to approve the following audited claims for services, supplies, repairs and maintenance: United Parcel Service 36.32; FSH Communications 60.00; DOI-USGS 17,790.00; Dorsey & Whitney LLP 8,500.00; Depository Trust Co 203,550.00; Midwest Alarm Co 70.00; American News 1,958.95; Aberdeen Chamber of Commerce 20.00; Aberdeen School District 19,054.55; Praxair Distribution 139.74; Aspire Inc 7,831.76; Douglas Johnson 85.00; Rhodes Anderson Agency 2,716.25; Artz Equipment 114.80; Brown County Sheriff 300.00; Helms & Associates 3,688.68; Best Business Products 387.94; Brick Propane Inc 186.03; SD Municipal Attorney Assn 35.00; RDO Equipment Co 417.60; Brown County Landfill 15,886.62; Brown County Treasurer 5,898.85; MES-MIDAM 180.00; Kone Inc 602.88; Dahme Construction 4,850.00; Hawkins Inc 3,090.00; Dakota Electronics 2,785.10; Evergreen Supply 1,995.56; Cole Papers 540.89; GCR Tire Centers 1,028.66; Carquest Auto Parts 1,123.63; Graham Tire Co 144.40; Grote Body Shop 262.00; Hach Co 1,689.24; Hedahl's Inc 537.97; Lyle Signs Inc 450.80; Joel Weig 12.00; Johnson Controls 2,244.00; Midcontinent Testing Lab 1,315.20; Ken's Alignment Auto Service 62.40; Kesslers Inc 306.89; K-Mart Shopping Center 104.94; Automatic Building Controls 960.00; Aberdeen Taxi Service 336.75; Lawson Products Inc 462.00; Mac's Inc 105.11; Mattern Diesel Service 82.20; McFarland Supply Co 28.68; Webb Shoe Co 169.95; Michael Todd & Co 2,436.22; Grote Sheet Metal 5,430.00; Farnams

Genuine Parts 34.62; Northern Electric 2,852.87; Qwest Seattle 4,083.20; Office Equipment 80.17; Safety Benefits Inc 180.00; Pantorium 35.25; Mardian Scrap Recycling 92.11; Dakota Supply Group 5,990.87; Graymont Capital 23,364.87; Midstates Printing 7,643.19; Cross Country Courier 37.50; Safety Service 334.62; Avera St Luke's Hospital 1,660.44; Share Corp 6,176.46; Sheehan Mack Sales & Equipment 18.70; Sherwin Williams Co 1,214.55; Crawford Truck Sales 658.43; River Cities Public Transit 112.00; SD Dept Revenue & Regulation 52.00; SD Dept of Transportation 664.64; Keith Sharisky 294.00; Stan Houston Equipment 70.05; Steel Structures of Aberde4en 3,808.00; Pro-Build 59.92; Weismantel Rent-All 700.00; Western Area Power Adm 9,211.34; Don Lanpher 319.36; Wright & Sudlow 29,685.75; AACE 225.00; Aberdeen Area Arts Council 6,285.26; Fastenal Company 120.63; Aberdeen Awards 5.50; North Central Farmers Elevator Ipswich 4,159.22; Banner Associates Inc 10,921.05; Morphotrak 5,899.00; Rob Senger 26.00; North Wind Machine 25.00; Jerke Irrigation 114.00; 2010 SDFCA Conference 180.00; ICMA 960.00; Dependable Sanitation 18,423.51; Dakota Ink & Toner 161.49; Harr Motors 25.00; Taylor Laundry 16.00; Kevin Huber 12.00; First National Bank 55,388.62; Continental Carbonic Products 2,337.95; Pepsi Cola 198.00; Cartney Bearing Co 24.08; Mitel Technologies Inc 11,796.25; Energy Lab Inc 112.00; SD Dept Health Lab 1,329.00; Titan Access 1,677.36; Executive Management 300.70; Winter Equipment Company 747.50; Electrical Engineer & Equip 950.00; Travis Struss 2,000.00; Pierson Ford Lincoln 168.28; US Bank 217,539.73; Weigel Construction 1,597.00; Heartland Heating & Cooling 112.29; Rick's Heating/AC 795.61; Allied Affiliated Funding LP 275.26; Northwestern Energy 1,572.00; Cummins Central Power LLC 2,337.31; Luke Nelson 227.00; Neil Bittner 40.00; Northern Valley Communications 365.98; Kirk's Auto 14.00; Dwayne Schueller 17.00; Lien Transportation 25,661.16; Aberdeen Police Dept 30.08; Medcenter One OCC Health Clinic 30.00; Lonnie Anderson 120.00; Dr Steve Redmond 500.00; Randy Meister 38.00; Home Federal Bank 230,860.46; Loren Beitelspacher Trucking 147.00; William Winter 38.00; Northwestern Energy 833.28; John Noltner 4,240.00; James River Water 314.28; Fire Safety First 13.85; South Dakota One Call 435.36; Civic Plus 9,678.00; Quill Corporation 426.32; Lynn Lander 71.00; Federal Express Corp 10.57; Moore Quilts & Sewing 28.00; TP Tools 334.70; 3-D Sales Corporation 88.50; Florida Micro LLC 290.41; RDJ Specialties Inc 781.12; Day-Timers Inc 39.16; John Vogel 180.00; Maloney & Maloney 500.00; Sanford Health 40.00; Menards Aberdeen 1,245.39; Bound Tree Medical LLC 1,562.84; Water & Environmental Engineering 38.00; Convention Visitors Bureau 29,037.40; Dakota Fluid Power Inc 552.55; McQuillen Creative Group 208.75; Infratech 2,348.51; Professional Mailing Aberdeen 1,200.92; Double D Body Shop 161.00; Kyle Moser 8.00; Myron Corp 297.96; Ferguson Waterworks 1,331.01; Dan Cutler 3,432.60; NSU Finance & Adminis 440.00; Animal Care Equipment 80.92; Aberdeen Shuttle 258.00; TNC Industries Inc 4,749.70; Pomp's Tire Service 2,856.17; Wallwork Truck Center 326.99; Treatment Resources Inc 358.98; Soil Testing Lab 44.00; Dakota Oil 3,109.39; DPC Industries Inc 1,294.00; Pristine Water Solutions 5,786.50; Brett Bill 118.40; Best Western Ramkota Hotel 3,108.00; Best Western Ramkota Pierre 266.97; MVTL Laboratories Inc 387.00; Gene Morsching 85.00; Ragan Communications Inc 90.04; Palmer Distributing 206.00; Aberdeen Chrysler Center 1,781.19; Aberdeen Asphalt Inc 24,026.20; Nielsen's 697.96; Thatcher Company of Montana 39,580.98; Midco Communications 360.00; Dave McNeil 329.17; Butler Machinery 172.74; Grainger 1,835.65; Sanitation Products 98.34; Geffdog Designs 1,692.33; Herbert Flakoll 16,507.26; Ameripride Services 477.63; Crescent Electric 347.35; Mario Gourde 12.00; Northern Wireless Comm 237.30; Lexisnexis Risk Data Mgmt 100.00; Harlow's Bus Sales 10.00; A-1 Sanitation 156.73; Tri-State Water 37.50; Specialty Mfg Co 288.28; Runnings Supply 1,445.22; Interstate Battery System SD 397.80; Kevin Vanmeter 38.00; GCC Ready

Mix North Central Region 101.00; Bill Meidinger 1,000.00; Joel Welke 250.00. Upon roll call, all voting aye, motion carried.

OTHER

City Manager Lynn Lander asked for a work session to discuss Library Sight Selection on November 29, 2010.

There being no further business, Bunsness moved, Rux seconded that the meeting be adjourned. All voting aye, motion carried. Prepared by Cathy Feickert For the Finance Office /s/ Karl Alberts, Finance Officer.