

## CITY COUNCIL PROCEEDINGS

City Council Chambers, Municipal Building, 123 South Lincoln Street, Aberdeen, South Dakota, October 7, 2013, 5:30 p.m., regular meeting of the Board of City Council Members, Mayor Mike Levsen presiding. Present at roll call were Council Members David Bunsness, Todd Campbell, Alan Johnson, Rob Ronayne by telecommunication, Clint Rux, and Jennifer Slaight-Hansen. Council Members Mark Remily and Laure Swanson were absent. City staff present were Lynn Lander, Adam Altman, Robin Bobzien, Brett Bill, Karl Alberts, Mike Wilson, and Don Lanpher.

Mayor Levsen led the Pledge of Allegiance.

## MINUTES

Johnson moved, Campbell seconded to approve the minutes of September 30 and October 1, 2013, as circulated. All present voting aye, motion carried.

OPEN FORUM – John Mengenhause and Jeff Mengenhause of Horizon Health Care presented an update on the opening of their new Health Care Facility in Aberdeen.

CONSENT CALENDAR

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

SET HEARING DATE – of October 21, 2013 at 5:30 p.m. for application to transfer On-Sale Liquor License from Trina Zomers dba CHASKIZ, 23 6<sup>th</sup> Avenue, SW (Inactive Status) to GPHC LLC dba GPHC LLC, 2220 6<sup>th</sup> Avenue, SE (Inactive Status).

LICENSES – Private Security – Jared Embury, Roger Sorensen, and Zach Van Gestel; Residential Building Contractor – Derek Shafer dba ProGrowth Enterprise LLC.

All present voting aye, motion carried.

NEW BUSINESS

## TRANSPORTATION PROGRAM AGREEMENT

Rux moved, Slaight-Hansen seconded to authorize the Mayor to sign a South Dakota Department of Transportation Alternatives Program Agreement for recreation trail development along Roosevelt Street North between 8<sup>th</sup> Avenue, NE and Milwaukee Avenue. All present voting aye, motion carried.

## RESOLUTION NO. 13-10-03R

Rux moved, Johnson seconded to approve the following Resolution No. 13-10-03R authorizing a Transportation Alternatives Program application for recreation trail development on the South Side of Melgaard Road along the East Side of the Moccasin Creek: WHEREAS, the City of Aberdeen proposes to construct walking/biking paths in Aberdeen; and

WHEREAS, the City of Aberdeen now requests financial assistance to complete the proposed project; and

WHEREAS, the project is eligible for the Transportation Alternative Program grant funds under the Federal Highway Administration.

NOW THEREFORE, BE IT RESOLVED that the proposed project will meet all local planning, zoning and City Ordinance requirements; and

NOW, THEREFORE BE IT RESOLVED that the City of Aberdeen supports the project and the submittal of a Transportation Alternatives Program application; and

THEREFORE, BE IT ALSO RESOLVED that, if funded, the City of Aberdeen will pay for the required local match for the project.

THEREFORE, BE IT ALSO RESOLVED that the City of Aberdeen agrees to maintain the project, if funded, throughout its useful life and that the city understands that a project maintenance agreement will be required by the South Dakota Department of Transportation and the Federal Highway Administration; and

THEREFORE, BE IT ALSO RESOLVED that the City of Aberdeen authorizes the Mayor to execute the Transportation Alternatives Program application.

All present voting aye, motion carried.

#### RESOLUTION NO. 13-10-02R

Ronayne moved, Rux seconded to approve the following Resolution No. 13-10-02R rescinding Resolution No. 12-03-01R which vacated certain Section Line Right-Of-Way near Highway 281 at the Starlite Truck Stop:

WHEREAS, on March 19, 2012, this City Council authorized Resolution No. 12-03-01R which purported to vacate “ 6 Section Line Right-Of-Way adjacent to the East Property Line of Lot 2, NE ¼ of Section 22, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota “ (the “ROW”) and

WHEREAS, the ROW purported to be vacated by Resolution No. 12-03-01R is state highway Right-Of-Way controlled by the South Dakota Department of Transportation (“DOT”); and

WHEREAS, the passage of Resolution No. 12-03-01R creates confusion about the ownership of the ROW, in that the ROW is purported to be vacated but the DOT has taken no action to vacate its interest in the ROW;

WHEREAS the adjacent property owners who originally requested the approval of Resolution No. 12-03-01R now request that the resolution be rescinded.

NOW, THEREFORE, BE IT HEREBY RESOLVED by the Aberdeen City Council the Resolution No. 12-03-01R be and hereby is rescinded, and shall have no further force or effect.

BE IT FURTHER RESOLVED that a certified copy of this Resolution shall be filed for record and duly recorded in the Office of the Register of Deeds in Brown County, South Dakota.

All present voting aye, motion carried.

#### EMINENT DOMAIN FOR FEDERAL COURTHOUSE

Ronayne moved, Slight-Hansen seconded to authorize the City Attorney to proceed in eminent domain to acquire the Federal Courthouse Building for the appraised price of \$525,000.00 and to authorize the City Finance Officer to deposit that sum with the Circuit Court for use in conjunction with this case. Upon roll call, all present voting aye, motion carried.

#### BIDS FOR SNOW REMOVAL

Bids were opened and publicly read for 2013-2014 Snow Removal Services. A detailed list of the bids is on file at the City Finance Office. Bunsness moved, Johnson seconded to accept all bids for 2013-2014 Snow Removal Services, to rent equipment as needed in order of price, and to authorize the City Manager and City Finance Officer to sign the necessary documents after approval by the City Attorney. All present voting aye, motion carried.

#### PAYMENT REQUESTS - ABERDEEN REGIONAL AIRPORT PROJECTS

Bunsness moved, Johnson seconded to approve and authorize the City Manager to sign the following payment requests: Pay Estimate #5 for AIP #3-46-0001-32-2012 Airport Approach Survey – Helms & Associates in the amount of \$21,808.25 and Pay Estimate #9 (Final) for AIP #3-46-0001-32-2012 Airport Terminal Renovations – Helms & Associates in the amount of \$10,809.77. Upon roll call, all present voting aye, motion carried.

#### BILLS

Bunsness moved, Rux seconded to approve the following audited bills for services, supplies, repairs and maintenance: Northwestern Energy 59,380.84; First National Bank Corp. Trust 334,439.16; AT & T Mobility 3,024.50; NVC 387.91; US Bank 27,808.83; Christopher Jensen 20.00; United Parcel Service 22.00; Homes Are Possible Inc. 6,600.36; Dependable Sanitation Inc. 15,026.00; Ray Studnicka 100.00; Midwest Alarm Co. 315.00;

American News 1,170.82; Mettler Sichmeller Engineering 1,850.00; Aberdeen Chamber of Commerce 45.00; Aberdeen Development Corp. 39,166.67; Praxair Distributing Inc 379.20; Taser International 2,165.96; Helms & Associates 4,518.28; MARCO Inc. 114.94; Bonnie Bitz 3,300.00; Tessman Co. 157.81; Brown County Treasurer 377,529.34; Northern Plains Animal Health 77.81; Vosika Fencing 98.70; D Builders Hardware 5.00; Dennis Gavinn 2,500.00; H 359.97; Cole Papers Inc. 1,902.01; OfficeMax Inc. 70.50; Jensen Rock & Sand Inc. 354.14; Carquest Auto 756.28; Graham Tire Co. 582.12; Grote Roofing Co. Inc. 148.98; Hedahls Inc. 244.13; Glenn Bitz 1,325.00; CASH-WA Distributing 1,206.32; House of Glass 403.92; Inman & McDowell Inc. 120.00; Nelson Sales & Service, LLC 158.27; H F Jacobs & Son 758.33; Kesslers Inc. 18.89; New Dimensions 285.00; M Inc. 54.48; North Star Energy LLC 7.00; VanMeter Facility Maintenance LLC 455.00; McFarland Supply Co. Inc. 38.75; Sewer Duck 85.00; Farnums Genuine Parts 64.90; A & B Business Solutions 77.61; Pantorium 70.80; Dakota Supply Group 2,963.33; Lorie Johnson 260.00; Buxton 20,000.00; Midstates Printing 8,737.38; Avera St. L Hospital 140.00; Sherwin Industries Inc. 471.85; Crawford Trucks & Equipment 9.10; SD Dept. of Transportation 24.00; Stan Houston Equipment 149.99; J & K Mowing Service 200.00; Academy TrophyCo. 42.00; Don Lanpher 62.00; Diesel Machinery Inc. 244.16; Gayle Neuhardt 650.00; M Electric 247.19; Baker & Taylor Inc. 2,424.29; GALE 1,199.55; Fastenal Co. 280.72; Quality Books Inc. 4,175.49; SD Campground Owner Assn 600.00; Dependable Sanitation 3,489.47; Dakota Ink & Toner 58.74; Eric Duven 165.00; Bryan Rock Products 413.95; Kadrmas, Lee & Jackson, Inc. 1,825.71; Taylor Laundry 123.50; Performance Ag Services 1,194.63; First National Bank 136,295.63; The Wolf Stop 9.00; True North Steel 2,064.96; Coca-Cola Refreshments 443.55; SD Dept. Health Lab 186.00; Hub City Radio 140.00; Executive Management 31.54; West Payment Center 396.32; North Central Farmers Elevator 7,132.22; Nancy Eckert 16.84; Dakota Broadcasting LLC 192.00; D Piano Tuning & Repr 65.00; MTI Distributing 841.13; I Theme Park Services Inc. 7,470.00; Firewood & Company 760.00; Glacial Lakes Tourism 720.00; Brown & Saenger 12,260.77; Quill Corp. 147.60; Plainsman 90.00; K Superfair Foodse 1,405.31; PFC Products Inc. 122.95; Aberdeen Housing Authority 9,907.02; Double L Ice 352.80; Melissa & Doug, LLC 309.82; Menards Aberdeen 1,117.04; Matthew Bender & Co., Inc. 70.39; David Grote 32.74; Dakota Fluid Power Inc. 21.14; McQuillen Creative Group Inc. 1,377.87; Midwest Mini Melts 328.00; Turfwerks 74.43; Borns Group 3,011.24; OCLC, Inc. 821.43; SDPRA – Pierre 125.00; Myron Corp. 178.52; RACO Stained Glass 373.00; P Tire Service 20.00; Van Diest Supply Co. 4,200.00; C Pass Inc. 1,722.50; mJames Christehson 3,500.00; Stockwell Engineers, Inc. 11,385.00; Arley Fadness 20.99; Kenneth Willson 300.00; Carlson & Stewart Refrigeration Inc. 12,933.00; Business Improvement District 28,375.00; Dakota Oil 427.20; Absolutely Aberdeen 12,000.00; Christopher Gross 165.00; R & R Specialties Inc. 3,771.15; Skip Jensen 255.00; P Pest Control 173.68; rAberdeen Plumbing & Heating Inc. 877.88; Pro Ag Supply Inc. 21.90; Palmer Distributing 12.00; Midcontinent Communications 418.40; Dave McNeil 165.00; Phil Baker 60.00; Border City Toll & Mfg 249.45; Ameripride Services Inc. 1,206.91; Crescent Electric Supply 137.52; Respond Systems 13.99; Swanson Electric 345.95; Chance Rides Manufacturing Inc. 168.84; Hillyard Sioux Falls 205.00; Aberdeen Senior Center 1,236.00; Runnings Supply Inc. 914.40; Interstate Battery Arlington 156.95; G Engine & Repr Inc. 10.59; Jon Droege 15.00.

**PAYROLL**

Rux moved, Bunsness seconded to approve the payroll for period from September 22, 2013 through October 5, 2013 and C share of social security, old age & s' u insurance, retirement, health & life insurance: Wells Fargo 106,117.00; SD Retirement System 59,445.67; Governing Body 3,192.28; City Manager 6,424.31; City Attorney

3,681.60; Finance 12,925.20; HR 7,016.00; Building 310.27; Computer 3,671.47; Planning/Zoning 10,261.60; Engineering 10,707.04; Police 91,071.84, Drew Ottenbacher 19.59/hr; Fire 85,000.44, Lance Hammrich 16.15/hr; Fire Prevention 4,063.91; Housing/Building 5,105.60; Street 23,358.40; Traffic 4,323.08; Solid Waste 16,912.72; Transportation 13,833.26; Library 21,867.23; Parks, Rec. & Forestry 80,578.95, Kemari Blumhardt 9.50/hr, Kip Cross 8.25/hr, Matthew DeBoer 8.00/hr, John Eckstein 8.00/hr, Joseph Murtagh 8.25/hr, Brandon O 8.25/hr, Connor Solseng 8.00/hr, Addison Zephier 8.00/hr; Airport 11,783.26; Pipe 19,943.55; Water Treatment 15,946.23; Meter 3,916.00; Wastewater 17,554.38; Pump 4,769.60. Upon roll call, all present voting aye, motion carried.

#### CITY MANAGER'S REPORT

Lynn Lander presented the City Manager's Report.

There being no further business, Bunsness moved, Slaight-Hansen 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.