

CITY COUNCIL PROCEEDINGS

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, February 12, 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, Robin Bobzien, Brett Bill, Karl Alberts, Dave McNeil, and Cody Roggatz.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Rux moved, Bunsness seconded to approve the minutes of February 5, 2018, as circulated. All voting aye, motion carried.

OPEN FORUM – no one was present.

OLD BUSINESS

ORDINANCE NO. 17-12-07

Ordinance No. 17-12-07 revising Chapter 58 of the Aberdeen City Code regarding Transportation Network Companies (TNCs) and Taxicabs as amended at second reading was presented for final adoption. Ronayne moved, Johnson seconded to approve final adoption of Ordinance No. 17-12-07. City Attorney Ron Wager informed the Council of an e-mail response from LYFT stating their appreciation for allowing them to provide comments on the proposed Ordinance. Wager also recommended minor changes to the Ordinance. Ronayne moved, Slight-Hansen seconded to amend to add “or TNC” in Section 58-1 after Transportation Network Company and change “Company” to “Companies” in Article III Title as recommended by the City Attorney. On the main motion to approve final adoption of Ordinance No. 17-12-07 as amended, upon roll call, all voting aye, motion carried.

ORDINANCE NO. 18-01-02

Ordinance No. 18-01-02 revising Chapter 8 – Animals and Fowl of the Aberdeen City Code as amended at second reading was presented for final adoption. Bunsness moved, Olson seconded to approve final adoption of Ordinance No. 18-01-02. Upon roll call, all voting aye, motion carried.

CONSENT CALENDAR

Bunsness moved, Lunzman seconded to approve the following items on the consent calendar:

SET BID DATE – of February 27, 2018 at 2:00 p.m. for advertisement for bids on 2018 Watermain & Sewer Pipe, Fittings & Accessories, Manhole Covers, Inlet Frames & Grates.

LICENSE – Taxi Cab Company - Brandon Holler dba Aberdeen Taxi LLC

LOTTERY NOTICE – Lincoln Elementary PTA – receive and place on file.

All voting aye, motion carried.

NEW BUSINESS

RESOLUTION NO. 18-02-01R

City Attorney Ron Wager presented Resolution No. 18-02-01R extending the cable television franchise of Northern Valley Communications to July 1, 2018, to facilitate franchise renewal negotiations. Bunsness moved, Johnson seconded to approve Resolution No. 18-02-01R as follows:

WHEREAS, the City of Aberdeen, South Dakota (“City”) granted a Cable Television Franchise Agreement (“Franchise”) to Northern Valley Communications, LLC (“NVC”), to own and operate a cable television system in the city; and

WHEREAS, the initial term of the Franchise expires on or about April 2, 2018; and

WHEREAS, both the City and NVC desire to extend the term of the Franchise to facilitate renewal negotiations under state and federal law.

NOW, THEREFORE, the City Council of Aberdeen, South Dakota, hereby resolves as follows:

1. The Franchise is hereby amended by extending the term of the Franchise from April 3, 2018, through the date on which NVC's Franchise is either renewed or until and including July 1, 2018, whichever shall first occur.

2. Except as specifically modified hereby, the Franchise shall remain in full force and effect.

3. The City and NVC hereby agree that neither waives any rights either may have under the Franchise or applicable law.

4. This Resolution shall become effective upon the occurrence of both of the following conditions: (1) The Resolution being passed and adopted by the City Council of the City of Aberdeen, South Dakota, and (2) NVC's acceptance of this Resolution.

All voting aye, motion carried.

REQUEST TO PURCHASE COMPUTER EQUIPMENT

City Finance Officer Karl Alberts presented a request from Computer Services to purchase desktops, notebooks and all in one computers off of State Contract for City Departments. Bunsness moved, Ronayne seconded to approve the request to purchase desktops, notebooks, and all in one computers off of State Contract from HP of Boston, MA for a total price of \$46,248.00. All voting aye, motion carried.

REQUEST TO PURCHASE COMPUTER SOFTWARE

City Finance Officer Karl Alberts presented a request from Computer Services to purchase computer software off of State Contract for City Departments. Johnson moved, Bunsness seconded to approve the request to purchase Microsoft Office Pro Plus 2016 and WIN SRV DCAL 2016 Software off of State Contract from SHI of Dallas, TX for a total price of \$21,689.68. All voting aye, motion carried.

PERMISSION TO OCCUPY RIGHT-OF-WAY AT 224 S. MAIN ST.

Ronayne moved, Bunsness seconded to table for a week a discussion on a request for permission to occupy the right-of-way at 224 South Main Street, Dakota Territory Brewing Company, for a basement egress stairwell. All voting aye, motion carried.

REQUEST TO PURCHASE PICKUP FOR PUBLIC WORKS

City Engineer Robin Bobzien presented a request to purchase a pickup off State Contract Listings for the Public Works Department – Street Division. Rux moved, Bunsness seconded to approve the request to purchase one Dodge Ram 3500 Pickup off State Contract from Wegner Auto of Pierre, SD in the amount of \$29,471.00. All voting aye, motion carried.

CHANGE ORDER/PAYMENT FOR ROLLINGS HILLS STORM WATER PROJECT

City Engineer Robin Bobzien presented Change Order #3 in the amount of \$9,441.60 and Payment Request #5 in the amount of \$29,592.48 to B & B Contracting for work on the Rollings Hills Storm Water Retention Pond Project (SS-2016-3). Ronayne moved, Lunzman seconded to approve and authorize the City Manager to sign Change Order #3 in the amount of \$9,441.60 and Payment Request #5 in the amount of \$29,592.48 to B & B Contracting. Upon roll call, all voting aye, motion carried.

PAYMENT REQUESTS FOR AIRPORT PROJECTS

Transportation Director Cody Roggatz presented Payment Request #1 in the amount of \$746.52 to Helms & Associates for work on the AIP #3-46-0001-37-2017 Wildlife Hazard Assessment & Mitigation Project and Payment Request #30 in the amount of \$2,683.04 to Helms & Associates for work on the AIP #3-46-0001-36-2016 Runway 17/35 Decoupling Project, Construction Phase. Johnson moved, Slaughter-Hansen seconded to approve and authorize the City Manager to sign Payment Request #1 in the amount of \$746.52 and

Payment Request #30 in the amount of \$2,683.04 to Helms & Associates. Upon roll call, all voting aye, motion carried.

BILLS

Johnson moved, Lunzman seconded to approve the following audited bills for services, supplies, repairs, and maintenance: Northwestern Energy 92,400.58; US Bank Corp. Trust 17,334.95; Executive Management 434.04; Frederick Demarais 25.00; Dependable Sanitation 15,316.00; SD Dept. of Revenue 8,318.03; AT & T 167.28; MARCO Inc. 37.35; Northern Electric 4,731.95; American News 1,540.00; Aberdeen Chamber of Commerce 10.00; Bishop Enterprises, Inc 187.55; BMI 314.10; MARCO Technologies LLC 313.09; Bonnie Bitz 3,110.00; Tessman Company 254.40; RDO Equipment Co 44.52; Brown County Treasurer 4,095.88; Dakota Doors Inc. 975.00; Don's Builders Hardware 227.80; Heartland Paper Company 2,346.96; Quality Welding Inc 723.00; Cole Papers Inc. 592.20; Graham Tire Co 589.80; Auto Value Part Stores/Hedahls 225.13; CASH-WA Distributing 230.00; House of Glass, Inc 87.32; Nelson Sales & Service, LLC 1,940.75; Kesslers Inc 55.80; Municipal Code Corp. 5,127.05; Farnums Genuine Parts 278.68; NSU Workstudy 270.48; Pantorium 13.00; Dakota Supply Group 696.45; Presentation College 15,000.00; Midstates Group 35.00; Ringgenberg Electric Inc. 1,679.16; Avera St Luke's Hospital 4,007.50; Pro-Build 72.86; Weismantel Rent All 60.00; Aberdeen Area Arts Council 1,076.20; Baker & Taylor Inc. 2,085.78; Duane Donat 40.00; Fastenal Company 38.96; Great Lakes Chapter 35.00; Tom Aman 1,559.71; Ladner Electric 7,380.00; Northern Truck Equipment Corp. 342.55; Dependable Sanitation, Inc 882.50; Taylor Laundry 30.00; AAP of Aberdeen SD 708.75; NE Council of Government 6,496.60; Cartney Bearing Co 9.68; Titan Access Acct 34.83; Executive Management 55.31; Pierson Ford-Lincoln-Mercury 1,949.16; West Payment Center 71.00; North Central Farmers Elevator 8,738.93; Active Data Systems 850.00; Northern Valley Communications 1,468.80; MTI Distributing 924.68; Pontem Software 15,637.50; Glacial Lakes & Prairies Tourism Assoc. 845.00; Fire Safety First 59.30; Lynn Lander 160.40; Chuck Forrest 9.00; Ken's Superfair Foods 871.58; LTS Distributing 595.00; Century Business Products 99.39; National Notary Association 30.00; Melissa & Doug, LLC 157.43; SESAC 417.00; Menards 1,217.63; Aberdeen University/Civic Symphony 2,000.00; Dakota Fluid Power Inc. 0.57; Turfwerks 775.93; Sargent County Teller 35.00; Borns Group 1,320.39; OCLC, Inc. 887.45; Impact Janitorial 1,239.84; SDPRA 13,777.21; Charles Kornmann 208.40; Matheson Tri-Gas Inc 307.49; Forest Rux 26.26; Dakota Oil 246.98; Tim Blue 45.00; R & R Specialties Inc 58.20; Plunkett's Pest Control 338.26; Aberdeen Chrysler Center 250.00; Midwest Tape 232.51; Midcontinent Communications 600.00; SD Airports Conference 150.00; GRAINGER 164.66; Ameripride Services Inc 761.02; Chance Rides Manufacturing Inc. 4,698.49; ERANGE Inc 365.00; Moss & Barnett 657.00; NAS Industrial 5,755.05; Aldous J Ulvog 157.50; Autozone 314.54; Images of the World 240.00; Melissa Kienow 34.02; Hub City Weddings 99.00; Ketterling Photography 484.95; Jon Murdy 5,000.00; E-Conolight 1,954.92; Runnings Supply Inc 2,175.99; Interstate Battery 113.95. Upon roll call, all voting aye, motion carried.

NO CITY MANAGER'S REPORT

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

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