

## CITY COUNCIL PROCEEDINGS

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, March 7, 2016, 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 Todd Campbell, Alan Johnson, Mark Remily, Clint Rux, Jennifer Slight-Hansen and Laure Swanson. City Council Members David Bunsness and Rob Ronayne were absent. City Staff present were Lynn Lander, Ron Wager, Robin Bobzien, Karl Alberts, Cody Roggatz, Peggi Badten, and Doug Johnson.

Mayor Levsen led the Pledge of Allegiance.

## MINUTES

Rux moved, Swanson seconded to approve the minutes of February 29, 2016, as circulated. All present voting aye, motion carried.

OPEN FORUM – No one was present.

OLD BUSINESS

## ORDINANCE NO. 15-12-04

Campbell moved, Swanson seconded to approve second reading and final adoption of Ordinance No. 15-12-04. Campbell moved, Rux seconded to amend Section 10-2 (1) of the Ordinance to add “its runways” and delete “Runway 13”. All present voting aye, motion carried. On the motion to approve second reading with the amendment and final adoption of Ordinance No. 15-12-04, upon roll call, Rux, Swanson, Johnson, Slight-Hansen, Campbell, Mayor Levsen voting aye, Remily voting nay, motion carried.

## ORDINANCE NO. 16-02-09

Rux moved, Johnson seconded to approve second reading and final adoption of Ordinance No. 16-02-09. Swanson moved, Campbell seconded to amend Section 34-79 of the Ordinance to define bow and arrow and define use within buildings. All present voting aye, motion carried. On the motion to approve second reading with the amendment and final adoption of Ordinance No. 16-02-09, upon roll call, all present voting aye, motion carried.

CONSENT CALENDAR

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

SET BID DATE – of March 22, 2016 at 2:00 p.m. for Advertisements for Bids for Rolling Hills Stormwater Retention Pond Project SS-2016-3 and Third Avenue SE Street Improvements (Illinois St. S. to Lafayette St. S) Project ST-2016 -2.

LICENSES – Taxi Cab Driver – Mike Vining; Residential Building Contractor – Anthony Waldner dba Tony’s Construction.

REQUEST PERMISSION – to serve and permit the consumption of alcoholic beverages at the Wylie Park Pavilion on July 15, 2016 for a Kessler/Beck Wedding Reception.

LOTTERY NOTICE – Presentation College Booster Club – receive and place on file.

A Renewal of Land Lease Agreement #26 with US DOT FAA was removed from the consent calendar.

All present voting aye, motion carried.

NEW BUSINESS

## HEARING ON SPECIAL ALCOHOLIC BEVERAGE LICENSE

This being the time and place set for a hearing on an application for a Special Four-Day Retail On-Sale Liquor License on March 9 through March 12, 2016 for ACT2, Inc. at 415 South Main Street, recommendations to approve the license were received, Swanson moved, Slight-Hansen seconded to approve the Special Four-Day Retail On-Sale Liquor License on March 9 through March 12, 2016 for ACT2, Inc. at Aberdeen Community Theatre, 415 South Main Street. All present voting aye, motion carried.

## RESOLUTION NO. 16-03-01 R

Johnson moved, Swanson seconded to approve Resolution No. 16-03-01R as follows:

## RESOLUTION DECLARING SURPLUS PROPERTY

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 FAA Guidelines, said property to be described as follows:

Description	VIN#	Asset #
1995 JD Tractor (6400)	L06400M145216	2884
1999 JD Tractor (6410)	L06410M247246	3780
2008 LandPride 15' Rotary Cutter	554331	4776
2008 LandPride 15' Rotary Cutter	554330	4839

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.

## RFP FOR AIRPORT SERVICES

Johnson moved, Campbell seconded to accept the Request for Proposal for Engineering Services and Aviation Planning for the Airport from Helms & Associates for the 2016 through 2020 Airport Projects. All present voting aye, motion carried.

## PAYMENT REQUESTS – AIRPORT PROJECTS

City Council Member David Bunsness arrived at 5:43 p.m. during presentation of the requests for payments for Helms & Associates on work performed on Airport Projects. Johnson moved, Swanson seconded to approve and authorize the City Manager to sign the following payment requests: Pay Estimate #6 – AIP #3-46-0001-35-2015 Runway 17/35 Decoupling Design Phase – Helms & Associates in the amount of \$16,481.60; Pay Estimate #7 – AIP #3- amount of \$12,888.20; and Pay Estimate #16 – AIP #3-46-0001-34-2014 Wetland Removal and Stormwater Improvements – Helms & Associates in the amount of \$1,947.37. Upon roll call, all present voting aye, motion carried.

## CHANGE ORDER-PAYMENT REQUEST – AIRPORT PROJECT

Rux moved, Bunsness seconded to approve and authorize the City Manager to sign the following change order and payment request for B & B Contracting for work on AIP #3-46-0001-34-2014 Project: Change Order #3 in the amount of \$9,897.98 for adding an item for Outlet Structure Bank Stabilization and Payment Request #12 in the amount of \$39,897.98 for work performed on Airport Wetland Mitigation and Stormwater Improvements, Phase I. Upon roll call, all present voting aye, motion carried.

RIGHT-OF-WAY ACQUISITIONS FOR 8<sup>TH</sup> AVENUE PROJECT

Bunsness moved, Johnson seconded to approve the Right-Of-Way Acquisition documents for the 8<sup>th</sup> Avenue, NW Project including payments to property owners for their parcels and authorize the Mayor to sign the documents for the following: John and Rachel Gasco – temporary easement in the amount of \$1,000; East River Electric Power Cooperative – temporary and permanent easements in the amount of \$2,500; Donald O. Gross – temporary easement in the amount of \$1,000; Nicole Rausch – temporary easement in the amount of \$1,000; Robert and Barbara Bornhoft – temporary easement in the amount of \$1,000; Mariah Lynn Mougey – temporary easement in the amount of \$1,000; Chase Johnson – temporary easement in the amount of \$1,000; David W. and Betty I. Weber – temporary easement in the amount of \$1,000; Shirley Steiner – temporary easement in the amount of \$1,000; Wagner Holding, LLC – permanent easement in the amount of \$1,500; Michael R. Walberg – temporary easement in the amount of \$1,000; Jerry and Betty Akin – temporary easement in the amount of \$1,000; Pamela Nitschke – temporary easement in the amount of \$1,000; Amy Untereiner – temporary easement in the amount of \$1,000; JoAnn Hoffman –

temporary easement in the amount of \$1,000; Thomas Nuhsbaumer – temporary easement in the amount of \$1,000; IKE Enterprises, LLC – permanent easement in the amount of \$1,500; Bryana R. Darling – temporary easement in the amount of \$1,000; James E. Gohn – temporary easement in the amount of \$1,000; Elizabeth M. Dieseth – temporary easement in the amount of \$1,000; Kimberly R. Schwan – temporary easement in the amount of \$1,000; Antoinette M. Winther – temporary easement in the amount of \$1,000; Melissa Steger – temporary easement in the amount of \$1,000; Regency Midwest Ventures – temporary and permanent easements in the amount of \$12,500; Rolling Hills Golf Club, LLC – temporary easement in the amount of \$1,000; Katy Ramsbacher – temporary easement in the amount of \$1,000; Rickter S. and Betty J. Clay – temporary easement in the amount of \$1,000; Charles M. and Carrie J. Cole – temporary easement in the amount of \$1,000; Neil and Valarie Bittner – temporary easement in the amount of \$1,000; William W. and Norma L. Kale – temporary easement in the amount of \$1,000; Lee and Christine Keller – temporary easement in the amount of \$1,000; Kenneth R. and Nancy M. Labrie – temporary easement in the amount of \$1,000; Jordan A. and Chelsey L. Kline – temporary easement in the amount of \$1,000; Luke and Ashley Harr – temporary easements in the amount of \$2,000; B & M Storage, LLC – temporary and permanent easements in the amount of \$2,500; Holy Cross Lutheran Church – temporary easements in the amount of \$6,099.03. Upon roll call, all present voting aye, motion carried.

#### REQUEST FOR TAX ABATEMENT

The Brown County Auditor's Office notified the City Finance Office of a request for a tax abatement at 211 – 5<sup>th</sup> Avenue, NE due to an office error regarding an application for a tax freeze. Bunsness moved, Rux seconded to approve a request for a property tax abatement for Ella Bulian at 211 – 5<sup>th</sup> Avenue, NE in the total amount of \$626.75 with City's share of abatement being \$189.33. 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 93,119.98; 121 Benefits 415.50; US Bank 53,059.65; NVC 152.52; Rhodes Anderson Agency 8,250.00; AT & T 1,215.30; CVB 21,217.00; United Parcel Service 115.79; MARCO, Inc. 25.40; American News 902.79; Aberdeen Chamber of Commerce 45.00; Praxair Distribution Inc. 64.71; Victoria Georgoff 150.00; MARCO Inc 4,445.09; Bonnie Bitz 2,880.00; A M Leonard Inc 89.99; Jordan Moench 25.00; Leidholt Electric LLC 1,217.06; City Treasurer 7,150.00; People Books 42.91; Don's Builders Hardware 39.00; Dennis Gavin 2,500.00; Heartland Paper Co 2,306.92; C J Huber 50.00; Quality Welding Inc 19.00; Scholastic Inc 258.00; Cole Papers Inc 8,278.01; Matthew Klundt 108.00; Farm Power Mfg Inc 58.30; GCR Tires & Service 3,576.04; Jensen Rock & Sand Inc 10.00; Carquest Auto 794.99; Graham Tire Co 757.15; Hedahls Inc 332.20; House of Glass, Inc 1,010.70; Nelson Sales & Service, LLC 726.34; Kesslers Inc 246.05; Automatic Building Controls 559.00; Steven Lust Auto 99.54; M-B Companies Inc 4,470.00; MAC's Inc 678.25; NB Golf LLC 409.87; Gerald Robert Bourelle 60.00; B & B Contracting 5,458.30; Minnesota Knife 160.00; Clubhouse Hotel & Suites 293.00; Farnums Genuine Parts 139.48; Richard Allan Ward III 25.00; NSU Workstudy 37.20; A & B Business Solutions 163.81; Pantorium 42.48; Dakota Supply Group 4,185.72; Midstates Group 406.90; Light & Siren 315.03; Fay's Refrigeration Service 37,179.00; Crawford Trucks & Equipment 175.19; Sodak Sports 89.99; SD Federal Property Agency 116.00; Bandit Industries, Inc 83.20; Town & Country Lumber Inc 188.34; Pro-Build 200.12; Airborne Custom Spraying Inc 11,000.00; Woodman Refrigeration Co., Inc 365.17; Wright & Sudlow 8,530.00; Hannah Lagerquist 61.32; Rainbow Printing 680.00; Diesel Machinery Inc 193.20; Aberdeen Area Arts Council 2,477.91; Baker & Taylor Inc 1,582.93;

DEMCO Inc 802.79; Hayley Hornick 112.00; Bradley Danielson 98.00; Fastenal Co 249.21; Quality Books Inc 4,574.29; Joel Welke 32.00; Shane Franks 40.00; Totally Tubular Mfg 2,645.92; Blair Scoular 80.00; Lauren McCafferty 56.00; Gumdrop Books, Inc 838.41; Ray Payer 476.25; Ladner Electric 2,550.00; ETC Institute 1,320.00; Northern Truck Equipment Corp. 132.08; Cassie Mraz 120.00; MS Patricia McDaniel 23.00; Davin Johnson 128.00; Dependable Sanitation, Inc 1,033.75; Amy Scepaniak 90.00; Roger Privratsky 240.00; Pressure Washer Central 15.47; Mark Grote 22.00; NewsBank Inc 335.00; Pauer Sound & Music Inc 370.21; Titan Access Acct 106.01; Mark Hoven 185.00; Hub City Radio 500.00; Executive Management 51.61; Best Cob LLC 935.00; Climate Control 91.79; West Payment Center 458.80; North Central Farmers Elevator 5,433.94; MID-AM Research Chemical 110.50; Dakota Broadcasting LLC 504.00; Dakotaland Autoglass Inc 246.05; Livestock Specialist Inc 84.00; MTI Distributing 6,541.10; SD Airport Managers Assn 25.00; FloorMax 1,273.15; Lynn Lander 134.40; Ken's Superfair Foods 774.32; LTS Distributing 595.00; Century Business Products 74.55; Menards 4,174.09; Shannon Broderson 72.00; Overdrive Inc 1,156.31; Dakota Fluid Power Inc 175.15; McQuillen Creative Group Inc 47.50; Borns Group 777.36; FP Mailing Solutions 135.00; Mike Levsen 134.40; OCLC, Inc 824.77; Double D Body Shop 492.75; Sheryl Erickson 855.00; Ferguson Water Works 2,087.11; Charles Kornmann 395.82; CO-OP Architecture 9,749.60; Matheson Tri-Gas Inc 232.23; Specialty Store Services 71.96; POMP's Tire Service, Inc 1,648.92; Spotslam 120.00; Breann Jackson 56.00; Autumn Schulz 84.00; Carlson & Stewart Refrigeration Inc 1,308.24; Forest Rux 38.25; Anthony Morrissey 36.00; Tim Blue 9.00; Learning Opportunities, Inc 2,144.71; R & R Specialties Inc 98.80; Steve Markley 148.50; Plunkett's Pest Control 211.18; Aberdeen Plumbing & Heating Inc 1,362.64; Patricia Brosz 675.00; Pro Ag Supply Inc 10.61; John Kersten 105.00; EDMO Distributors Inc 1,999.50; Randy Murphy 414.00; Aberdeen Chrysler Center 1,458.00; Midwest Tape 105.98; Midcontinent Communications 427.30; Newman Traffic Signs 381.48; West Sioux Ceramics & DPS 45.20; SD Airports Conference 90.00; Wausau Tile Inc 4,400.00; Gavin Voss 128.00; Holly Vancura 104.00; Austin Eggl 272.00; Curt Fredrickson 302.00; Tyler Bierman 22.00; GRAINGER 188.82; Jance Miller 9.00; Ameripride Services Inc 877.13; Midwest Pump & Tank 28.03; Weissmans Designs for Dance 5,124.10; Harlow's Bus Sales, Inc 310.43; HERC-U-LIFT Inc 183.75; Swanson Electric 374.86; Spencer S Aberle 96.00; My Place Hotel 57.00; Travis Weishaar 128.00; Melissa Kollman 67.50; Thomas C Schinderling 93.75; Athletica Sport Systems Inc 288.00; Big Ceramic Store LLC 938.66; Dakota Woodwind Repair 50.00; Chad Stapp 32.00; EKA Gov't Sales Experts 4,515.30; Aberdeen Senior Center 1,743.39; Runnings Supply Inc 1,623.27; Interstate Battery 200.90; Consolidated Ready Mix Inc 975.00; Ellen Boekelheide 15.90; Barbara Johnosn 45.58; James Johnston 312.50; Kagen Maevers 81.00; Seth Martin 64.00. Upon roll call, all present voting aye, motion carried.

#### PAYROLL

Rux moved, Slight-Hansen seconded to approve the payroll for the period from February 21, 2016 through March 5, 2016 and city share of social security, old age & survivor's insurance, retirement, health and life insurance: Wells Fargo 117,083.43; SD Retirement 65,282.52; Governing Body 3,192.28; City Manager 7,358.71; City Attorney 5,887.31; Finance 12,626.58; HR 8,055.20; Buildings 415.01; Computer 4,283.41; Planning/Zoning 13,030.55; Engineering 11,439.00; Police 102,921.99, Kyle Fadness 23.39 hr; Fire 89,152.25, Alan Browne 15.14 hr; Fire Prevention 4,605.60, Housing/Building 5,877.75; Street 27,499.77; Traffic 4,760.68; Solid Waste 17,612.15; Transportation/Ride Line 15,431.28; Library 23,299.32; Parks, Rec & Forestry 86,961.84, Braxton Large 8.75hr, Alicia Malewicki 10.00 hr, Jodi McQuillen 13.00 hr, Roger Privratsky 9.00 hr; Airport

14,387.28; Pipe 19,077.68; Water Treatment 16,354.79; Meter 2,618.40; Water Reclamation 18,048.30; Pump 5,547.18; Old Federal Crhs Bldg 1,620.00. Upon roll call, all present voting aye, motion carried.

CITY MANAGER'S REPORT

Lynn Lander presented the City Manager's Report.

EXECUTIVE SESSION

Johnson moved, Slaight-Hansen seconded to move into executive session to discuss proposed litigation and contractual matters with legal counsel per SDCL §1-25-2(3). All present voting aye, motion carried.

Bunsness moved, Slaight-Hansen seconded to move out of executive session. All present voting aye, motion carried.

There being no further business, 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.