

CITY COUNCIL PROCEEDINGS

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, February 5, 2018, 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, Alan Johnson, Dave Lunzman, Dennis "Mike" Olson, Mark Remily, Rob Ronayne, Clint Rux, and Jennifer Slight-Hansen. City Staff present were Lynn Lander, Ron Wager, Stuart Nelson, Brett Bill, Karl Alberts, Dave McNeil, Randy Meister, Cody Roggatz, and John Weaver.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Bunsness moved, Rux seconded to approve the minutes of January 29, 2018, as circulated. All voting aye, motion carried.

OPEN FORUM – no one was present.

OLD BUSINESS

ORDINANCE NO. 17-12-07

City Attorney Ron Wager presented Ordinance No. 17-12-07 revising Chapter 58 of the Aberdeen City Code regarding Transportation Network Companies (TNCs) and Taxicabs for second reading as amended and recommended four amendments to the Ordinance. Ronayne moved, Rux seconded to approve second reading of Ordinance No. 17-12-07. Wager explained the amendments to the Council. Bunsness moved, Johnson seconded to amend Section 58-82 (a) to delete "A license shall not be granted to any person who is not of good moral character and not addicted to the use of intoxicating liquor or drugs." and insert "No license shall be granted to any person who is addicted to the use of alcohol or drugs or is not of good moral character." All voting aye, motion carried. Ronayne moved, Lunzman seconded to amend Section 58-83 to delete "Driverless vehicles are prohibited in the city limits." and to insert "The use of a driverless vehicle as a taxicab or motorbus is prohibited in the city limits." All voting aye, motion carried. Ronayne moved, Rux seconded to amend Section 58-107 to delete "to the finance officer" and "The failure of a TNC to comply with this section shall be deemed knowing allowance by the TNC under section 58-106 if it is determined that such TNC driver was prohibited from acting as a TNC drive under state law" and to insert "It is unlawful for a TNC to fail to monitor annually a person allowed to act as a TNC driver on the TNC's digital network as required under state law. Each day such TNC driver is logged on to the TNC's digital network and available for transportation requests shall constitute a separate offense." All voting aye, motion carried. Olson moved, Remily seconded to amend Section 58-109 to delete "Driverless vehicles are prohibited in the city limits." and to insert "The use of a driverless vehicle to provide a prearranged ride as defined under this chapter is prohibited in the city limits." All voting aye, motion carried. Slight-Hansen moved, Bunsness seconded an amendment to remove all references to driverless vehicles from the Ordinance. Motion failed by voice vote. Slight-Hansen moved, Remily seconded an amendment to sunset driverless vehicles reference to March, 2020. Upon roll call, Remily, Slight-Hansen, Johnson, and Rux voting aye, Ronayne, Lunzman, Bunsness, Olson, and Mayor Levsen voting nay, 4 ayes and 5 nays, motion failed. On the original motion to approve second reading of Ordinance No. 17-12-07 and with amendments recommended by the City Attorney, upon roll call, Rux, Olson, Bunsness, Johnson, Lunzman, Ronayne, Remily, and Mayor Levsen voting aye, Slight-Hansen voting nay, 8 ayes and 1 nay, motion carried. Rux moved, Lunzman seconded to authorize the City Finance Officer to post a public notice to consider final adoption of Ordinance No. 17-12-07 at the February 12, 2018 City Council Meeting. All voting aye, motion carried.

ORDINANCE NO. 18-01-02

City Attorney Ron Wager presented Ordinance No. 18-01-02 as amended revising Chapter 8 – Animals and Fowl of the Aberdeen City Code for possible second reading. Ronayne moved, Johnson seconded to approve second reading of Ordinance No. 18-01-02 as amended. Bunsness moved, Rux seconded to include “dangerous, vicious, or unsafe” adding the word “vicious” throughout the Ordinance. Animal Control Officer John Weaver and Police Chief Dave McNeil both commented on adding back the word vicious into the Ordinance. All the Council voting aye, motion carried. On the original motion to approve second reading of Ordinance No. 18-01-02 as amended, upon roll call, all voting aye, motion carried. Bunsness moved, Rux seconded to authorize the City Attorney to bring back Ordinance No. 17-12-07 for final adoption to the February 12, 2017 City Council Meeting. All voting aye, motion carried.

CONSENT CALENDAR

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

LICENSE – Taxi Cab Driver – Donna Baggett

All voting aye, motion carried.

NEW BUSINESS

REQUEST FOR PROPERTY TAX ABATEMENTS

Ronayne moved, Remily seconded to approve the following request for property tax abatements: 613 South 11th Street \$1,079.38 with City’s share being \$355.66; 109 South Main Street \$4,499.37 with City’s share being \$1,299.68; 101 South Main Street \$1,312.54 with City’s share being \$358.72; 208 South Main Street \$3,395.01 with City’s share being \$927.86; and 308 South Main Street \$3,689.37 with City’s share being \$1,008.31; 205 North Dakota Street \$617.75 with City’s share being \$168.83; 111 Elizabeth Drive \$307.19 with City’s share being \$101.22; 119 North Washington Street \$258.14 with City’s share being \$85.06; 621 South Arch Street \$697.59 with City’s share being \$184.91; 1202 South Second Street \$1,218.19 with City’s share being \$326.93; and 102 Fifth Curve \$37.32 with City’s share being \$10.20. All voting aye, motion carried.

REQUEST TO PURCHASE AMBULANCE FOR FIRE/RESCUE DEPT.

A request from the Aberdeen Fire/Rescue Department to place an order for a 2018 Type III Norton Ambulance from Premier Specialty vehicles of Fergus Falls, Minnesota was presented. Ronayne moved, Remily seconded to approve the purchase of a 2018 Type III Horton Ambulance less a trade-in allowance for a 2008 AEV Ford Ambulance from Premier Specialty Vehicles at a net price of \$161,555.00. All voting aye, motion carried.

REQUEST TO PURCHASE BACKHOE FOR PUBLIC WORKS DEPT.-WATER

City Manager Lynn Lander presented a request to purchase one Backhoe from Minnesota State Contract Listings for the Public Works Department – Utility Water Division which will replace a 2007 Backhoe being transferred to the Cemetery. Bunsness moved, Remily seconded to approve the purchase from the Minnesota State Bid of one 410L Backhoe from RDO Equipment of Aberdeen, South Dakota in the amount of \$119,052.00. All voting aye, motion carried.

BIDS FOR REFUSE COLLECTION UNIT FOR PUBLIC WORKS DEPT. – SOLID WASTE

Bids were received and publicly read on January 30, 2018 for a 2018 Refuse Collection Unit for the Public Works Department – Solid Waste Division. A detailed list of the bids is on file at the City Finance Office. City Manager Lynn Lander explained the bids received for the Refuse Collection Unit. Bunsness moved, Ronayne seconded to award Item #1 – 2018 Cab and Chassis Bid of \$80,652.00 to Harrison Truck Centers and Item #2 – Refuse Packer Body Bid of \$56,726.00 less trade-on allowance of \$39,826.00 for a net bid of

\$16,900.00 to Olympic Sales, to authorize the City Manager and City Finance Officer to sign all the necessary documents after approval by the City Attorney, and declare as surplus property a 2010 Kenworth Truck as trade-in to Olympic Sales for the new unit. All voting aye, motion carried.

PAYMENT REQUEST FOR 8TH AVE NW PROJECT

Assistant City Engineer Stuart Nelson presented a payment request in the amount of \$10,000.00 to Reede Construction releasing the amount of retainage on the 8th Avenue, NW Reconstruction Project (ST-2016-1). Rux moved, Johnson seconded to approve Payment Request #8 in the amount of \$10,000.00 to Reede Construction. Upon roll call, all voting aye, motion carried.

BILLS

Ronayne moved, Bunsness seconded to approve the following audited bills for services, supplies, repairs, and maintenance: Wellmark Blue Cross/Blue Shield 134,000.00; Nationwide Employee Benefits 97.30; MetLife 557.87; US Bank 37,653.05; APWA 150.00; SD Municipal League 300.00; AT & T 1,037.75; United Parcel Service 69.85; Northwestern Energy 2,577.14; Matheson Tri-Gas Inc 80.71; MARCO Technologies 126.54. Upon roll call, all voting aye, motion carried.

PAYROLL

Johnson moved, Olson seconded to approve the payroll for the period from January 21, 2018 through February 3, 2018 and city share of social security, old age & survivor's insurance, retirement, health and life insurance: Wells Fargo 122,803.44; SD Retirement 72,221.13; Governing Body 3,192.28; City Manager 8,113.11; City Attorney 6,838.03; Finance 13,955.68; HR 8,568.80; Computer 4,771.98; Planning/Zoning 14,594.40; Engineering 12,775.49; Police 120,389.46; Fire 107,616.95, Mitchell Aman 14.41 hr; Housing/Building 6,486.55; Street 28,748.96; Traffic 5,191.39; Solid Waste 19,836.13; Transportation/Ride Line 17,615.43; Library 26,478.84; Parks, Rec & Forestry 94,412.48, Grace Luond 9.00 hr, Airport 16,511.85; Pipe 21,246.86; Water Treatment 17,523.58; Meter 2,910.48; Water Reclamation 19,752.87; Pump 8,299.35; Old Federal Crths Bldg 1,619.60. Upon roll call, all voting aye, motion carried.

CITY MANAGER'S REPORT

Lynn Lander presented the City Manager's Report outlining the garbage and recycling report.

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

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