

CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, December 8, 2008, 5:30 p.m., regular meeting, Mayor Mike 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

Mitchell moved, Aman seconded to approve the minutes of December 1, 2008 as circulated. All voting aye, motion carried.

OLD BUSINESS

CONTINUED – ALCOHOLIC BEVERAGE HEARING

This being the time and place set for a continued hearing on applications for Alcoholic Beverage Licenses, no one was present to testify, recommendations for approval were received, Rux moved, Kraft seconded to approve all applications and authorize the Mayor to sign: RENEWAL OF RETAIL ON-SALE LIQUOR, PACKAGE OFF-SALE LIQUOR, AND RETAIL ON-OFF SALE WINE LICENSE – Dakota Lodging Ltd dba Ramada Inn, 2727 6th Avenue SE (w/Sunday sales & video lottery); RENEWAL OF RETAIL ON-SALE LIQUOR LICENSE – HayJon Inc dba Rohly's Bar, 1524 6th Avenue SW (w/Sunday sales & video lottery); Lamont Companies Inc dba Lamont Companies, 3310 7th Avenue SE (w/video lottery); Veterans of Foreign Wars dba VFW Club, 821 Circle Drive (w/Sunday sales & video lottery); Elf Inc dba Circus Sports Bar & Grill, 14 3rd Avenue SE (w/Sunday sales & video lottery); BPO Elks Lodge 1046 Inc dba Elks Lodge, 705 Circle Drive; Matheus JCM Zomers dba The Drink, 420 South Main Street (w/video lottery); RENEWAL OF PACKAGE OFF-SALE LIQUOR LICENSE – HayJon Inc dba Rohly's Bar, 1524 6th Avenue SW; Sooper Stop Inc dba Sooper Stop, 19 North Dakota Street; West Hill Inc dba Sooper Stop West, 802 6th Avenue SW; RENEWAL OF RETAIL ON-OFF SALE WINE LICENSE – HayJon Inc dba Scotty's Drive-In & Pub, 719 North Main Street. All voting aye, motion carried.

CONSENT CALENDAR

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

SET HEARING DATE – December 22, 2008 at 5:30 p.m. for the following applications for Alcoholic Beverage Licenses – NEW RETAIL ON-OFF SALE WINE LICENSE – Karla Stangl dba Palm Garden, 602 South 3rd Street; RENEWAL OF RETAIL ON-SALE LIQUOR LICENSE – Silver Dollar Bar Inc dba Silver Dollar Bar, 119 South Main Street (w/video lottery); Aberdeen Ventures LLC dba AmericInn, 301 Centennial (w/Sunday sales & video lottery); Ronald Erickson dba Airport Café & Lounge, 4707 East Hwy 12 (w/Sunday sales & video lottery); RENEWAL OF PACKAGE OFF-SALE LIQUOR LICENSE – Silver Dollar Bar Inc dba Silver Dollar Bar, 119 South Main Street; Ronald Erickson dba Airport Café & Lounge, 4707 East Hwy 12; RENEWAL OF RETAIL ON-OFF SALE WINE LICENSE – Guadalajara III Inc dba Guadalajara Mexican Restaurant, 3015 6th Avenue SE #3.

PETITION TO VACATE – Public Right-of-Way – That portion of 16' alley right-of-way directly adjacent to Lots 1, 2, and 3, Block 55, Bennett & Thomas Addition to North Aberdeen and the East 150' of Lot 5 A, Block 55, Bennett and Thomas Addition and the South 8' of alley right-of-way adjacent to the West 72.97' of Lot 5A, Block 55, Bennett and Thomas Addition; the North 8' of public right-of-way directly South of Lot 4, Block 55, Bennett and Thomas Addition to North Aberdeen – refer to City Attorney, City Engineer and Planning/Zoning Director for recommendations.

LICENSES – Residential Building Contractors – Robert K McCormack; Prairie Builders; Woehl Construction; US DRAINTILE; Thiery Construction; Glenn Imberi; Jack Riley; JP Construction; Midwest Builders; Didreckson Construction; Ralph Pietz; Steve Stillman; Doug Grote; Burgard Construction; Travis Knettel; Joe VanDeRostyne; Malsom Construction; B & M Construction; NESDCAP; Todd Eilers; Ronald L Lyren.

LOTTERY NOTICES – Aberdeen Catholic School System; Yelduz Shrine Wrecking Crew – receive and place on file.

RENEWAL OF AIRPORT HANGAR LEASE - #3 with William Berg and #34 with Lynn Arment and Larry Wirebaugh.

All voting aye, motion carried.

NEW BUSINESS

ORDINANCE NO. 08-12-03

Ordinance amending Section 25 of the Revised Ordinances, City of Aberdeen, South Dakota as amended; setting forth manner of utility bill payments was presented. Bunsness moved, Hodgkin seconded to approve first reading of Ordinance No. 08-12-03. Upon roll call, all voting aye, motion carried.

ORDINANCE NO. 08-12-04

Ordinance supplementing the Annual Appropriations as made for the year 2008 by Ordinance No. 07-08-04 to appropriate funds for various unanticipated projects and activities was presented. Rux moved, Aman seconded to approve first reading of Ordinance No. 08-12-04. Upon roll call, all voting aye, motion carried.

RESOLUTION NO. 08-12-02 R

Hodgin moved, Mitchell seconded to approve Resolution No. 08-12-02 R – Resolution setting certain fees and charges for services provided by the City of Aberdeen. 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, Mitchell moved, Campbell seconded to approve all applications and authorize the Mayor to sign – TRANSFER OF RETAIL ON-SALE LIQUOR AND PACKAGE OFF-SALE LIQUOR LICENSES (W/SUNDAY SALES AND VIDEO LOTTERY) – from Mike Walsh and Lowell Punt dba Lager's Inn & Jug Shop, 20 3rd Avenue SW to WMMW Inc dba Lager's Inn, 20 3rd Avenue SW; TRANSFER OF RETAIL ON-SALE LIQUOR LICENSE (W/SUNDAY SALES AND VIDEO LOTTERY) – from Mike Walsh dba The Zoo, 1017 South Main Street to Aberdeen Zoo Inc dba The Zoo, 1017 South Main Street; RENEWAL OF RETAIL ON-SALE LIQUOR LICENSE – Nelson Auto Electric Inc dba New York New York Bar, 208 South Main Street (w/video lottery); RENEWAL OF PACKAGE OFF-SALE LIQUOR LICENSE – Ken's Supermarkets Inc dba Ken's Fairway Foods, 2105 6th

Avenue SE; Nash Finch Company dba Econofoods #487, 2424 6th Avenue SE. All voting aye, motion carried.

RENEWAL RETAIL ON-SALE LIQUOR/PACKAGE OFF SALE – PIRATES COVE

Mitchell moved, Hodgins seconded to continue hearing on Renewal of Retail On-Sale Liquor and Package Off-Sale Liquor Licenses for Jamie Naasz dba Pirates Cove & Body Shop, 337 North Roosevelt Street (w/video lottery) until December 15, 2008. All voting aye, motion carried.

JOINT AGREEMENT

Rux moved, Kraft seconded to approve and authorize the Mayor to sign Joint Cooperative Agreement for 2009 with Northeast Council of Governments (NECOG). All voting aye, motion carried.

FUNDING AGREEMENT

Bunsness moved, Agnitsch seconded to approve and authorize the Mayor to sign Funding Agreement with US Geological Survey. All voting aye, motion carried.

REQUEST FOR SUPPLEMENT

Jodi Zueger, Executive Director, Aberdeen Housing Authority, was present to discuss a request for supplement to the 2009 General Fund Budget for allocation to the Aberdeen Housing Authority. After considerable discussion, Mitchell moved, Rux seconded to continue this item until December 22, 2008 when Jodi would present a business plan to the Council. All voting aye, motion carried.

ABERDEEN REGIONAL AIRPORT – PAY ESTIMATES

Mitchell moved, Rux seconded to approve payment and authorize the Mayor to sign Pay Est #1 – Environmental Assessment – Helms and Associates - \$1,857.32. Upon roll call, all voting aye, motion carried.

Mitchell moved, Bunsness seconded to approve payment and authorize the Mayor to sign Pay Est #5 – AIP #3-46-0001-28-2008 ARFF Bldg – HKG Architects - \$1,303.16. Upon roll call, all voting aye, motion carried.

Rux moved, Aman seconded to approve payment and authorize the Mayor to sign Pay Est #6 – AIP #3-46-0001-28-2008 ARFF Bldg – Zeller Brothers - \$89,588.00. Upon roll call, all voting aye, motion carried.

Campbell moved, Aman seconded to approve payment and authorize the Mayor to sign Pay Est #9 – AIP #3-46-0001-27-2007 Taxiway 'D' – Jacobson Electric - \$34,419.93. Upon roll call, all voting aye, motion carried.

Mitchell moved, Agnitsch seconded to approve payment and authorize the Mayor to sign Pay Est # 10 – AIP #3-46-0001-27-2007 Taxiway 'D' – Upper Plains Contracting - \$231,442.83. Upon roll call, all voting aye, motion carried.

FIRE STATION #2 SITE WORK

Bunsness moved, Aman seconded to approve and authorize the Mayor to sign the following for Fire Station #2 Site Work – Change Order #2 – changing pipe materials/add dirt – Dahme Construction – increase in the amount of \$22,135.60; and Pay Est #5 – work completed – Dahme Construction in the amount of \$30,162.24. Upon roll call, all voting aye, motion carried.

BILLS

Bunsness moved, Kraft seconded to approve the following audited claims for services, supplies, repairs and maintenance: Dakotacare Administrative 43,755.08; US Bank 16,895.55; United Parcel Service 23.67; Brown County Treasurer 5,151.19; Aberdeen School District 17,549.15; James River Water Development 117.07; RDO Equipment 19,300.00; Northern Valley Communications 233.75; Titan Access Account 349.01; CVB 34,117.72; Betty Williams 27.37; Malsom Family Trust 33.16; Rose Jung 6.88; Vested Properties 61.99; Dave Manning 38.89; Adolph Forkel 13.07; Nathan Locken 114.41; Bruce T Boschee 65.24; Joe Lacher 45.49; American News 650.66; Aberdeen Chamber of Commerce 235.00; Aberdeen Development Corp 13,333.33; Aberdeen School Dist 15,000.00; Praxair Distribution 153.49; Best Business Products 66.84; Bonnie Bitz 2,200.00; RDO Equipment 340.76; Brown County Landfill 434.88; Dahme Construction 2,965.00; Dakota Pump & Control 2,781.26; the Penworthy Company 313.11; Vosika Fencing 2,408.00; Don's Builders Hardware 124.70; Engel Music Store 400.60; Evergreen Supply 32.75; Cole Papers 447.28; Farm Power Mfg 153.99; Jensen Rock & Sand 174.98; Carquest Auto Parts 395.33; Graham Tire 431.83; Hedahls Inc 362.04; Herges, Kirchgasser, Geisler & Assoc 4,410.27; SD Wheat Growers Feed Store 1,520.00; Inman & McDowell Inc 19.05; Nelson Sales & Service 50.07; HF Jacobs

& Son 1,166.53; Janitor Supply 117.65; Keeleys Inc 40.25; Kesslers Inc 156.90; Kleins Dollar Store 11.82; K-Mart Shopping Center 189.16; CDW Government Inc 315.04; New Dimensions 187.88; Mac's Inc 36.07; E-One Inc 549.13; Sewer Duck 133.50; Office Equipment 519.87; OK Tire Stores 36.00; Susan Ewinger 120.00; South Dakota Magazine 19.00; Dakota Supply Store 932.13; Midstates Printing 60.90; Sheehan Mack Sales 477.55; Crawford Truck Sales 33.70; UBC Aberdeen 145.16; Weismantel Rent All 440.00; Dept of Energy 4,329.39; Woodman Refrigeration Co 145.92; Hannah Lagerquist 31.45; Diesel Machinery 395.10; Gayle Neuhardt 600.00; Aberdeen Area Arts Council 270.00; Mac's Electric 38.78; Baker & Taylor Inc 2,569.03; Bernan Associates 35.00; Gale 1,645.12; Illinois Theatrical 435.25; Fastenal Company 424.51; Mitch Johnson 458.00; Mattern Electric 94.90; Digital Ally 330.00; Scott Kusler 60.00; Ramada Inn Aberdeen 186.00; Ladner Electric 135.45; Daren Lorenz 300.00; Dave Reder 75.00; Northern Truck Equipment 924.00; Kermith Mullner 217.00; Dependable Sanitation 730.00; Dakota Ink & Toner 137.98; DOK'B 1,195.60; New Trends 236.00; Spieth-Anderson Intl Inc 560.00; Taylor Laundry 77.00; Time Books 45.90; Cortney Kleinsasser 330.00; John Krogstrand 440.00; Pauer Sound & Music 784.50; Titan Access 305.77; Hub City Radio 125.00; Executive Management 15.34; Ebsco Subscription Service 10,383.80; Service Signs 52.00; Eric Vetter 537.50; MV Deisz Consulting 428.40; West Payment Center 309.89; David Eckert 43.00; B & H Photo Video 823.75; FEH Associates Inc 3,000.00; SD Dept of Revenue 7,215.66; Active Data Systems 69.73; AT&T 2.41; Dakota Broadcasting LLC 174.00; Energy Alliance LLC 5,156.53; Northwestern Energy 64,922.47; Neil Bittner 76.84; Katie Green 80.00; Angela Stroschein 60.00; Lisa Roach 100.00; G's Convenience 1,857.70; Wildlife Control Supplies 220.00; Kelly Inn Bismarck 276.00; WW Goetsch Associates 481.04; Nathan Schaunaman 137.40; Angerhofer Slabjacking 204.05; Brown Co Bar Association 20.00; Derek Campbell 120.00; Ross Travanti 157.50; Garth Wessel 84.00; JDH Construction 27,181.00; Patricia Brown 375.18; Michele Bacon 150.00; Fire Safety First 63.95; Ken's Superfair Foods 49.80; Claims Associates 250.00; Zenith Cutter 199.53; Michael J Burns Architect 2,460.48; Menards Aberdeen 1,321.82; Taste of Home Books 10.00; Reuers Auto

Service 165.24; SD State Historical Society 35.00; Ray Studnicka 100.00; Convention Visitors Bureau 18,371.53; Dakota Fluid Power 58.81; Renaissance Artist 683.65; Professional Mailing Aberdeen 750.00; Rod Kurtz 572.00; SD Arborists Assn 366.00; Northern Water Works Supply 428.81; Forensic & Educational Consulting 1,391.25; Pomp's Tire Service 340.50; Wallwork Truck Center 70.39; Express Police Supply 250.89; Camby's Pass Inc 1,164.72; Lori Wild 54.00; Business Vehicle Finance 2,826.65; Carlson & Stewart Refrigeration 216.10; Dakota Oil 894.27; Aberdeen Pro Clean 620.00; TNT Construction 15,671.98; Vickie Dewalt 187.59; DSS Image Apparel 160.50; Genesis Lamp Corp 664.18; Pro Cellular 39.98; Learning Opportunities 61.40; Steve Markley 260.00; Terry Steinwandt 340.00; Kerry Wenbourne 366.00; Plunkett's Pest Control 234.00; Aberdeen Plumbing & Heating 4,732.07; Patricia Brosz 330.00; Carmike Cinemas Inc 3,010.00; John Kersten 1,226.25; Palmer Distributing 1,380.48; Randy Murphy 192.00; Tom Suedmeier 384.00; Rose Mullner 128.00; Brittany Bauer 332.26; Tractor Supply Company 13.16; Meierhenry Sargent LLP 3,600.00; Kyle Stoddard 15.49; Butler Machinery 5.06; Grainger 8.40; Jefferson Partners LP 2,380.81; Ameripride Services Inc 282.78; Crescent Electric Supply 506.42; Weissmans Designs for Dance 115.00; G & R Controls 1,881.59; Swanson Electric 1,589.56; Insurance Plus 1,410.40; Hillyard Sioux Falls 61.00; Aberdeen Senior Center 1,162.62; Runnings Supply Inc 702.61; Interstate Battery System 161.90; Verizon Wireless 47.13; Shelley Hansen 21.20; Theresa Cox 15.90; Susan Snaza 19.38; Dennis Sula-Starters 25.00; Chad Vetter 15.90; Thomas Atkinson 94.50. Upon roll call, all voting aye, motion carried.

PAYROLL

Rux moved, Agnitsch seconded to approve payroll for the period from November 23 through December 6, 2008 and city share of social security, old age and survivor's insurance, retirement: Governing Body 6,143.54; Attorney 3,190.40; Finance 12,173.60; HR 6,516.80; Building 175.18; Computer 3,162.40; Planning/Zoning 10,444.00; Engineer 8,975.20; Police 81,003.57; Fire 74,257.48; Fire Prevention 2,257.60; Housing/Building 4,622.24; Street 21,156.18; Traffic 3,987.83; Solid Waste 16,091.68; Transportation 11,045.74; Library 18,521.72;

Parks, Recreation & Forestry 63,182.73, Anthony Arampatzis 11.00/hr, Whitney Morsching 8.25/hr, Caitlin Oelke 7.00/hr; Airport 10,727.79; Pipe 17,669.47; Water Treatment 15,349.34; Meter 5,579.20; Wastewater 16,257.33; Pump 4,290.70; Wells Fargo 94,236.30; SD Retirement System 52,640.77. Upon roll call, all voting aye, motion carried.

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

Prepared by Cathy Feickert
For the Finance Office

Deputy Finance Officer