

## CITY COUNCIL PROCEEDINGS

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, September 8, 2015, 5:30 p.m., regular meeting of the Board of City Council Members, Mayor Mike Levsen presiding. Present at roll call were City Council Members David Bunsness, Todd Campbell, Alan Johnson, Mark Remily, Rob Ronayne, Clint Rux, and Jennifer Slight-Hansen. City Council Member Laure Swanson was absent. City staff present were Lynn Lander, Ron Wager, Robin Bobzien, Brett Bill, Karl Alberts, Cody Roggatz, and Kevin VanMeter .

Mayor Levsen led the Pledge of Allegiance.

## MINUTES

Rux moved, Slight-Hansen seconded to approve the minutes of August 31 and September 1, 2015, as circulated. All present voting aye, motion carried.

## OPEN FORUM

Transportation Director Cody Roggatz introduced Julie McGrath of Enterprise Holdings who gave the City Council an update on the car rental company.

CONSENT CALENDAR

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

LICENSES – Residential Building Contractor – Scott Demery dba Total Drywall Finishing; Private Security – Nicholas Flannery

SET HEARING DATE – of September 21, 2015 at 5:30 p.m. for the following applications for alcoholic beverage licenses: application for Special One-Day Retail Wine and Retail Malt Beverage Licenses on October 10, 2015 including an application for Community Event Permit for Aberdeen Downtown Association dba Aberdeen Oktoberfest at the Civic Arena; Application for Special Five-Day Retail Liquor License on September 23 to September 27, 2015 for ACT 2, Inc. dba Aberdeen Community Theatre, 417 South Main Street.

2014 PASSENGER FACILITY CHARGE REPORT – for the Aberdeen Regional Airport by EideBailly – receive and place on file.

LOTTERY NOTICE – NSU Enrollment Services – receive and place on file

All present voting aye, motion carried.

NEW BUSINESS

## ORDINANCE NO. 15-09-01

Ordinance No. 15-09-01 for the 2016 Budget for the City of Aberdeen was presented.

Remily moved, Rux seconded to approve first reading of Ordinance No. 15-09-01. Upon roll call, Rux, Bunsness, Johnson, Slight-Hansen, Ronayne, Remily and Mayor Levsen voting aye, Campbell voting nay, motion carried.

## RESOLUTION NO. 15-09-03R

Bunsness moved, Ronayne seconded to approve Resolution No. 15-09-03R for annexation of certain property into the city limits of Aberdeen, South Dakota as follows:

BE IT RESOLVED, by the Aberdeen City Council, Aberdeen, Brown County, South Dakota, that the Voluntary Petition to Annex the following described property filed by Linda Menzia is hereby granted and the following described property is hereby added to the municipal boundaries of the City of Aberdeen, South Dakota and shall be within the city limits of said City. Said property described as follows:

Lots 1 – 3, Plat of Menzia Second Subdivision in the NE ¼ of Section 23, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota and adjacent 33' of 12<sup>th</sup> Street South Right-Of-Way. (1003 and 1121 South 12<sup>th</sup> Street)

BE IT FURTHER RESOLVED by the Aberdeen City Council, Brown County, Aberdeen, South Dakota, that the Mayor of the City of Aberdeen shall cause an accurate map

of such territory together with a copy of this Resolution duly certified to be recorded in the Office of the Register of Deeds, Brown County, South Dakota.

All present voting aye, motion carried.

**RESOLUTION NO. 15-09-04R**

Rux moved, Johnson seconded to approve Resolution No. 15-09-04R to confirm Mayor Levsen's appointment of Sarah Kuntz to the Business Improvement District II Board as follows:

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 duties of the appointed Business Improvement District II Board members are to make recommendations to the governing body for the establishment of a plan for improvements to the Business Improvement District area, and

WHEREAS, Sarah Kuntz shall be appointed by the Mayor to serve as a BID II Board Member representing the Quality Inn Hotel, 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 September 8, 2015 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 present voting aye, motion carried.

**RESOLUTION NO. 15-09-05R**

Campbell moved, Rux seconded to approve Resolution No. 15-09-05R regarding annual promotion fund allocations to the Boys and Girls Club Building Campaign as follows:

WHEREAS, the City of Aberdeen self-imposes a municipal 1% tax upon the gross receipts of sales for the promotion and advertising of the city, its facilities, attractions, and activities, which revenues the City identifies as the "Promotion Fund"; and

WHEREAS, the City annually makes allocations of Promotion Funds to eligible local organizations whose facilities, attractions, and activities promote and advertise the city and thereby stimulate economic development; and

WHEREAS, the Boys and Girls Club of Aberdeen Area (hereafter "Boys and Girls Club") is an eligible local organization who has applied for and received Promotion Fund allocations; and

WHEREAS, the Boys and Girls Club instituted a \$5,000,000 building campaign to raise funds to construct a new facility in Aberdeen and has secured donations and pledges to date of approximately \$3,000,000; and

WHEREAS, the City Council finds that the Boys and Girls Club building campaign to construct a new facility in Aberdeen will promote the city and stimulate economic development.

WHEREAS, the City, in support of the building campaign, provided to the Boys and Girls Club in 2014 a one-time appropriation of undesignated sales tax in the amount of

\$100,000 and in 2015 a Promotion Fund allocation of \$100,000; and

WHEREAS, the Boys and Girls Club seeks an additional \$1,000,000 over the next ten years from the Promotion Fund for its building campaign; and

WHEREAS, the Boys and Girls Club has requested the City Council express its resolution of intent to support the Boys and Girls Club building campaign by making annual allocations from the Promotion Fund of \$100,000 for the 10-year period from fiscal year 2016 through fiscal year 2025; and

WHEREAS, the City Council desires to support such request to the extent authorized by law and based upon current budgetary projections and funding availability;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Aberdeen, by and through its elected City Council, supports the Boys and Girls Club building campaign and anticipates allocating \$100,000 from the Promotion Fund on an annual basis to the Boys and Girls Club for the building campaign for a period of ten years beginning in 2016; and

IT IS FURTHER RESOLVED that the Mayor and City officers are authorized to provide such assurances and execute such documents as may assist the Boys and Girls Club in obtaining financing consistent with this resolution of intent but shall not bind the City to an irrevocable or non-modifiable pledge, obligation, or encumbrance upon future Promotion Fund allocations; and

IT IS FURTHER RESOLVED that this resolution shall not be deemed a pledge of a non-ad valorem tax revenue bond in anticipation of collection of the 1% gross receipts tax.

All present voting aye, motion carried.

#### HEARING ON SPECIAL ALCOHOL LICENSES

This being the time and place set for a hearing on an application for Special One-Day Retail Wine and Retail Malt Beverage Licenses on September 10, 2015 for Aberdeen Area Chamber of Commerce, recommendations for approval were received, Ronayne moved, Remily seconded to approve the Special One-Day Retail Wine and Retail Malt Beverage Licenses on September 10, 2015 for Aberdeen Area Chamber of Commerce for Business After Hours at 1314 – 6<sup>th</sup> Avenue, SW. All present voting aye, motion carried.

#### AMENDMENT TO COMMUNITY EVENT PERMIT

Ronayne moved, Remily seconded to approve an amendment to add September 12 and 26, 2015 to a Community Event Permit for the Eagles Club's Concerts/Dance Events at 316 South Second Street from 5:00 p.m. until 2:00 a.m. including a time extension for the music until 1:00 a.m. All present voting aye, motion carried.

#### ACCEPT GRANT AND SUPPLEMENT BUDGET

Ronayne moved, Campbell seconded to accept a Department of Homeland Security (DHS) Grant of \$121,600 for the Aberdeen Fire and Rescue Department and approve a budget supplement in the amount of \$133,759 to purchase Self Contained Breathing Apparatus (SCBA) from Allegiant Emergency Services. The grant will be applied to the cost of the SCBA. All present voting aye, motion carried.

#### RESOLUTION NO. 15-09-06R

Campbell moved, Bunsness seconded to approve Resolution No. 15-09-06R declaring surplus property as follows:

BE IT RESOLVED by the Aberdeen City Council, that the following described property is declared surplus property and shall be disposed of according to law in accordance with SDCL §6-13-1 or FTA Guidelines, said property to be described as follows: 2007 Chevrolet Uplander, VIN #1GBDV13157D144373, City Asset #4692

BE IT FURTHER RESOLVED by the Aberdeen City Council that the Transportation Director may transfer this surplus property as allowed by law.

All present voting aye, motion carried.

**GRANT OFFER FOR AIRPORT IMPROVEMENTS**

Ronayne moved, Remily seconded to authorize the City Manager to execute grant offer for Airport Improvement Program (AIP) Project No. 3-46-0001-035-2015. All present voting aye, motion carried.

**PROFESSIONAL SERVICES AGREEMENT FOR AIRPORT**

Rux moved, Slaight-Hansen seconded to approve and authorize the City Manager to sign agreement for Professional Services with Helms & Associates for the Airport Improvement Program Project No. 3-46-0001-35-2015 Storm Water Improvements, Phase II. All present voting aye, motion carried.

**AIRPORT PAYMENT REQUESTS**

Remily moved, Ronayne seconded to approve and authorize the City Manager to sign payment request #11 in the amount of \$3,506.60 to Helms & Associates for work on the Airport Improvement Program Project No. 3-46-0001-34-2014 Wetland Mitigation and Storm Water Improvements Project, Phase I. Upon roll call, all present voting aye, motion carried.

Rux moved, Johnson seconded to approve and authorize the City Manager to sign payment request #3 in the amount of \$6,592.64 to Helms & Associates for work on the Airport Improvement Program Project No. 3-46-0001-35-2015 Runway 17/35 Decoupling/Design Phase. Upon roll call, all present voting aye, motion carried.

**CHANGE ORDER/PAYMENT REQUEST FOR MILL AND OVERLAY PROJECT**

Ronayne moved, Remily seconded to approve Change Order #1 in the amount of \$12,772.07 and Payment Request #1 in the amount of \$409,304.08 to Lien Transportation for work performed on the Mill and Overlay Improvements Project ST-2015-1. Upon roll call, all present voting aye, motion carried.

**PAYMENT REQUEST FOR CONCRETE ST. REHAB**

Remily moved, Johnson seconded to approve and authorize the City Manager to sign payment request #1 in the amount of \$128,125.98 to Wright & Sudlow for work performed on the Concrete Street Rehabilitation Project CONC-2015-3. Upon roll call, all present voting aye, motion carried.

**BILLS**

Johnson moved, Bunsness seconded to approve the following audited bills for services, supplies, repairs, and maintenance: Northwestern Energy 89,553.87; AT & T 2,966.57; NVC 386.40; MetLife 840.08; US Bank 37,295.69; United Parcel Service 40.87; Joe Strelow 25.16; AUD Rentals, LLC 40.75; John Gasco 31.68; Lynn Arment 3.60; Adam Grant 39.33; Darrell Goodrich 42.39; Virginia Hvam 6.27; Joyce Moore 37.75; James Hein 26.32; LeRoy Imberi 18.97; Richard Klein 39.44; Rivett Group 26.71; Flexible Pipe Tool Company 147,724.00; Morrison Construction 17,853.52; Dependable Sanitation 255.00; Bound Tree Medical LLC 115.37; J & K Mowing Service 62.45; American News 199.28; Aberdeen Chamber of Commerce 12.00; Karl's TV & Appliance 139.00; Praxair Distribution Inc 532.80; Lisa Osman 184.00; American Assn Airport Execs 275.00; Beadle Floral & Nursery 1,065.25; Best Western Ramkota 360.00; MARCO Inc 286.26; Bonnie Bitz 3,620.00; RDO Equipment Co 208.41; Brown County Treasurer 745.49; A M Leonard Inc 470.13; Chris & Dan's Tarp & Canvas Repr 23.50; Overhead Door 914.54; Dahme Construction 120,327.89; Hawkins Inc 2,157.63; Dakota Electronics 89.30; Vosika Fencing 4,001.00; Don's Builders Hardware 217.00; Dennis Gavin 2,500.00; Cole Papers Inc 2,134.06; Jensen Rock & Sand Inc 885.83; Carquest Auto 470.59; Graham Tire Co 1,549.08; Education Outdoors 71.76; Direct Automation LLC 2,991.88; Hedahls Inc 348.62; CASH-WA Distributing 6,527.38; House of Glass Inc 2,227.08; Nelson Sales & Service, LLC 29.10; H F Jacobs & Son 679.80; Kesslers Inc 195.30; K-Mart Shopping Center 5.38; Steven Lust

Automotive 29.08; MAC's Inc 68.16; Cameron Jarvis 77.00; NB Golf LLC 298.87; Sewer Duck Inc 85.00; Avera Home Medical Equipment 219.00; B & B Contracting 500.00; Pantorium 45.82; Dakota Supply Group 3,723.02; Lorie Johnson 260.00; Midstates Group 2,900.88; Aberdeen Catholic Schools 350.00; SHARE Corp 1,487.50; Sherwin-Williams Co 119.70; Stan Houston Equipment, Inc 2,060.75; J & K Mowing Service 212.00; Bandit Industries, Inc 512.52; Town & Country Lumber Inc 230.67; Academy Trophy Co 806.50; Melledy Rostad 48.00; Weismantel Rent All 450.00; Woodman Refrigeration Co., Inc 1,329.27; Wright & Sudlow 13,760.13; Julie Jones 120.00; Hannah Lagerquist 34.04; MAC's Electric 297.09; Baker & Taylor Inc 4,025.31; GALE 847.10; Fastenal Company 13,357.87; ADAPCO Inc 3,293.82; Civil Air Patrol Magazine 95.00; Gametime 116.00; Michael J Jilek 40.00; Christina Hanagan 16.95; Metering & Technology Solutions 478.67; Joseph Peterson 95.00; Joel Lynn Carda 55.00; Kara Werning 55.00; Grace Gasperich 22.00; Alex Tiede 165.00; Alicia Peterson 95.00; McKayla Carda 90.00; Dolly Schmidt 50.00; Ty H. Gibson 315.00; Charlene Blondo 184.00; Dependable Sanitation, Inc 4,745.86; Sarah Suko 120.00; Center Point Large Print 438.18; Bryan Rock Products 458.64; Zamperla, Inc 2,506.03; David L Martinson 20.00; James Torbert 32.00; Kris Konickson 120.00; Fordham Signs 665.00; PEPSI-COLA 3,251.30; Gary Hansen 20.00; SD Dept Health Lab 176.00; Pauer Sound & Music Inc 65.99; Titan Access Acct/Productivity Plus Acct 22.64; Hub City Radio 300.00; Executive Management 55.87; Jim Panerio 144.00; North Central Farmers Elevator 16,386.79; Parkview Nursery Inc 681.14; Jenny L Gross 80.00; Virginia Lewis 184.00; Rick's Heating/Air Conditioning 67.65; Spencer Werth 117.00; Dance Teacher 44.95; Cummins Central Power LLC 1,762.72; Dakota Security Systems 480.00; MTI Distributing 2,792.79; Michael Marmorstein 175.00; POET Ethanol Products 2,204.70; Kimberly Carda 80.00; Tori Heier 115.00; Fire Safety First 110.95; Joye Ward 30.00; SD One Call 375.20; Quill Corp 159.60; Chuck Forrest 62.00; Federal Express Corp 48.48; Ken's Superfair Foods 6,441.84; Sertoma Club 250.00; Century Business Products 47.20; Karl Alberts 149.60; West River Beverage Inc 1,006.00; Menards 3,040.19; Dennis McDermott 144.00; Julie Borr 32.00; Aqua Pure Inc 16,591.50; Dakota Fluid Power Inc 143.46; McQuillen Creative Group Inc 925.00; Midwest Mini Melts 3,034.00; Christopher Jacobson 170.00; Wylie Thunder Road 195.50; Sargent County Teller 240.00; Karla Nelson 38.11; Renaissance Artist 529.27; Jamie Stadel 99.00; Borns Group 4,389.48; FP Mailing Solutions 135.00; Mike Levsen 134.40; OCLC Inc 824.77; John Patzlaff 65.00; Jeremy Schutter 65.00; Recreation Supply Co 124.72; CO-OP Architecture 38,998.40; Helena Chemical Co 1,475.00; Haider Construction Inc 586.74; Tevin A Johnson 180.00; Van Diest Supply Co 878.80; Dakota News 33.80; Camby's Pass Inc 1,307.20; Photo-X-Press 187.50; Forest Rux 33.95; Dakota Oil 159.55; Lisa Link 80.00; Phyllis Heier 80.00; Stephanie Raap 184.00; Bob Downie 184.00; Esther Thistle 96.00; Paul Dutt 144.00; Kelly Wieser 80.00; DSS Image Apparel 200.00; MVTL Lab 995.00; Baldwin Supply Co 9,187.79; R & R Specialties Inc 3,834.45; Plunkett's Pest Control 72.80; Aberdeen Plumbing & Heating Inc 456.65; 3D Specialties Inc 418.37; Pro Ag Supply Inc 124.89; US Tennis Association 35.00; Aberdeen Chrysler Center 410.00; Midwest Tape 128.05; Sue Gates 120.00; Thatcher Company of Montana 22,500.62; Julia Friedrichsen 30.00; Game Store LLC 20.00; Premier Facility Maintenance Services 455.00; Butler Machinery Co 39.42; L & O Acres Transport 713.44; Tyler Bierman 62.00; GRAINGER 115.84; Geffdog Designs 1,501.60; Ameripride Services Inc 1,163.14; Crescent Electric Supply 42.50; Jacque Bratcher 50.00; Artic Glacier USA, Inc 1,012.60; Lucas Fredrick 50.00; Spencer Raap 90.00; Weissmans Designs For Dance 35.40; Innovative Interfaces, Inc 23,300.00; Live Tribute Production 300.00; F & L Investments 200.00; Clear Channel Radio 99.00; Symmone Gauer 85.00; Rachel Hohenstein 59.50; Hannah Hovel 85.00; Jonah Kost 59.50; Max Langbehn 85.00; Katrina Marnette

85.00; Rawley Moore 59.50; Jasper Engineering & Equipment 2,459.86; Associated Supply Co Inc 3,311.92; Tri-State Water, Inc 96.00; Swanson Electric 925.92; Aberdeen Senior Center 2,192.82; Runnings Supply Inc 3,310.57; Interstate Battery 225.90; Consolidated Ready Mix Inc 330.00; Pat Rerick 10.50; Nicole Washenberger 75.00; Autumn Rudolph 61.63; Abby Gauer 5.19. Upon roll call, all present voting aye, motion carried.

#### PAYROLL

Rux moved, Slight-Hansen seconded to approve the payroll for the period from August 23, 2015 through September 5, 2015 and city share of social security, old age and survivor's insurance, retirement, health and life insurance. Wells Fargo 119,566.68; SD Retirement System 62,893.61; Governing Body 3,192.28; City Manager 6,808.03; City Attorney 5,761.05; Finance 12,068.08; HR 7,667.20; Building 309.03; Computer 3,994.55; Planning/Zoning 12,359.64; Engineering 11,352.33; Police 104,206.00, Debbie Dell 223.50 bw, Vickie Hoerner 123.75 bw, Samantha Huber 50.63 bw, Katie Kirchgasser 101.25 bw, Holly Roggow 123.75 hr, Kaylene Sauer 101.25 bw, Cindie Stoebner 101.25 bw, Tammy Wasem 223.50 bw; Fire 81,513.95; Fire Prevention 4,383.20; Housing/Building 5,578.40; Street 28,000.28; Traffic 4,470.69; Solid Waste 16,967.63; Transportation 12,587.79; Library 22,403.82; Parks, Rec & Forestry 109,488.21, Elyssa Behan 9.75 hr or 16.25 class, Ashton Bjur 9.75 hr or 16.25 class, Anthony Cooper 11.25 hr, Amber Couch 9.75 hr or 11.75 class or 15.50 class, Robb Erickson 12.00 hr, Ronald Feickert 10.50 hr, Zachary Feil 11.00 hr, Michele Fritz 10.25 hr, Crystal Harper 10.00 hr or 11.75 class, Wyatt Heine 11.00 hr, Collin Jark 11.00 hr, Joseph Kvale 11.00 hr, Andrew Mitchell 11.00 hr, Anthony Morrissey 11.75 hr, Casandra Mraz 9.75 hr or 11.75 class, Ivory Moser 10.00 hr or 16.50 class, Ryan Nack 11.50 hr, Joshua Opp 10.75 hr, Lucas Osowski 11.00 hr, Arionne Reiter 9.50 hr, Brittany Simon 11.50 hr, Jessica Spieker 12.00 hr, Zachary Ulmer 11.25 hr, Richard Weber 9.00 hr, Airport 12,711.10; Pipe 19,721.65; Water Treatment 15,161.20, Brian Jarvis 16.97 hr; Meter 3,008.39; Wastewater 16,710.19; Pump 5,157.60, Federal Crths Bldg 1,600.00. Upon roll call, all present voting aye, motion carried.

#### CITY MANAGER'S REPORT

Lynn Lander presented the City Manager's Report.

#### OTHER

Council Member Remily discussed current legislative districts and asked if the Council would direct the City Attorney to draft a resolution to support a nonpartisan re-districting committee.

There being no further business, Johnson moved, Campbell 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.