

CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, September 2, 2008, 8:45 a.m., Joint City/County meeting, Mayor Mike Levsen presiding. Present at roll call were Council Members Tom Agnitsch, Nancy Aman, David Bunsness, Todd Campbell, Lloyd Hodgins and Jeff Mitchell. Jim Kraft and Clint Rux were absent.

County Commissioners present were Feickert, Fischbach, Hansen, Knecht and Wiese.

ORDINANCE NO. 08-08-01-368

Mitchell moved, Aman seconded to approve second reading and final adoption of Ordinance No. 08-08-01. Upon roll call, all present voting aye, motion carried.

Commissioner Knecht moved, Commissioner Feickert seconded to approve second reading and final adoption of Ordinance No. 08-08-01-368. All present voting aye, motion carried.

ORDINANCE NO. 08-08-03-370

Bunsness moved, Hodgins seconded to approve second reading and final adoption of Ordinance No. 08-08-03. Upon roll call, all present voting aye, motion carried.

Commissioner Fischbach moved, Commissioner Feickert seconded to approve second reading and final adoption of Ordinance No. 08-08-03-370. All voting aye, motion carried.

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

Prepared by Cathy Feickert
For the Finance Office

Finance Officer

CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street,

Aberdeen, South Dakota, September 2, 2008, 9:00 a.m., regular meeting of the Board of Council Members, Mayor Levsen presiding. Present at roll call were Council Members Tom Agnitsch, Nancy Aman, David Bunsness, Todd Campbell, Lloyd Hodgins, Jim Kraft, Jeff Mitchell and Clint Rux.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Rux moved, Agnitsch seconded to approve the minutes of August 25 and 26, 2008 as circulated. All voting aye, motion carried.

OLD BUSINESS

ORDINANCE NO. 08-08-04

Mitchell moved, Campbell seconded to approve second reading and final adoption of Ordinance No. 08-08-04. Upon roll call, all voting aye, motion carried.

CONSENT CALENDAR

Aman moved, Campbell seconded to approve the following items on the consent calendar:

SET HEARING DATE – September 15, 2008 at 5:30 p.m. for the following applications for alcoholic beverage licenses – TRANSFERS OF RETAIL ON-OFF SALE MALT BEVERAGE LICENSES W/VIDEO LOTTERY from TOM Inc dba Dakota Prairie Casino, 524 S. 1st Street to Double-Up, Inc. dba Dakota Prairie Casino, 524 S. 1st Street; from TOM Inc dba Wild Card Casino, 416 S. Dakota Street to Double-Up, Inc dba Wild Card Casino, 416 S. Dakota Street.

PETITION TO REZONE – from Section 710 (I-2) and Section 705 (R-3) to Section 705 (R-3) Lot 3, K.O.Lee Plant First Addition to Aberdeen in the SW ¼ of Section 18, T123N, R63W – set hearing date of September 22, 2008 at 5:30 p.m.

ADVERTISEMENT FOR BIDS – North Jackson Street Watermain Improvements (Project W-2008-1) – set bid date of September 17, 2008 at 2:00 p.m.

LICENSES – Private Security – Jonathan David Hennings, Joann Clara Bockoven; Journeyman Plumber – Gary Stokes; Master Plumber – Rick Berno; Taxi Cab Driver – Greg Ackerman.

REQUEST FOR WEB WATER – Beef Tech, LLC.

DECLARE SURPLUS PROPERTY – Law enforcement items for donation to “Brotherhood of the Badge Program”.

All voting aye, motion carried.

NEW BUSINESS**EASEMENT – ELIZABETH DRIVE**

A request from Aaron Johnson for an easement to allow use of 129 feet of Elizabeth Drive was presented. After discussion, Bunsness moved, Rux seconded to continue easement request for one week. All voting aye, motion carried.

REQUEST TO SERVE AND PERMIT

A request for permission to serve and permit consumption of alcoholic beverages at the Civic Arena on September 13, 2008 for Roncalli's Denim & Dancin Event was presented. Mitchell moved, Kraft seconded to approve the request. All voting aye, motion carried.

SDDOT AGREEMENT

A SDDOT Federal Road Funding Agreements for Fairgrounds Road and Brown County #19 Projects was presented. Aman moved, Bunsness seconded to approve and authorize the Mayor to sign. All voting aye, motion carried.

PAY REQUEST

Mitchell moved, Campbell seconded to approve payment of pay request for Road Development Costs – H & M Development in the amount of \$22,252.58. Upon roll call, all voting aye, motion carried.

WASTEWATER TREATMENT PLANT FACILITY IMPROVEMENTS**PAY ESTIMATE**

Bunsness moved, Aman seconded to approve and authorize the Mayor to sign and approve payment for Pay Est #6 – work completed WWTPF Improvements, Phase 2A – Gridor Construction in the amount of \$19,274.24. Upon roll call, all voting aye, motion carried.

CHANGE ORDERS

Rux moved, Hodgin seconded to approve and authorize the Mayor to sign the following change orders: #11 – additional sidewalk and parking area at Blower Building; delete one air pipe support and add granular material to access road – PKG Contracting, Inc – an increase in the amount of \$14,175.18; and #12 (Final) time extension of final completion from October 1, 2007 to May 1, 2008 – PKG Contracting Inc. All voting aye, motion carried.

CERTIFICATE OF ACCEPTANCE

Mitchell moved, Kraft seconded to approve and authorize the Mayor to sign

Certificate of Acceptance for WWTPF Improvements, Phase 1. All voting aye, motion carried.

PAY ESTIMATE

Rux moved, Agnitsch seconded to approve and authorize the Mayor to sign and approve payment for Pay Est. #25 (Final) WWTPF Improv., Phase 1 – PKG Contracting Inc. in the amount of \$59,175.18. Upon roll call, all voting aye, motion carried.

CHANGE ORDER

Campbell moved, Aman seconded to approve and authorize the Mayor to sign Change Order #1 – digester cleaning, sludge hauling, and land application of sludge for WWTPF Improv., Phase 2B – PKG Contracting Inc – an increase in the amount of \$92,960.00. All voting aye, motion carried.

PAY ESTIMATES

Mitchell moved, Rux seconded to approve payment for the following pay estimates: #4 – Public Safety Bldg Project – Kyburz Carlson Construction - \$529,760.00 and #8 – Fire & Rescue Facility #2 – Kyburz Carlson Construction - \$195,590.00. Upon roll call, all voting aye, motion carried.

BILLS

Bunsness moved, Agnitsch seconded to approve the following audited claims for services, supplies, repairs and maintenance: United Parcel Service 95.64; US Bank 11,474.60; Sun Life Assurance Company 504.00; Wright & Sudlow 2,943.51; Wright & Sudlow 142,004.79; Wright & Sudlow 6,656.60; Mike Klipfel 3,644.68; Dakota Transit Association 400.00. Upon roll call, all voting aye except Mitchell abstaining, motion carried.

PAYROLL

Campbell moved, Mitchell seconded to approve payroll for the period August 17 through 30, 2008 and city share of social security, old age and survivor's insurance, retirement and health/life insurance: Governing Body 6,143.54; Attorney 3,190.40; Finance 12,173.60; HR 6,516.80; Building 189.48; Computer 3,238.40; Planning/Zoning 10,444.00; Engineer 9,437.12; Police 81,866.77; Fire 74,876.20; Fire Prevention 2,257.60; Housing/Building 4,704.16; Street 22,723.20; Traffic 4,417.58; Solid Waste 16,582.19; Transportation 10,458.86; Library 23,825.63, Elizabeth Gors 8.00/hr, Naomi Seaton 8.00/hr; Parks, Recreation & Forestry

96,807.98, Paula Beckler 9.00/hr, Charles G Forrest 14.49/hr, Nikki Kannas 8.25/hr, Andrea Sgarlatti 7.00/hr, Brandon Smith 14.49/hr, McKenzie Vandelanotte 8.25/hr; Airport 10,505.20; Pipe 20,634.81; Water Treatment 15,647.18; Meter 5,820.64; Wastewater 16,641.91; Pump 4,778.41; Wells Fargo 106,050.73; SD Retirement 52,867.09; City Finance Office 56,212.50. All voting aye, motion carried.

PART OF OLD BUSINESS

ORDINANCE NO. 08-08-05 – 2009 ANNUAL APPROPRIATION ORDINANCE

Campbell moved, Aman seconded to approve second reading and final adoption of Ordinance No. 08-08-05. Campbell moved, Hodgkin seconded to amend motion to provide for \$1,000.00 of budget to Volunteers of America and reduce CVB budget by \$1,000.00 in Promotion Fund. Upon roll call, 7 ayes, 1 nay (Mitchell), motion carried.

Bunsness moved, Kraft seconded to amend motion to provide for 3% salary increase rather than 2%. All voting aye, motion carried.

Hodgin moved, Rux seconded to continue for one week, the original motion of second reading and final adoption. All voting aye, motion carried.

EXECUTIVE SESSION

Mitchell moved, Kraft seconded to move into executive session to discuss litigation. All voting aye, motion carried.

Mitchell moved, Hodgkin seconded to move out of executive session. All voting aye, motion carried.

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

Prepared by Cathy Feickert
For the Finance Office

Finance Officer