

CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, December 6, 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, Don Lanpher and Karl Alberts.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Mitchell moved, Rux seconded to approve the minutes of November 29, 2010 as circulated. All voting aye, motion carried.

OPEN FORUM – no one was present.

OLD BUSINESS**CONTINUED HEARING ON RENEWAL OF ALCOHOLIC LICENSES**

This being the time and place set for a hearing, recommendations for approval were received, Bart Walker and Laurie Davis were present to discuss problems with the Silver Dollar Bar. Chris Doerr was present representing the Silver Dollar Bar. No one else was present to testify. Rux moved, Swanson seconded to approve the renewal of Retail On-Sale Liquor License for Randy Tewksbury dba Silver Dollar Bar, 119 South Main Street w/video lottery and renewal of Package Off-Sale Liquor License for Randy Tewksbury dba Silver Dollar Bar, 119 South Main Street. Motion carries by voice vote.

Mitchell moved, Kraft seconded to approve all other renewals as follows: 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; Wild Oats LLC dba Wild Oats Sports Bar, 322 South Main Street w/video lottery; Skyline Recreation Inc.. dba Firehouse Lounge, 8th Avenue N. – Hwy 281 w/video lottery; Package Off-Sale Liquor Licenses – Wild Oats LLC dba Wild Oats Sports Bar, 322 South Main Street. All voting aye, motion carried.

CONSENT CALENDAR

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

SET HEARING DATE – December 20, 2010 at 5:30 p.m. for applications for renewal of alcoholic beverage licenses for Retail On-Sale Liquor Licenses – Regency Midwest Ventures LP dba Ramkota Hotel, 1400 8th Avenue NW w/video lottery; Flame Inc dba Flame Café-Lounge, 2 South Main Street w/video lottery; Ronald Erickson dba Airport Café & Lounge, 4707 E Hwy 12 w/video lottery; Package Off-Sale Liquor License – Erickson & Meier Inc dba Airport Travel Center, 4707 E Hwy 12 ; Retail On-Off Sale Wine License – Regency Midwest Ventures LP dba Ramkota Hotel, 1400 8th Avenue NW.

SET HEARING DATE – December 27, 2010 at 5:30 p.m. for the following petitions to rezone: 1) rezone from Section 704 (R-2) and Section 704 (R-2)/Section 711 (R-4) to Section 704 (R-2)/Section 711 (R-4) property described as Lot 1, Block 2, Lakeview First Replat in the NE ¼ of Section 10, T123N, R64W of the 5th P.M., Aberdeen, Brown County, SD.

SET HEARING DATE – December 28, 2010 at 8:45 a.m. for the following petitions and amendment to rezone (three mile jurisdiction) – 1) rezone from Section 701 (A-1) to Section 710 (I-2) property described as Lot 1, Siebrecht Substation Addition in the NW ¼ of Section 36, T123N, R64W of the 5th P.M., Brown County, SD; 2) rezone from Section 701 (A-1) to Section 710 (I-2) property described as Lien Outlot C in the NW ¼ of Section 22, T123N,

R64W of the 5th P.M., Brown County, SD; 3) amendment to rezone Ordinance No. 1164 Section 708 (C-3) Central Business District, Section 708.2 (Permitted Uses) relating to outdoor displays of merchandise.

All voting aye, motion carried.

NEW BUSINESS

ORDINANCE NO. 10-12-05

Ordinance No. 10-12-05 – setting the fees and charges for certain services provided by the City of Aberdeen for 2011 was presented. Mitchell moved, Rux seconded to approve first reading of Ordinance No. 10-12-05. Upon roll call, all voting aye, motion carried.

ORDINANCE NO. 10-12-06

Ordinance No. 10-12-06 – authorizing the issuance of bonds for tax increment financing (TIF) District #10 (JN Development) was presented. Bunsness moved, Mitchell seconded to approve first reading of Ordinance No. 10-12-06. Upon roll call, all voting aye, motion carried.

HEARING – ALCOHOLIC BEVERAGE LICENSES

This being the time and place set for a hearing, no one was present to testify, recommendations for approval were received, Campbell moved, Kraft seconded to approve the following applications for renewal: Retail On-Sale Liquor Licenses – HayJon Inc dba Daddy's Bar & Grill, 719 North Main Street w/video lottery; HayJon Inc dba Rohly's Bar, 1524 6th Avenue SW w/video lottery; JT Restaurants LLC dba Max & Erma's, 715 North 10th Street; Package Off-Sale Liquor Licenses – HayJon Inc dba Rohly's Bar, 1524 6th Avenue SW; Ken's Supermarkets Inc dba Ken's Fairway Foods, 2105 6th Avenue SE; Sooper Stop Inc dba Sooper Stop, 19 North Dakota Street; West Hill Inc dba Sooper Stop West, 802 6th Avenue SW; Retail On-Off Sale Wine Licenses – HayJon Inc dba Daddy's Bar & Grill, 719 North Main Street; Karla K Stangl dba Palm Garden, 602 South 3rd Street. All voting aye, motion carried.

Mitchell moved, Swanson seconded to continue for two weeks to allow for completion of inspection by the Fire Department, the Retail On-Off Sale Wine License for Guadalajara III Inc dba Guadalajara Mexican Restaurant, 3015 6th Avenue SE #3. All voting aye, motion carried.

STATE AGREEMENT

Bunsness moved, Kraft seconded to approve and authorize the City Manager to sign the amendment to the State Financial Assistance Agreement for AIP Project #3-46-0001-27-2007 Reconstruction of Taxiway 'D'. All voting aye, motion carried.

SEDIMENT CONTROL STRUCTURES (PROJECT SS-2010-2)

Bunsness moved, Swanson seconded to approve and authorize the City Manager to sign the following documents: Change Order #1 – extra work on Kline Street Storm Sewer – B & B Contracting – an increase in the amount of \$7,690.00; and Pay Est #1 – work completed on project – B & B Contracting in the amount of \$239,765.30. Upon roll call, all voting aye, motion carried.

MAIN STREET RESTORATION

Bunsness moved, Mitchell seconded to approve and authorize the City Manager to sign the following documents: Change Order #2 – actual quantities in field – JDH Construction – increase in the amount of \$61,582.05; and Pay Application #5 – work completed – JDH Construction in the amount of \$102,310.41. Upon roll call, all voting aye, motion carried.

BILLS

Swanson moved, Kraft seconded to approve the following audited claims for services, supplies, repairs and maintenance: Sun Life 504.00; Dependable Sanitation Inc 18,097.32;

CVB 30,617.16; US Bank 18,857.89; United Parcel Service 79.01; Paul Hofmann 4.73; Charles Hermansen 40.29; Bryan Jarvis 33.20; Donald Reshetar 27.21; Centennial Homes 129.52; Evelyn Olson 12.91; First Premier Realty 25.65. Upon roll call, all voting aye, motion carried.

PAYROLL

Kraft moved, Bunsness seconded to approve payroll for the period November 21 through December 4, 2010, and city share of social security, old age & survivor's insurance, retirement and health and life insurance: Governing Body 4,698.68; City Manager 4,707.51; Attorney 3,401.60; Finance 12,751.01; HR 6,524.00; Building 209.69; Computer 3,334.40; Planning/Zoning 11,025.60; Engineer 9,569.60; Police 90,865.43; Fire 81,353.10, Ryan Webb 1,621.60/bw, Joel Weig 1,927.57/bw; Fire Prevention 2,408.00; Housing/Building 4,717.60; Street 22,976.23; Traffic 3,878.24; Solid Waste 17,494.23, Shaun Hettich 10.00/hr; Transportation 12,961.56; Library 20,430.53, Emily Sperry 8.00/hr; Parks, Recreation & Forestry 66,997.00, Shelby Braun 9.25/hr, Kate Hauck 7.50/hr, Cody Marooney 8.00/hr, Whitney Morsching 9.25/hr; Airport 9,568.81; Pipe 18,093.33; Water Treatment 16,310.06; Meter 5,043.81; Wastewater 16,633.87; Pump 4,570.24; Wells Fargo 95,777.80; SD Retirement System 57,114.05. Upon roll call, all voting aye, motion carried.

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