

## JOINT CITY/COUNTY PROCEEDINGS

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, January 3, 2017, at 5:30 p.m., Joint City/County Meeting. Mayor Mike Levsen presiding. Present at roll call were City Councilors David Bunsness, Todd Campbell, Alan Johnson, Dennis "Mike" Olson, Mark Remily, Rob Ronayne, Clint Rux, and Jennifer Slight-Hansen. Brown County Commissioners present were Tom Fischbach, Nancy Hansen, and Rachel Kippely. Brown County Commissioners Doug Fjeldheim and Duane Sutton were absent. City Staff present were Lynn Lander, Ron Wager, Robin Bobzien, Brett Bill, Karl Alberts, and Eric Duven. County Auditor Maxine Fischer was present.

## ORDINANCE NO. 16-12-01

Slight-Hansen moved, Rux seconded to approve second reading and final adoption of Ordinance No. 16-12-01 to rezone from (A-1) District to (M-AG) District property described as Donaldson Addition in the NE ¼ of Section 8, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, SD (38395 – 131<sup>st</sup> Street). Upon roll call, all voting aye, motion carried.

Fischbach moved, Hansen seconded to approve second reading and final adoption of Ordinance No. 16-12-01-461. All present voting aye, motion carried.

## ORDINANCE NO. 16-12-02

Bunsness moved, Johnson seconded to approve second reading and final adoption of Ordinance No. 16-12-02 to rezone from (A-1) District to (M-AG) District property described as Lots 1 and 2, Bachmeier Family Subdivision in the N ½ of Lot 1 and Lot 2 in the NE ¼ of Section 5, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, SD (38387 – 130<sup>th</sup> Street). Upon roll call, all voting aye, motion carried.

Hansen moved, Fischbach seconded to approve second reading and final adoption of Ordinance No. 16-12-02-462. All present voting aye, motion carried.

## ORDINANCE NO. 16-12-03

Olson moved, Bunsness seconded to approve second reading and final adoption of Ordinance No. 16-12-03 to rezone from (A-1) District to (M-AG) District property described as Lot 1, Weiler Subdivision in the NE ¼ of Section 32, T124N, R64W of the 5<sup>th</sup> P.M., Brown County, SD (12901 – 384<sup>th</sup> Avenue and property adjacent to the West). Upon roll call, all voting aye, motion carried.

Fischbach moved, Hansen seconded to approve second reading and final adoption of Ordinance No. 16-12-03-463. All present voting aye, motion carried.

There being no further business, Hansen moved, Fischbach 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.

## CITY COUNCIL PROCEEDINGS

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, January 3, 2017, at 5:30 p.m., regular meeting of the Board of City Council Members, Mayor Mike Levsen presiding. Present at roll call were City Councilors David Bunsness, Todd Campbell, Alan Johnson, Dennis "Mike" Olson, Mark Remily, Rob Ronayne, Clint Rux, and Jennifer Slight-Hansen. City Staff present were Lynn Lander, Ron Wager, Robin Bobzien, Brett Bill, Karl Alberts, Eric Duven, and Janel Ellingson.

Mayor Levsen led the Pledge of Allegiance.

## MINUTES

Johnson moved, Bunsness seconded to approve the minutes of December 27, 2016, as circulated. All voting aye, motion carried.

OPEN FORUM – No one was present.

OLD BUSINESS

ORDINANCE NO. 16-12-04

Bunsness moved, Olson seconded to approve second reading and final adoption of Ordinance No. 16-12-04 to rezone from (R-2) District to (C-2) District property described as Lot 1, Dial Second Addition except H-1 in the SE ¼ of Section 17, T123N, R63W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, SD (3324 Milwaukee Ave., NE). Upon roll call, all voting aye, motion carried.

#### CONSENT CALENDAR

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

SET HEARING DATE – of January 9, 2017 at 5:30 p.m. for Special One-Day Retail On-Sale Liquor Licenses for Aberdeen Area Chamber of Commerce on January 12, 2017 for Business After Hours at The Workshop, 208 South Main Street and on February 9, 2017 for Business After Hours at the Finishing Touch, 302 South 2<sup>nd</sup> Street.

SET HEARING DATE – of January 17, 2017 at 5:30 p.m. for a transfer of Retail On-Off Sale Malt Beverage License with Video Lottery from ASC Inc. at 23 – 6<sup>th</sup> Avenue, SW to ASC Inc. at Heartland Players Club #3, 1923 – 6<sup>th</sup> Avenue, SE #103.

SET HEARING DATE – of January 23, 2017 at 5:30 p.m. for a petition to rezone from (C-2) District to (R-3) District property described as Lot 4, Rehfeld's Replat of Lot A, Block 1, Pleasant Hill Addition in the NE ¼ of Section 23, T123N, R64W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, SD (613 South 11<sup>th</sup> Street).

LICENSES – Private Security – Chris Klozenbacher; Private Security – Dwayne Nelson; Private Security – Semisi Maldo.

All voting aye, motion carried.

#### NEW BUSINESS

##### RESOLUTION NO. 17-01-03R

Ronayne moved, Johnson seconded to approve the following Resolution No. 17-01-03R to confirm Mayor Levsen's appointment of two Business Improvement District II Board Members:

WHEREAS, the City of Aberdeen has enacted Ordinance No. 08-08-03 creating Business Improvement District No. 2, and

WHEREAS, South Dakota Codified Law (SDCL) 9-55-5 provides that the Mayor shall, with the approval of the governing body, appoint a Business Improvement District Board consisting of property owners, residents, business operators or users of space within the business area to be improved, and

WHEREAS, SDCL 9-55-6 provides that the Board shall consist of no less than five members to serve such terms as the governing body, by resolution, determines, and

WHEREAS, the Business Improvement District No. 2 is created for the purpose of funding a portion or all of the future proposed public activities, facilities, events, and improvements along with the costs of acquisition, construction, maintenance, operation, and funding of such improvements, facilities, events or activities for the enhancement, expansion, marketing and promotion of visitor facilities, events, attractions and activities benefiting the city and its hotels and motels located within the district through the City Convention and Visitors Bureau, and

WHEREAS, Mr. Tony Lunzman of Super 8 East, North, and West Hotels shall be appointed by the Mayor to serve as a BID II Board Member, and

WHEREAS, Mr. John Hilton of My Place Hotel shall be appointed by the Mayor to serve as a BID II Board Member, and

IT IS HEREBY RESOLVED that all Business Improvement District II Board Members shall be appointed by the Mayor with the approval of the governing body at the January 3, 2017 City Council Meeting. Each Business Improvement District II Board Member shall serve

until his or her successor is appointed. If the Business Improvement District II Board Member's position becomes vacant, then his or her successor shall be appointed by the Mayor and approved by the governing body as soon as practicable at a regularly scheduled City Council meeting. The successor shall fill the remainder of the predecessor's term.

All voting aye, motion carried.

#### **BUDGETED TRANSFERS FROM FUNDS**

Ronayne moved, Bunsness seconded to approve of budgeted transfers from the General Fund (\$3,684,525) and Special Sales Tax Fund (\$130,000) to Parks, Recreation & Forestry (\$3,814,525) as request by the Finance Office. All voting aye, motion carried.

#### **PROPOSED REVISIONS TO CONTRACT WITH WAPA**

Bunsness moved, Rux seconded to approve of the proposed Revision 2 of Exhibit C to Contract No. 90-BAO-544 between Western Area Power Administration (WAPA) and the City of Aberdeen. All voting aye, motion carried.

#### **USGS JOINT FUNDING AGREEMENT**

Slaight-Hansen moved, Olson seconded to approve and authorize the City Manager to sign the US Geological Survey's Joint Funding Agreement with the City of Aberdeen for continued groundwater modeling, subsurface investigation of source waters, and water quality sampling for future use by the City. All voting aye, motion carried.

#### **BIDS FOR WATER TREATMENT SOLID CONTACT UNIT**

Bids were received and publicly opened on December 20, 2016 for the Solid Contact Unit #1 STRUT Replacement for the Water Treatment Plant. A detailed list of the bids is on file at the Finance Office. Ronayne moved, Remily seconded to approve of both Bid Option #1 for structure shoring to Herman House Moving Inc. and Bid Option #2 for welding, cutting and fabrication to Vosika Enterprises Inc. and authorize the City Manager and Finance Officer to sign all necessary documents after approval by the City Attorney. All voting aye, motion carried.

#### **BIDS FOR FRONT END LOADER FOR PUBLIC WORKS**

Bids were received and publicly opened on December 27, 2016 for a 2017 Rubber Tired Front End Loader for the Public Works Department – Street Division. A detailed list of the bids is on file at the Finance Office. Johnson moved, Bunsness seconded to award Alternate #2 Front End Loader Bid of \$159,776 less trade allowance of \$59,000 for a net bid of \$100,776 to J Gross Equipment, to declare surplus property a 2004 John Deere Loader as the trade-in to J Gross Equipment, and to authorize the City Manager and Finance Officer to sign all necessary documents after approval by the City Attorney. All voting aye, motion carried.

#### **BIDS FOR REFUSE COLLECTION UNIT FOR PUBLIC WORKS**

Bids were received and publicly opened on December 27, 2016 for a 2017 Refuse Collection Unit for the Public Works Department – Solid Waste Division. A detailed List of the bids is on file at the Finance Office. Ronayne moved, Olson seconded to award Item #1 – Cab and Chassis Bid of \$78,644 and Item #2 – Refuse Packer Body Bid of \$50,600 less trade allowance of \$40,000 for a net bid of \$89,244 to Harrison Truck Center, to declare surplus property a 2010 International Truck as the trade-in to Harrison Truck Center, and to authorize the City Manager and Finance Officer to sign all necessary documents after approval by the City Attorney. All voting aye, motion carried.

#### **BIDS FOR SKID STEER LOADER FOR PUBLIC WORKS**

Bids were received and publicly opened on December 27, 2016 for a 2017 Skid Steer Track Loader for the Public Works Department – Street Division. A detailed list of bids is on file at the Finance Office. Remily moved, Rux seconded to award Option #2 – Skid Steer Track Loader Bid of \$57,796.97 less trade allowance of \$17,000 for a net bid of \$40,796.97

to J Gross Equipment, to declare surplus property a 2002 Bobcat as the trade-in to J Gross Equipment, and to authorize the City Manager and Finance Officer to sign all necessary documents after approval by the City Attorney. All voting aye, motion carried.

#### SALE OF SURPLUSSED EQUIPMENT

Sealed bids were accepted by December 27, 2016 for the sale of the following surplus property: a 2009 Alliance Sweeper with VIN #1J9VM3H679C172112; a 1979 Athey Snowloader with VIN #4907807; and a 2010 Elgin Pelican Street Sweeper with VIN #NP1373D. Ronayne moved, Remily seconded to award the bid of \$5,500 for the purchase of the 2009 Alliance Sweeper to Rustad and Associates, Inc. and the bid of \$40,000 for the purchase of the 2010 Elgin Pelican Sweeper to Sanitation Products. There were no bids received for the 1979 Athey Snowloader. All voting aye, motion carried.

#### REQUEST TO PURCHASE PICKUPS OFF STATE CONTRACTS

Ronayne moved, Bunsness seconded to approve the purchase of one new Chevrolet Silverado pickup from Beck Motors of Pierre, SD in the amount of \$30,078 off State Bid and the purchase of three new Dodge Ram pickups from Wegner Auto of Pierre, SD in the total amount of \$82,322 off State Bid. All voting aye, motion carried.

#### BILLS

Johnson moved, Rux seconded to approve the following audited bills for services, supplies, repairs, and maintenance: Fleet Services 113.66; Clark Engineering Corp. 613.75; AT & T 985.80; MetLife 517.88; ETS Corp. 257.93. Upon roll call, all voting aye, motion carried.

#### CITY MANAGER'S REPORT

Lynn Lander presented the City Manager's Report.

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

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