

CITY COUNCIL PROCEEDINGS

Brown County Commission Chambers, 25 Market Street, Aberdeen, South Dakota, December 17, 2015, 4:00 p.m., Special City Council Meeting to canvass results from the Special Municipal Election on the Library Bond Ordinance held on December 15, 2015 with the Brown County Auditor's Office. Mayor Mike Levsen presiding. Present at roll call were City Council Members David Bunsness, Alan Johnson, Mark Remily, Rob Ronayne, and Clint Rux. City Council Members Todd Campbell, Jennifer Slight-Hansen, and Laure Swanson were absent. City Staff present were Ron Wager and Karl Alberts.

CANVASS ELECTION RESULTS

Brown County Auditor Maxine Fischer and Deputy Auditor Cathy McNickle were present to canvass the election results with the City Council.

RESOLUTION NO. 15-12-04R

Ronayne moved, Rux seconded to approve the following Resolution No. 15-12-04R declaring results of special election:

WHEREAS, SDCL §9-13-24 provides that municipal election returns shall be reported as soon as possible to the finance officer, and within seven days of the election, the governing body shall canvass the election returns, declare the result, and enter the result on its journal; and

WHEREAS, by Resolution No. 15-10-09R, adopted October 26, 2015, the City Council ordered and provided for a special municipal election to be held in the City on December 15, 2015, for the purpose of submitting to the voters of the City of Aberdeen for approval or disapproval the question whether Ordinance No. 15-09-07 to issue sales tax revenue bonds to pay for a new municipal library shall become effective; and

WHEREAS, the returns of said election have been delivered and canvassed by the City Council;

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABERDEEN:

The City Council finds and hereby declares the results of the Special Election held on December 15, 2015, to be as follows: That on the measure proposed on the ballot; namely, whether Ordinance No. 15-09-07 to issue sales tax revenue bonds to pay for a new municipal library shall become effective, there were 2,411 votes cast in favor of approving said Ordinance and there were 1,576 votes cast against approval of said Ordinance, and the City Council declares and certifies that said measure was approved by the electorate, and further certifies that Ordinance No. 15-09-07 will become operative as an Ordinance of the City of Aberdeen.

The foregoing Resolution was considered and adopted at a special meeting of the City Council on the 17th day of December, 2015.

All present voting aye, motion carried.

There being no other business before the Council, Rux moved, Johnson 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, December 21, 2015, 5:30 p.m., regular meeting of the Board of City Council Members, Deputy Mayor Rob Ronayne presiding. Present at roll call were City Council Members David Bunsness, Todd Campbell, Alan Johnson, Mark Remily, Rob Ronayne, and Clint Rux. Mayor Mike Levsen and City Council Members Jennifer Slight-Hansen and Laure Swanson were absent. City Staff present were Lynn Lander, Ron Wager, Robin Bobzien, Brett Bill, Karl Alberts, Dave McNeil, Tony Bisbee, and Janel Ellingson.

The Deputy Mayor led the Pledge of Allegiance.

MINUTES

Bunsness moved, Rux seconded to approve the minutes of December 14 and December 15, 2015, as circulated. All present voting aye, motion carried.

OPEN FORUM – Troy McQuillen was present to discuss the library project.

OLD BUSINESS

ORDINANCE NO. 15-12-03

Rux moved, Bunsness seconded to approve second reading and final adoption of Ordinance No. 15-12-03 establishing the number of regular full-time positions and their position titles, and fix the bonds of City Officials and Employees for the upcoming year. Upon roll call, all present voting aye, motion carried.

CONSENT CALENDAR

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

RENEWAL OF RETAIL ON-OFF SALE WINE LICENSE FOR 2016 for Guadalajara III Inc. dba Guadalajara Mexican Restaurant, 3015 – 6th Avenue, SE #3

SET HEARING DATE – of January 11, 2016 at 5:30 p.m. for the Petition to Vacate Public Right-Of-Way for the Portion of Riverside Drive Public Right-Of-Way adjacent to proposed Lots 1 and 2 shown on the proposed Plat of Andrews-Cunningham 1st Subdivision in Aberdeen, South Dakota formerly known as Lots 121 – 124, Morning Heights Addition (819 and 823 Riverside Drive)

PLATS – 1) Neifer First Subdivision in the NE ¼ of Section 22, T123N, R64W of the 5th P.M., Brown County, South Dakota with stipulation that all Board of Zoning Adjustment Stipulations be followed (1216 Hwy #281 S.); 2) Van Dover–Daggett Addition to Prairiewood Village in the NE ¼ of Section 33, T124N, R63W of the 5th P.M., Brown County, South Dakota (12917, 12919, and 12921 Prairiewood Drive); 3) Nick and Nicole Volk First Subdivision to Aberdeen in the SW ¼ of Section 18, T123N, R63W of the 5th P.M., Brown County, South Dakota (1223 – 1st Avenue, SE); 4) House of Glass First Subdivision in Aberdeen, South Dakota (2 and 4 N. State Street and 701 Railroad Avenue, SE); 5) Prouse First Subdivision to the City of Aberdeen in the NW ¼ of Section 19, T123N, R63W of the 5th P.M., Brown County, South Dakota (1502 Goodrich Avenue, SE); 6) Andrews-Cunningham First Subdivision in Aberdeen, South Dakota (819 and 823 Riverside Drive).

All present voting aye, motion carried.

NEW BUSINESS

ORDINANCE NO. 15-12-02

Bunsness moved, Remily seconded to approve first reading of Ordinance No. 15-12-02 supplementing the 2015 Budget for various unanticipated projects, activities, and expenses was presented. Upon roll call, all present voting aye, motion carried.

2015 WATER EXPENSES

Bunsness moved, Remily seconded to approve the request from the Finance Office for the allocation of 2015 Water Expenses in Various Funds. All present voting aye, motion carried.

HEARING ON TRANSFERS OF ALCOHOL LICENSES

This being the place and time set for a hearing on transfers of alcohol beverage licenses for Slackers Bar LLC to 319 South Main Street, recommendations for approval were received, Remily moved, Rux seconded to approve the transfers of Retail On-Off Sale Wine and Malt Beverage Licenses for Slackers Bar LLC from 320 South Main Street to 319 South Main Street. All present voting aye, motion carried.

WEBSITE UPGRADE AGREEMENT WITH CIVICPLUS

Johnson moved, Remily seconded to approve and authorize the City Manager to enter into a Professional Services Agreement for Website Redesign and Upgraded Services in the amount of \$23,130 with CIVICPLUS. All present voting aye, motion carried.

AMENDMENT TO ENGINEERING SERVICES AGREEMENT FOR WATER INTAKE

Johnson moved, Rux seconded to approve of the Engineering Services Agreement Amendment #2 of the Original 2012 Agreement with Clark Engineering for additional funding in the amount of \$33,700 for Permitting, Wetland Mitigation Inspection, and Ox Box Isolation for Topeka Shiners as part of the Water Treatment Intake Project. All present voting aye, motion carried.

BIDS FOR TRACTOR FOR PUBLIC WORKS-UTILITY

Bids were received and publicly opened for One 2016 Utility Diesel Tractor for Public Works Department – Utility Division. A detailed list of the bids is on file at the Finance Office. Bunsness moved, Johnson seconded to award the Tractor Bid in the amount of \$82,170 to Titan Machinery (HC Clark) and authorize the City Manager and City Finance Officer to sign all necessary documents after approval by the City Attorney. All present voting aye, motion carried.

BIDS FOR WTP INTAKE LOW SERVICE PUMP REPLACEMENT

Bids were received and publicly opened for the 2016 Intake Low Service Pump Replacement for the Water Treatment Plant. A detailed list of the bids is on file at the Finance Office. Bunsness moved, Campbell seconded to award the Pump Replacement Bid in the amount of \$42,500 to Dakota Pump & Control and authorize the City Manager and City Finance Officer to sign all necessary documents after approval by the City Attorney. All present voting aye, motion carried.

BIDS FOR TANDEM TRUCK BOX & HOIST FOR PUBLIC WORKS-STREET

Bids were received and publicly opened for One 2016 Tandem Truck Box & Hoist for the Public Works Department – Street Division. A detailed list of bids is on file at the Finance Office. Bunsness moved, Remily seconded to award Item #1 – Cab and Chassis Bid in the amount of \$79,892 to Westman Freightliner and Item #2 – Tandem Truck Box & Hoist Bid in the amount of \$23,434 to Northern Truck Equipment and authorize the City Manager and City Finance Officer to sign all necessary documents after approval by the City Attorney. All present voting aye, motion carried.

BIDS FOR REFUSE COLLECTION UNIT FOR PUBLIC WORKS-SOLID WASTE

Bids were received and publicly opened for One 2016 Refuse Collection Unit for Public Works Department – Solid Waste Division. A detailed list of bids is on file at the Finance Office. Rux moved, Johnson seconded to award Item #1 – Cab and Chassis Bid in the amount of \$82,678 plus optional features in the amount of \$735 for a net bid amount of \$83,413 to I-State Truck Center and Item #2 – Refuse Packer Body Bid in the amount of \$51,990 less trade allowance in the amount of \$30,990 for a net bid in the amount of \$21,000 to Olympic Sales, Inc., declare surplus property a 2008 International Truck for the trade-in to Olympic Sales, Inc. and authorize the City Manager and City Finance Officer to sign all necessary documents after approval by the City Attorney.

BIDS FOR RUBBER TIRED FRONT END LOADER FOR PUBLIC WORKS-STREET

Bids were received and publicly opened for One 2016 Rubber Tired Front End Loader for Public Works Department – Street Division. A detailed list of bids is on file at the Finance Office. Bunsness moved, Campbell seconded to award Alternate #2 Loader Bid in the amount of \$158,672.26 less trade allowance in the amount of \$40,000 for a net bid in the amount of \$118,672.26 to J Gross Equipment, declare surplus property a 2001 Case Loader for the trade-in to J Gross Equipment, and authorize the City Manager and City Finance

Officer to sign all necessary documents after approval by the City Attorney. All present voting aye, motion carried.

BIDS FOR SNOW BLOWER FOR PUBLIC WORKS-SNOW REMOVAL

Bids were received and publicly opened for One 2016 SnowBlower for Public Works Department – Snow Removal Division. A detailed list of bids is on file at the Finance Office.

Bunsness moved, Rux seconded to award Alternate A – SnowBlower Bid in the amount of \$125,300 and additional wireless remote control in the amount of \$2,500 for a net bid in the amount of \$127,800 to Sanitation Products and authorize the City Manager and City Finance Officer to sign all necessary documents after approval by the City Attorney. All present voting aye, motion carried.

CHANGE ORDER/PAYMENT REQUEST FOR KLINE STREET SEWER PROJECT

Bunsness moved, Johnson seconded to approve and authorize the City Manager to sign Change Order #1 in the amount of \$46,972.05 and Payment Request #5 in the amount of \$126,142.47 for B & B Contracting for work performed on the Kline Street Storm Sewer Improvements Project SS-2015-1. Upon roll call, all present voting aye, motion carried.

BILLS

Rux moved, Johnson seconded to approve the following audited bills for services, supplies, repairs, and maintenance: Northwestern Energy 16,507.59; Clark Engineering 91,805.64; Prairie Home Inspector 4,833.36; Beadle Floral & Nursery 312.00; Mettler Sichmeller Engineering 8,200.00; J Gross Equipment 243.10; Wageworks 444.00; United Parcel Service 113.76; Wilbert Schultz 24.85; Christopher Hase 40.24; Robert Witt 40.65; Jeremiah Knapp 33.69; John Kippley 88.29; Gene Jerke 62.27; Aberdeen School Dist 1,579.95; Interstate Battery 111.95; Danko Emergency Equipment 3,137.13; Groton Ford 4,268.65; Taylor Laundry 15.00; Western States Fire Protection 770.00; Brown County Fire Chiefs 50.00. Upon roll call, all present voting aye, motion carried.

CITY MANAGER'S REPORT

Lynn Lander presented the City Manager's Report.

OTHER

Bunsness moved, Rux seconded to postpone indefinitely the Proposed Ordinance No. 15-12-04 regulating the use of drones within the city limits. All present voting aye, motion carried.

There being no further business, Bunsness moved, Johnson 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.