

CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln, Aberdeen, South Dakota, May 8, 2006, 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 Hodgin, Bill McQuillen, Jeff Mitchell and Clint Rux.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

McQuillen moved, Mitchell seconded to approve the minutes of May 1, 2006, as circulated. All voting aye, motion carried.

PROCLAMATION

Mayor Levsen read and proclaimed May 13, 2006 as NALC National Food Drive Day.

OLD BUSINESS

ORDINANCE NO. 06-05-05

McQuillen moved, Campbell seconded to approve second reading and final adoption of Ordinance No. 06-05-05. Upon roll call, all voting aye, motion carried.

CONSENT CALENDAR

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

APPLICATIONS – Renewal of Alcoholic Beverage Licenses – set hearing date of May 22, 2006 at 5:30 p.m. for the following businesses: RENEWAL OF RETAIL ON-OFF SALE MALT BEVERAGE LICENSES – Melvin E. Kopecky dba Dutch's Place, 823 6th Avenue SW; Matheus JCM Zomers dba The Drink, 420 S. Main St.; R & F Enterprises LLC dba White House Inn, 500 6th Avenue SW; Ramkota Companies Inc. dba Ramkota Inn, 1400 8th Avenue NW; Veterans of Foreign Wars dba VFW Club, 821 Circle Drive; Len Scherr dba Sammy's Restaurant & Omelette Shop, 212 S. Main St.; Fraternal Order of Eagles Aerie #632 dba Eagles, 316 S. 2nd St.; RENEWAL OF PACKAGE OFF-SALE MALT BEVERAGE LICENSES – Miller & Holmes Inc. dba M & H Gas Food Store, 202 6th Avenue SW; Ron Guthmiller dba

Louie's Service, 2323 8th Avenue NE; Casey's Retail Company dba Casey's General Store, 224 S. Dakota St.

SUNDAY LIQUOR SALES LICENSE – Loyal Order of Moose Lodge, 410 9th Avenue SW.

LOTTERY NOTICES – Aberdeen Area Mens Chorus and Daughters of the Nile – receive and place on file.

LICENSES – Taxi Cab Driver – Jim Wm. Liedtke; Sidewalk Contractor – Mark Schuett dba Schuett Remodel.

All voting aye, motion carried.

NEW BUSINESS

RESOLUTION NO. 06-05-05 R

McQuillen moved, Campbell seconded to approve the following resolution:

**A RESOLUTION SETTING A WATER USAGE CHARGE FOR
BULK USERS OF MUNICIPAL WATER**

WHEREAS the City of Aberdeen operates a municipal waterworks and provides safe, clean, and potable water to the community; and

WHEREAS the City of Aberdeen annually sets fees and charges associated with the usage of the municipal waterworks; and

WHEREAS the City of Aberdeen passed Resolution No. 05-12-03R on December 12, 2005, setting certain fees and charges, including fees and charges associated with the use of the municipal waterworks; and

WHEREAS Resolution No. 05-12-03R did not set a fee or charge for bulk users of the municipal waterworks.

NOW, THEREFORE, BE IT HEREBY RESOLVED that users of the municipal waterworks who consume more than ten (10) million gallons per month of treated water from the City's municipal waterworks shall be considered "bulk users."

BE IT FURTHER RESOLVED that the following fees and charges shall be assessed to all bulk users:

Monthly Fee	\$15,000
Usage Charge	1.1628 times the usage charge set by the City Council for non-bulk users.

BE IT FURTHER RESOLVED that, as the non-bulk user rate is currently \$2.15 per 1,000 gallons, the initial bulk user rate shall be \$2.50 per 1,000 gallons.

All voting aye, motion carried.

BUDGET SUPPLEMENT

Aman moved, McQuillen seconded to approve a budget supplement for Mosquito Control Program in the amount of \$103,605.00. All voting aye, motion carried.

RESOLUTION NO. 06-05-04 R

Rux moved, Aman seconded to approve the following resolution:

RESOLUTION DECLARING REAL ESTATE SURPLUS PROPERTY

BE IT RESOLVED by the Aberdeen City Council, that the following described real property is declared surplus property and may be disposed of according to law, said property to be described as follows:

All of the City of Aberdeen's right, title, and interest in:

That portion of the SW ¼ of Section 24 and the SE ¼ of Section 23, T124N, R65W lying north of the south shore of Richmond Lake and west of the east shore of Richmond Lake.

The property being declared surplus is shown on the map attached hereto.

BE IT FURTHER, by the Aberdeen City Council, Brown County, Aberdeen, South Dakota that the City Finance Officer is directed to have said property appraised by a certified appraiser for the State of South Dakota.

All voting aye, motion carried.

HEARING ALCOHOLIC BEVERAGE LICENSES

This being the time and place set for a hearing on applications for renewal of alcoholic beverage licenses, no one was present to testify, recommendations for approval were received, Hodgkin moved, Rux seconded to approve and authorize the Mayor to sign the following: RENEWAL OF RETAIL ON-OFF SALE MALT BEVERAGE LICENSES: E-Z Stop Food Marts, Inc. dba E-Z Stop Food Mart, 421 S. Roosevelt Street; HayJon Inc. dba Rohly's Bar, 1524 SW 6th Ave.; D & G Investments Inc. dba Royale Casino, 202 SE 6th Ave.; GPM Enterprises Inc. dba Deuces Wild Casino, 915 SE 6th Ave.; D & G Investments, Inc. dba Grande Casino,

913 SE 6th Ave.; Munchies Inc. dba Munchies, 2301 SE 6th Ave.; Treinta Inc. dba C-Express, 2303 SE 6th Ave.; Ronco Foods Inc. dba Shenanigans, 3315 SE 6th Ave. #68. All voting aye, motion carried.

Rux moved, McQuillen seconded to continue for one week to allow for final inspections by Fire Department the RENEWAL OF RETAIL ON-OFF SALE MALT BEVERAGE LICENSES: Kusler's Standard Service Inc. dba Kusler's, 602 S. Main Street and Gary L. Nelson dba Lee Park Pro Shop, 1300 N. Hwy #281. All voting aye, motion carried.

RIGHT-OF-WAY EASEMENT

Hodgin moved, McQuillen seconded to grant easement of two (2) feet for the existing structure into the right-of-way at 1124 South Washington Street for Jim Sandvig. All voting aye, motion carried.

ABERDEEN REGIONAL AIRPORT

Bunsness moved, Mitchell seconded to approve and set bid date of May 24, 2006 at 2:00 p.m. for advertisement for bids for Geothermal Well Field for Airport SRE Building. All voting aye, motion carried.

Bunsness moved, Mitchell seconded to approve and authorize the Mayor to sign Airport Lease #42 to Verizon Airfone Inc. All voting aye, motion carried.

Campbell moved, Hodgin seconded to approve and authorize the Mayor to sign and approve payment for Pay Est. #1 work on SRE Building – Steel Structures in the amount of \$106,583.07. Upon roll call, all voting aye, motion carried.

WASTEWATER TREATMENT PLANT

Aman moved, Rux seconded to approve and authorize the Mayor to sign Engineering Service Agreement with Banner Associates, Inc. for an amendment to the Wastewater Facility Plan – Phase 2 Improvements. All voting aye, motion carried.

Mitchell moved, Aman seconded to approve and authorize the Mayor to sign and approve payment for Pay Est. #9 – work on WWT Improvements – PKG Contracting Inc. in the amount of \$564,569.76. Upon roll call, all voting aye, motion carried.

WATER TREATMENT PLANT

Bunsness moved, Hodgkin seconded to approve request for permission to purchase an Autoclave from North Central Laboratories at a cost of \$3,969.00 for lab. All voting aye, motion carried.

Bunsness moved, Agnitsch seconded to approve pay request for panels and miscellaneous furniture from Brown and Saenger in the amount of \$45,781.56. Upon roll call, all voting aye, motion carried.

PAY REQUEST

Hodgkin moved, McQuillen seconded to approve payment of pay request for balance due on New Rubber Tire Wheel Roller – JD Evans in the amount of \$42,391.00. Upon roll call, all voting aye, motion carried.

PAY ESTIMATE

Bunsness moved, Aman seconded to approve and authorize the Mayor to sign and approve payment of Pay Estimate #2 – work on North Lincoln Street Drainage (SS-2005-1) Dahme Construction in the amount of \$70,300.86. Upon roll call, all voting aye, motion carried.

BILLS

McQuillen moved, Mitchell seconded to approve and authorize payment of audited claims for services, supplies, repairs and maintenance: American News 1,003.92; Mettler Sichmeller Engineering 4,741.56; Aberdeen Development Corp 12,500.00; Praxair Distribution 76.57; Beadle Floral & Nursery 2,361.06; Helms & Associates 5,115.50; Best Business Products 129.82; Bonnie Bitz 2,050.00; Brick Propane 9.35; RDO Financial Services 535.65; Brown County Landfill 859.50; Fabric Warehouse 55.40; Kone Inc 184.37; Interior Design Concepts 1,326.66; Dahme Construction 365,150.50; Hawkins Inc 4,090.07; Dakota Electronics 3,230.94; The Penworthy Company 147.56; Don's Builders Hardware 536.45; Thrivent 500.00; Great Plains Ag 166.08; Evergreen Supply 13.95; Exhaust Pros 70.00; Cole Papers Inc 4,813.61; Farm Power Mfg 1,148.01; Angela Senger 45.92; Jensen Rock & Sand 45.30; Carquest Auto Parts 915.92; Grote Body Shop 243.73; Grote Roofing Co 67,748.00; Hedahls Inc 427.71; Herges, Kirchgassler, Geisler & Assoc 6,198.90; HRS Foodservice 48.85; House of Glass 6,426.28; SD Wheat Growers Feed Store 71.05; Nelson Sales & Service 850.70; HF Jacobs & Son

240.00; Keeleys Inc 36.45; Kesslers Inc 154.29; Kleins Dollar Store 30.99; K-mart Shopping Center 10.04; Beck Motors Inc 57,462.00; Lust Chevrolet Buick 351.75; Macs Inc 745.19; Malchow's 500.00; Cara Romeo 9.00; Robin O'Neill 256.20; McFarland Supply Co 290.16; Sewer Duck 235.00; Municipal Code Corp 1,358.84; Farnams Genuine Parts 203.39; Northern Electric 110.93; NSU Workstudy 273.00; Qwest 63.42; Office Equipment 45.28; OK Tire Stores 48.00; Pantorium 5.25; Dakota Supply Group 4,328.34; Lorie Johnson 240.00; Quality Quick Print 11,326.14; Vantek Communications Inc 71.50; Safety Service Inc 2,225.60; Sanders Sew-N-Vac Inc 14.89; Safelite Auto Glass 192.78; Larry's Tool Sales 14.19; Fay's Refrigeration Service 287.97; Mobridge Tribune 80.00; Sherwin Williams Co 65.94; Sioux Pipe Inc 1,352.52; Crawford Truck Sales 4.75; Department of Motor Vehicles 36.00; Brad Tennant 92.80; Town & Country Building Supply 82.05; Academy Trophy 412.00; UBC Aberdeen 87.35; Marcus Murray 157.50; Western Printing 737.75; Woodman Refrigeration 1,049.28; Kaleidoscope Media 418.00; Gayle Neuhardt 550.00; Ashland Industries 23.84; Mac's Electric 138.00; Baker & Taylor Inc 636.03; Bernan Associates 128.50; Thomson Gale 2,211.22; Highsmith Co Inc 31.74; Illinois Theatrical Co 618.50; Fastenal Company 126.15; Thomsom Peterson's 26.35; Ron's Saw Shop Two 1,270.66; Ryan's Candy 182.40; Upstart 339.66; Shamrock Scientific Specialty Systems 236.38; Natural Abundance 33.63; Ladner Electric 22,440.00; Water Technology Inc 10,920.51; Dependable Sanitation 635.00; Eric Duven 199.00; Janitor's Closet 37.20; ATC Associates Inc 3,000.00; First National Bank 183,933.54; Dex Media East 307.60; Pepsi-Americas Inc 210.00; Trenton Lunstrom 142.00; Theatre House Inc 464.90; Carol White 257.80; Bierschbach Equipment 98.38; Gary Nelson 17,555.20; Linda Carillo 170.00; Jeannie Murray 75.00; Mark Hoven 36.00; Alexa Stenvig 216.00; Executive Management 13.45; United States Postal Service 200.00; Beacon Athletics 3,002.79; Dakota Outdoors 2,134.60; Jenny Kelly 125.00; Princess Soft Toys 408.67; Precision Small Engine 139.04; Parkview Nursery 8,187.86; SD Electrical Commission 65.00; Nancy Eckert 9.00; SD Dept of Revenue 15,001.77; Erdmann Oil Co 8,198.97; Mid-Am Research Chemical 261.98; AT&T Phoenix 7.20; Northwestern Energy 62,605.52; Barbara Newman 135.00; Dakotaland

Autoglass 158.29; Streicher's 539.00; Neil Bittner 33.00; Downie's Piano Tuning 55.00; MTI Distributing 41,674.48; Shopko LLC 451.80; Kevin Johnson 64.00; Dave Usselman 36.00; Upper Plains Contracting 286.56; Fire Safety First 101.13; Ken's Superfair Foods 7.32; Claims Associates Inc 500.00; Kiwanis Sunrisers 50.00; Extension Revolving/WNV Conference 10.00; Sertoma Club 107.00; Hub Area Technical School 1,000.00; Century Business Products 187.43; Menard's 1,142.67; Northview Video 22.91; BHI Inc 22,488.32; Daryl Vandover 194.00; Water & Environmental Engineering 38.00; First Administrators 51,096.33; Ray Studnicka 100.00; Convention Visitors Bureau 29,176.41; McQuillen Design Assoc 1,359.79; Rand McNally 300.81; Zeller Brothers Construction 16,276.00; Turfworks 764.79; Harve's Pro Prints 569.40; Redlinger Bros Plumbing 39,426.79; Professional Mailing Aberdeen 1,000.00; Alison Bruinsma 9.00; Dakota Mailing 65.31; FSH Communications 55.00; Faulk Co Ambulance 233.92; Helen Martian 216.00; Sleepy Eye Industrial 120.00; River Bend Industries 189.86; Again Books 118.10; AmericInn of Mora 169.34; Middle Tennessee Meth Task Force 40.00; Helena Chemical Company 3,730.00; Astroline Products 13.59; Arbor Pro Tree Care 1,097.00; Frantz Art Glass 94.37; Robert Russell 438.88; CVS Systems Inc 95.45; SD Humanities Council 25.00; Carlson & Stewart Refrigeration 2,341.47; TC Group LLC 1,750.70; Custom Sheet Metal 79.50; Galls Inc 35.35; Dakota Oil 1,310.68; Vickie Dewalt 239.95; DSS Image Apparel 1,832.50; Advance Auto Parts 12.22; Superior Tech Products 2,335.00; CSK Auto Inc 38.16; Genesis Lamp Corp 686.73; Tim Blue 36.00; Best Western Ramkota 60.00; Steve Markley 60.00; Tom Tarnowski 161.00; Aberdeen Plumbing 253.78; John Kersten 1,395.00; Arthur Buntin 436.98; Palmer Distributing 45.00; Camps America.com 25.00; Stewart Bohle 60.00; Tractor Supply Co 617.03; John Henry Foster MN 77.58; Nielsen's 21.71; Dacotah Bank Aberdeen 540.00; Celebrations 6.57; Midco Communications 253.51; Kyle Stoddard 142.00; Unique Books Inc 56.93; Econofoods 255.44; Grainger 439.42; Ameripride Services 2,265.39; Warne Chemical & Equip 8,476.80; Crescent Electric Supply 343.68; Treeline Tree Service 1,700.00; Midwest Pump & Tank 227.23; Weissmans Designs for Dance 423.00; Deb Werre 290.64; Information Publications 76.00; J Gross Equipment 1,275.00; Kelly Knispel

56.25; Respond First Aid System 540.05; A-1 Sanitation 175.45; G & R Controls 15,833.70; Swanson Electric 404.63; Law Enforcement Standard 75.00; NSU Foundation 2,000.00; Hillyard Sioux Falls 3,345.43; General Repair Service 593.20; Aberdeen Senior Center 745.37; Specialty Mfg Co 1,100.00; Runnings Supply 479.22; Verizon Wireless 47.27; Joshua Andrews 13.84; Carol Kringstad 10.90; National MS Society-Sioux Falls 21.20; Andrew Grandpre 100.00; Vicki Danburg 39.28; Andrew Fergen 18.75; Juliana Tupou 7.08; Michael Poitras 48.08; Bryce Loudon 50.92; Jamie Schaunaman 28.20; Rory Haar 46.92; Gregory Witchery 58.87; Lazy H Air 19.75; John Gohn 22.83; Martin Ronning 33.97; Merlin Schinke 49.70; Sam Schaefers 20.73; Tami Olson 38.30; Cheryl Rust 39.27; Sandy Feiock 9.41; David Floyd 17.08; 1st United Pentecostal Church 12.46; Thomas Hoss 29.52; United Parcel Service 51.49; Mac's Inc 3,040.08; S & S Worldwide Inc. 90.17; Flaghouse 159.08; Polar Electro Inc 685.26; Spri Products Inc 1,259.01; Sport Supply Group 4,278.95; Nasco 160.33; Jacobson Electric 4,998.99; Econofoods 13.47; Northern Valley Communications 144.24; SD Dept of Revenue 18.88. Upon roll call, all voting aye, motion carried.

EXECUTIVE SESSION

Aman moved, Campbell seconded to move into executive session to discuss contract matters. All voting aye, motion carried.

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

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

Prepared by Cathy Feickert
For the Finance Office

Finance Officer