

## CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, December 19, 2011, 5:30 p.m., regular meeting of the Board of Council Members, Mayor Levsen presiding. Present at roll call were Council members Tom Agnitsch, David Bunsness, Jim Kraft, Jeff Mitchell, Clint Rux, and Jennifer Slight-Hansen. Council members Todd Campbell and Laure Swanson were absent. City 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, Slight-Hansen seconded to approve the minutes of December 12, 2011, as circulated. All present voting aye, motion carried.

OPEN FORUM – No one was present.

OLD BUSINESS

## ORDINANCE NO. 11-12-01

Mitchell moved, Agnitsch seconded to approve second reading and final adoption of Ordinance No. 11-12-01 setting the salaries and wages of city officials and employees for 2012. Upon roll call, all present voting aye, motion carried.

## ORDINANCE NO. 11-12-02

Rux moved, Bunsness seconded to approve second reading and final adoption of Ordinance No. 11-12-02 setting the number of full-time positions and fixing the bonds of city officials and employees for 2012. Upon roll call, all present voting aye, motion carried.

## ORDINANCE NO. 11-12-03

Bunsness moved, Rux seconded to approve second reading and final adoption of Ordinance No. 11-12-03 setting fees and charges for certain services provided by the City of Aberdeen for 2012. Upon roll call, all present voting aye, motion carried.

## ORDINANCE NO. 11-12-04

Rux moved, Agnitsch seconded to approve second reading and final adoption of Ordinance No. 11-12-04 supplementing the 2011 Budget for various unanticipated projects, activities, and expenses. Upon roll call, all present voting aye, motion carried.

## ORDINANCE NO. 11-12-05

Bunsness moved, Mitchell seconded to approve second reading and final adoption of Ordinance No. 11-12-05 amending Subdivision One of Article III of Chapter 54 of the

Aberdeen Municipal Code dealing with Industrial Waste Pretreatment Program. Upon roll call, all present voting aye, motion carried.

CONSENT CALENDAR

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

SET BID DATE – of January 10, 2012 at 2:00 p.m. for advertisement for bids on One 2012 Trailer Mounted Asphalt Hot Box for Public Works Department – Street Division.

LICENSES – Master Plumber – David L. Adkins, Randal E. Sangl, Jessi Fink; Private Security – Jesse A. Mann, Eric J. Crabb, Johnathan E. Schnaible; Taxi Cab Driver – Greg W. Scott, Gerald Angiolelli, Russell M. Carroll, Samantha Charlton.

All present voting aye, motion carried.

NEW BUSINESS

RESOLUTION NO. 11-12-02 R

Bunsness moved, Slaight-Hansen seconded to approve the following Resolution No. 11-12-02 R:

RESOLUTION DECLARING SURPLUS PROPERTY

BE IT RESOLVED by the Aberdeen City Council, that the following described property is declared surplus property and may be disposed of according to law in accordance with SDCL §23A-37-13, said property to be described as follows:

<u>Description</u>	<u>Tag #</u>	<u>Incident #</u>
Remington 12 Gauge	(47078)	05-0037
Mossberg 12 Gauge	(09-3024)	09-1591
Beretta 9mm Handgun	(10-1767)	10-784
Marlin Rifle w/scope	(08-55954)	08-1601
Breda Astrolux 12 Gauge	(08-55953)	08-1601
Unknown Make .22 Rifle	(09-3450)	09-1838
Glenwood .22 Rifle	(09-151)	09-141
Hi Point 9 mm Pistol	(09-1644)	09-942
Springfield .40 Pistol	(11-2993)	11-1719

Large amount of miscellaneous ammunition (various calibers).

BE IT FURTHER RESOLVED by the Aberdeen City Council that the Chief of Police may trade-in this surplus property to any licensed firearms dealer, as allowed by law.

All present voting aye, motion carried.

## HEARINGS – ALCOHOLIC BEVERAGE LICENSES

This being the time and place set for a hearing on an application for a transfer of Retail On-Sale Liquor License, recommendations were received, Rux moved, Mitchell seconded to approve the transfer of Retail On-Sale Liquor License from RDA LLC dba Water Hole #2, 2714 Industrial Avenue, NE (Inactive) to Aberdeen Cuisine Inc. dba Ruby Tuesday, 3125 6<sup>th</sup> Avenue, SE (Inactive) contingent upon final inspections of the business by City Departments and issuance of a final certificate of occupancy by the City. All present voting aye, motion carried.

This being the time and place set for a hearing on an application for a new Retail On-Off Sale Malt Beverage License, recommendations were received, Mitchell moved, Rux seconded to approve a new Retail On-Off Sale Malt Beverage License for Jonathon L. Hepola and A. Lamar Marshall dba Slackers, 115 ½ South Main Street. All present voting aye, motion carried.

## UNPAID AMBULANCE ACCOUNTS UNCOLLECTIBLE

Bunsness moved, Agnitsch seconded to approve to declare \$52,955.10 in unpaid ambulance accounts uncollectible and assign \$38,248.00 of these accounts to collections. All present voting aye, motion carried.

## APPOINTMENT OF REDISTRICTING COMMISSION

Agnitsch moved, Kraft seconded to approve the appointment of the follow nominees to the 2012 Redistricting Commission as included in the City Attorney's Recommendation: Gary Job – Democrat, Beth Smith – Democrat, Wayne Fischer – Republican, and Carl Perry – Republican. All present voting aye, motion carried.

## EXTENSION OF BUILDING PERMIT – NORTHERN BEEF PACKERS

Bunsness moved, Mitchell seconded to approve to extend the expiration date on the Northern Beef Packers Building Permit #35571A from 12-31-2011 to 12-31-2012. All present voting aye, motion carried.

## ABERDEEN REGIONAL AIRPORT

Bunsness moved, Slight-Hansen seconded to approve and authorize the City Manager to sign Change Order #3 decreasing the contract amount by \$31,942.91 for Upper Plains Contracting Inc. for adjustments to AIP #3-46-0001-30-2010 General Aviation Apron Expansion Project. All present voting aye, motion carried.

Rux moved, Agnitsch seconded to approve and authorize the City Manager to sign Pay Estimate #7 in the amount of \$117,308.28 to Upper Plains Contracting, Inc. for materials and work on AIP #3-46-0001-30-2010 General Aviation Apron Expansion Project. Upon roll call, all present voting aye, motion carried.

## CHANGE ORDER/PAYMENT REQUEST – CONCRETE STREET REHABILITATION

Mitchell moved, Bunsness seconded to approve and authorize the City Manager to

sign Change Order #1 and Pay Estimate #1 (Final) in the amount of \$111,402.55 to B & B Contracting for work completed on the Concrete Street Rehabilitation Project. Upon roll call, all present voting aye, motion carried.

#### BILLS

Bunsness moved, Mitchell seconded to approve the following audited bills for services, supplies, repairs and maintenance: CenturyLink 579.85; FSH Communications 60.00; Kansas State Bank 26,216.08; Aberdeen Business Improvement District 8,085.28; Jeremy Iverson 52.84; Connie Newell 59.10; Avera St. Luke's 139.62; Avera St. Luke's 66.47; Amy Frink 21.23; Bruce Daughters 26.62; GPHC 47.98; American News 1,111.68; Aberdeen Chamber of Commerce 970.44; Praxair Distribution Inc 226.44; ASPIRE Inc 1,876.60; Salvation Army 15.36; All Dakota Sporting Goods 550.00; Animal Health Clinic 150.00; KOS Concrete Inc 1,987.85; MARCO Inc 505.51; RDO Equipment Co 5,320.07; Brown County Landfill 17,471.06; Brown County Treasurer 339,321.85; Eilers 330.00; Visitor Industry Alliance 15.00; Adam Herther 90.00; Stefan Winkler 75.00; Rosenbauer Aerials LLC 12.72; Dakota Riggers & Tool Supply 909.50; NDSU Soil Testing Laboratory 32.25; R & K Computers 2,810.00; Tactical Command Industries Inc 5,641.00; Hawkins Inc 17,323.13; Dakota Electronics 5,843.10; Lang's TV & Appliance 349.99; Don's Builders Hardware 38.00; Evergreen Supply 315.36; Cole Papers Inc 1,594.14; Farm Power Mfg Inc 353.12; GCR Tire Centers 22.00; OfficeMax Inc 404.36; Carquest Auto 982.82; Graham Tire Co 104.79; HACH Co 4,495.10; Hedahls Inc 355.93; CWD-Aberdeen 510.39; House of Glass 388.30; Joel Weig 21.00; Nelson Sales & Service, LLC 38.50; Johnson Controls 479.42; Keeleys Inc 79.80; Ken's Alignment Auto Service 62.40; Kesslers Inc 147.65; CDW Government Inc 3,132.45; Aberdeen Taxi Service 334.00; Lawson Products Inc 119.34; Steven Lust Automotive 45.42; MAC's Inc 63.82; Farnums Genuine Parts 813.69; A & B Business Solutions 46.67; Pantorium 9.97; Dakota Supply Group 2,919.91; Graymont Capital Inc 11,831.15; Midstates Printing 1,297.75; Ringgenberg Electric Inc 127.55; Safety Service Inc 363.85; Avera St. Luke's Hospital 416.63; SHARE Corp 4,125.00; Sheehan Mack Sales & Equipment Inc 1,557.53; Sherwin-Williams Co 488.95; Crawford Trucks & Equipment 1,079.68; River Cities Public Transit 2,728.00; Cretex Concrete Products West Inc 820.44; SD Municipal League 20.00; SD Police Chiefs' Association 390.00; Dave Volek 90.00; Town & Country Lumber Inc 9.43; Pro-Build 16.32; Western Area Power Adm 5,077.80; Western Printing 239.10; Wright & Sudlow 43,048.15; Diesel Machinery Inc 212.72; Fastenal Company 136.30; Brentwood Industries Inc 4,286.84; Curt Hoeltzner 137.21; Mike Klipfel 7,599.00; Electric Co of SD 6,734.71; Rob Senger 112.00; North Wind Machine 30.00; Michael Bunke 54.00; Homes Are Possible Inc 500.00; Swanston Equipment Corp 288.16; Dependable Sanitation 18,448.28; Dakota Ink & Toner 429.37; Eric Doven 43.00; S&W Healthcare Corp 239.94;

Tim Murray 53.00; Western States Fire Protection Co 770.00; Taylor Laundry 46.00; Karst Car Care 20.00; Kevin Huber 135.00; Continental Carbonic Products Inc 2,369.00; True North Steel 280.65; Sleuth Software 3,700.00; Diana Daly 160.40; SD Department Health Lab 412.00; Todd Salfrank 135.00; Titan Access Account 1,578.75; Executive Management 287.80; Winter Equipment Company Inc 647.96; RSO Inc 211.57; Danko Emergency Equipment Co 4,604.91; Pierson Ford-Lincoln-Mercury 275.12; Visible-Moore Wallace 284.87; West Payment Center 556.98; North Central Farmers Elevator 13,129.96; Traffic Control Corp 940.00; Northwestern Energy 1,562.52; The Sewing Shoppe 49.00; Mariah Mougey 33.00; Robin Bobzien 218.67; Neil Bittner 97.92; Northern Valley Communications 1,840.10; Kirk's Auto 167.03; Lien Transportation Co 2,119.28; Aberdeen Police Dept 15.27; McMaster-Carr Supply Co 253.35; FAST Corp 2,000.00; Medcenter One OCC Health Clinic 270.00; Dr Steve Redmond 500.00; Brown & Saenger 409.20; Northwestern Energy 853.16; Gellhaus & Gellhaus Client Trust Acct 46,573.41; Great Western Bank 25,862.06; T & R Contracting Inc 375.36; Jay Wetenkamp 135.00; Fire Safety First 312.89; South Dakota One Call 285.60; Ruth Wegehaupt 112.50; Federal Express Corp 10.97; Travis Thom 3,500.00; Galeton Gloves 798.90; RDJ Specialties Inc 330.56; Sanford Health 365.00; Joshua Ochsner 9.00; Menards Aberdeen 2,002.86; Bound Tree Medical LLC 5,339.98; Neil & Joan Bellikka 15,853.93; Reuers Auto Service 542.43; Allegiant Emergency Services 6,199.95; Diamond Vogel 82.83; Computime 862.00; Aqua Pure Inc 4,557.00; Channing Bete Company 1,561.27; Cal-Pacific Carbon 18,810.00; Convention Visitors Bureau 35,532.84; Dakota Fluid Power Inc 139.28; Great Western Bank 127,885.66; Professional Mailing Aberdeen 3,973.33; CO2 Systems Inc 770.00; The Carpet Cleaners 2,080.25; Kyle Moser 9.00; Ferguson Waterworks 1,008.90; Adam Altman 160.70; Mike Eliason 12.00; Dr Thomas Flamboe 360.00; Aberdeen Shuttle 531.50; Pomp's Tire Service 7,429.41; Wallwork Truck Center 1,071.76; SD Department of Tourism 150.00; Stern Oil Co Inc 217.59; Spotslam 132.00; R B Upholstery 15.00; GALLS Inc 215.94; Dakota Oil 1,499.05; Pristine Water Solutions 400.00; Astra Radio Communications 270.33; DSS Image Apparel 410.55; Lance Hammrich 9.00; North Central Rental/Leasing 18,642.90; MVTL Laboratories Inc 379.00; Howes Oil Co 67,625.20; Tom Tarnowski 61.00; Wayne Krysowaty 12.00; Aberdeen Plumbing & Heating Inc 326.05; Patricia Brosz 525.00; 3D Specialties Inc 181.67; Palmer Distributing 108.10; Aberdeen Chrysler Center 2,295.13; Aberdeen Asphalt Inc 5,073.60; Newman Traffic Signs 1,256.10; Butler Machinery Co 6,612.86; GRAINGER 756.33; Sanitation Products Inc 433.36; Geffdog Designs 2,952.84; Jefferson Partners LP 5,479.30; Ameripride Services Inc 1,255.86; Crescent Electric Supply 75.86; Mario Gourde 21.00; Lois Beckner 150.00; Griese Construction 3,295.10; J Gross Equipment 223.54; Community Trans Assn America 175.00; A-1 Sanitation 156.73; G & R Controls Inc

144.75; Tri-State Water 33.50; Bonn Express LLC 100.00; James Valley Coop Tele Co 166.38; Haar Plumbing & Heating 7,545.75; Specialty Mfg Co 180.00; Runnings Supply Inc 1,975.40; Interstate Battery System SD 513.75; Gary's Engine & Repair Inc 13.75; John Blomster 16.50; David Dinger 5,457.42; Joe Bosman 142.00; Jeff May 103.40; Nicole Fischer 112.50. Upon roll call, all present voting aye, motion carried.

#### PAYROLL

Kraft moved, Bunsness seconded to approve payroll for the period from December 4, 2011 through December 17, 2011 and city share of social security, old age & survivor's insurance, retirement and health/life insurance: Wells Fargo 93,964.25; SD Retirement System 58,261.91; Governing Body 3,192.28; City Manager 6,084.24; City Attorney 3,469.60; Finance 12,948.04; HR 6,655.20; Building 326.55; Computer 3,400.80; Planning/Zoning 11,246.40; Engineering 9,760.00; Police 90,503.00; Fire 79,220.71; Fire Prevention 2,456.00; Housing/Building 4,812.00; Street 22,781.90; Traffic 3,863.66; Solid Waste 17,513.60; Transportation 12,505.89; Library 20,704.31, 572.16 for 12/9/11 Payroll Adjustment; Parks, Recreation & Forestry 72,880.17; Airport 11,552.66; Pipe 17,932.75; Water Treatment 14,839.86, Joshua Erhardt 10.00/hr; Meter 3,732.99; Wastewater 15,904.96; Pump 4,682.93. Upon roll call, all present voting aye, motion carried.

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

Prepared by Mary Campton for the Finance Office. /s/ Karl Alberts, Finance Officer.