

## JOINT CITY COUNCIL/COUNTY COMMISSION PROCEEDINGS

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, April 8, 2019 at 5:30 p.m., Joint City Council and Brown County Commission Meeting. Mayor Mike Levsen presiding. Present at roll call were City Council Members David Bunsness, Alan Johnson, Dave Lunzman, Dennis “Mike” Olson by teleconference call, Mark Remily, Rob Ronayne, Clint Rux, and Jennifer Slight-Hansen. Brown County Commissioners present were Doug Fjeldheim, Rachel Kippley, Mike Wiese, Dennis Feickert, and Duane Sutton. City staff present were Lynn Lander, Ron Wager, Robin Bobzien, Ken Hubbard, Karl Alberts, Dave McNeil, and Rich Krokkel.

Mayor Levsen led the Pledge of Allegiance.

## DISCUSSION ON AIRPORT USE OF RETENTION POND PUMP

Rich Krokkel discussed his proposal to start pumping 24 hours after the Moccasin Creek levels drop below flood stage according to the National Weather Service. County Officials stated they would prefer to wait until after the next weather system to determine when to start pumping from the retention pond. The County Commission will discuss more options at their meeting, Tuesday, April 9<sup>th</sup>.

There being no further business, motion by Bunsness, second by Rux to adjourn the meeting. All 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, April 8, 2019 at 6:15 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, Alan Johnson, Dave Lunzman, Dennis “Mike” Olson by teleconference call, Mark Remily, Rob Ronayne, Clint Rux, and Jennifer Slight-Hansen. City staff present were Lynn Lander, Ron Wager, Robin Bobzien, Ken Hubbard, Karl Alberts, Dave McNeil, Doug Johnson, Bob Braun, Aaron Kiesz, and Rich Krokkel.

## MINUTES

Motion by Bunsness, second by Rux to approve the minutes of the City Council Meeting of April 1, 2019, as circulated. Upon roll call vote, all voting aye, motion carried.

OPEN FORUM – No one was present.

PROCLAMATION – Mayor Levsen read and proclaimed April 8 – 12, 2019 as “Chamber of Commerce Week”. Gail Ochs, Executive Director of the Aberdeen Area Chamber of Commerce, discussed the activities throughout the week.

OLD BUSINESS

## ORDINANCE NO. 19-03-01

City Attorney Ron Wager presented Ordinance No. 19-03-01 for second reading as

amended declaring the Emerald Ash Borer a public nuisance, establishing a licensing requirement for tree removal and maintenance, and delaying enforcement of such amendments by city officials until EAB is confirmed in Brown County. Motion by Bunsness, second by Rux to amend Sec. 56-252 to grandfather in existing services from examination requirement: add the following language to the end of the first paragraph of Sec. 56-252 “except that any person providing commercial arborist or tree applicator services in the city for the continuous period from January 1, 2015, to the date of application shall not be required to take the examination for that license.” All voting aye, motion carried. Motion by Ronayne, second by Bunsness to amend Sec. 56-252(3) regarding new and renewal license, waiver of examination on renewal, and license fee amounts: in Sec. 56-252(3) in the heading, separate terms with semicolons and add “fees”, and add the following to the end of the subsection: “The examination shall not be required on a license renewal except where the examination was previously waived on the basis of the licensee having been certified by either the South Dakota Arborist Association or the International Society of Arboriculture and such certification has expired. The license and renewal fees shall be as provided in the city fee schedule on file in the finance office.” Upon roll call vote, all voting aye, motion carried. Motion by Bunsness, second by Johnson to amend Sec. 56-1 to exclude certain articles from the nuisance declaration: in Sec. 56-1 add the following definition of “ash wood”; “Ash wood means wood from an ash tree (genus Fraxinus) but does not include the following articles: (1) Ash seeds and leaves that contain no ash twigs, branches, or wood; (2) Processed lumber that is generally bark free, kiln dried, and with squared edges; (3) Finished wood products without bark, including furniture, baskets, and baseball bats; and (4) Firewood certified by any state, the United States Department of Agriculture, Animal and Plant Health Inspection Service, or the American Firewood Producers and Distributors Association as heat-treated and free of the insect emerald ash borer, and bearing a label identifying the distributor by name and address, net quantity, and state and county of harvest or origin.” Upon roll call vote, all voting aye, motion carried. Motion by Johnson, second by Slaughter-Hansen to amend Sec. 56-33(3) to exclude certain articles from the nuisance declaration: in Sec. 56-33(3) distinguish between elm wood with bark removed and ash wood by adding “without the bark removed or any ash wood” after “elm wood” and deleting “stored” and “without the bark removed” at the end of the sentence. Upon roll call vote, all voting aye, motion carried. Motion by Ronayne, second by Slaughter-Hansen to amend Sec. 56-43 and Sec. 56-42 as follows: in Sec. 56-43 to prohibit transportation of ash wood from infested or quarantined area: add “Infected or quarantined ash trees from outside city limits prohibited. It is unlawful to transport, haul, or carry into any area within the city limits, or any area within one mile of the city limits, any ash tree, or part thereof, or any ash wood infected with EAB or originating from an area outside of the city limits that is under EAB quarantine by a government agency.” and deleting Sec. 56-42 and replace it with the following “Sec. 56-42. Transporting ash trees prohibited; authorized collection sites. It is unlawful to transport any ash tree or part thereof, or ash wood, to any

destination within the city limits. The city forester shall identify sites authorized as EAB waste collection sites for disposal of ash trees and wood.” Motion failed for lack of vote. Motion by Bunsness, second by Johnson to table second reading of Ordinance No. 19-03-01 as amended for one week. Bunsness, Johnson, Lunzman, Olson, Remily, Ronayne, Rux, and Mayor Levensen voting aye, Slaight-Hansen voting nay, motion carried.

### CONSENT CALENDAR

Motion by Lunzman, second by Remily to approve the following items on the consent calendar:

SET BID DATE – of April 23, 2019 at 2:00 p.m. for the following advertisements for bids: One New Refuse Collection Unit for the Public Works Department – Solid Waste Division; 2019 Turbine Pump & Butterfly Valve Replacement for the Water Treatment Plant.

SET HEARING DATE – of April 22, 2019 at 5:30 p.m. for Retail On-Off Sale Malt Beverage & SD Farm Wine License and Retail On-Off Sale Wine & Cider License for the Crown LLC dba Danger Von Dempsey’s Pizzeria & Brew Haus, 1023 South Main Street.

LICENSE – Advertising/Sign Hanging – Scott Wager dba S.E.W. Enterprises, Inc.

APPLICATION FOR COMMUNITY EVENT PERMIT – for Northern State University’s “Wolves Tri” at the Barnett Center on April 14, 2019.

REQUEST FOR STREET USE – “Color Run” for Friends of Rachel/United Way on May 10, 2019 on Milwaukee Ave., Br. Co. 19, 3<sup>rd</sup> Avenue, SE, and Lafayette Street.

LOTTERY NOTICE – ACT2, Inc. dba Aberdeen Community Theatre- receive and place on file.

Council Member Olson left the meeting at 6:55 p.m.

All present voting aye, motion carried.

### NEW BUSINESS

#### RATIFICATION OF 2018 PERFORMANCE REVIEWS FOR CITY OFFICERS

Motion by Bunsness, second by Rux to ratify the 2018 performance reviews placed in the personnel files of appointed officers Lynn Lander, Karl Alberts – Finance Officer, and Ronald Wager – City Attorney, such performance reviews to remain privileged and confidential according to law. All present voting aye, motion carried.

#### BIDS FOR ASPHALTIC REPAIR MIX

City Engineer explained the bids received for the 2019 Asphaltic Repair Mix and recommended awarding the bid for Items #1 and #2 of \$11,500 to Jensen Rock & Sand and award the bid for Items #3 and #4 of \$504,400 to Jensen Rock & Sand. Motion by Ronayne, second by Bunsness to award the bids for 2019 Asphaltic Repair Mix as recommended and authorize the City Manager and Finance Officer to sign the necessary documents after approval by the City Attorney. All present voting aye, motion carried.

#### BIDS FOR 2019 SEAL COAT AGGREGATES

City Engineer Robin Bobzien explained the bids received for the 2019 Seal Coat

Aggregates and recommended awarding the Bid – Option A of \$64,125 and Bid Option C of \$73,000 for a total bid of \$137,125 to Jensen Rock & Sand. Motion by Bunsness, second by Rux to award the bids for the 2019 Seal Coat Aggregates as recommended and authorize the City Manager and Finance Officer to sign the necessary documents after approval by the City Attorney. All present voting aye, motion carried.

#### BIDS FOR 2019 ROAD OIL

City Engineer Robin Bobzien explained that no bids were received for the City's road oil needs. Bobzien stated that options would be to rebid the road oil or work with vendors to obtain the best price. Motion by Rux, second by Ronayne to direct the Public Works Department to work with vendors to obtain the best price for the Road Oil for this year's work. All present voting aye, motion carried.

#### PAYMENTS FOR AIRPORT PROJECTS

Transportation Director Rich Krokkel presented the following payment requests for work on Airport Projects: Payment Request #15 – AIP #3-46-0001-37-2017 Wildlife Hazard Assessment & Mitigation – Helms & Associates in the amount of \$4,479.15; Payment Request for a professional agreement to acquire the passenger loading bridge – Helms & Associates in the amount of \$517.50; Payment Request #8 – AIP #3-46-0001-39-2018 Airport Master Plan/Airport Layout Plan – Helms & Associates in the amount of \$24,754.44; Payment Request #5 – AIP #3-46-0001-40-2019 Airport Taxiway 'C' – Helms & Associates in the amount of \$29,860.04; Payment Request #1 – AIP #3-46-0001-41-2020 General Aviation Apron – Helms & Associates in the amount of \$12,517.33. Motion by Johnson, second by Bunsness to approve payments and authorize the City Manager to sign the payment requests to Helms & Associates for work on the Airport Improvements Projects. Upon roll call vote, all present voting aye, motion carried.

#### BILLS

Motion by Bunsness, second by Remily to approve payment of the bills listed for April 8, 2019, and any additions thereto, such bills having been audited by the Finance Officer and fully itemized and authorize the Mayor or City Manager to sign, and the Finance Officer to countersign, all warrants for payment of the following approved bills: Northwestern Energy 75,559.85; US Bank 48,335.88; SD Public Assurance Alliance 373,395.76; AT & T 1,260.19; United Parcel Service 279.82; Enforcement Technology 23,519.95; Marv Dombrowe 58.20; BAB Management LLC 51.62; Melissa Craft 128.13; Chris Lamont 81.15; L4 Holdings 27.98; DeWayne Holm 82.91; Steve Darling 48.09; Lynn Cunningham 76.29; US Postal Service 2,149.42; AGTEGRA COOP 11,708.56; Clark Engineering Corp. 16,671.25; MARCO Inc. 25.98; ULTEIG 3,500.00; AT & T 128.48; Butler Machinery Co. 108.00; Midwest Alarm Company 270.00; American News 1,348.96; Aberdeen Chamber of Commerce 27,500.00; Aberdeen Development Corp. 14,166.67; Praxair Distribution Inc. 242.55; Bonnie Bitz 4,010.00; RDO Equipment Co. 553.46; Northern Plains Animal Health 309.59; Dakota

Electronics 2,189.58; Vosika Fencing 1,138.00; Don's Builders Hardware 1,224.50; Heartland Paper Company 2,699.41; GCR Tires & Service 24.50; QDOBA Mexican Grill 268.75; Graham Tire Co. 622.24; Auto Value Part Stores/Hedahls 1,397.54; House of Glass, Inc. 130.70; Kesslers Inc. 56.75; Automatic Building Controls 3,601.00; M-B Companies Inc. 6,050.00; MAC's Inc. 616.18; Farnams Genuine Parts 396.74; James Johnson & Assoc. 150.00; Pantorium 77.70; Dakota Supply Group 511.07; Midstates Group 506.00; Ringgenberg Electric Inc. 79.81; Safety Service Inc. 263.98; Avera St. Luke's Hospital 3,542.00; Schwan Electric Inc. 234.31; Schwan Welding & Boiler 18.00; Sherwin-Williams Co. 715.87; Crawford Trucks & Equipment 58.84; Stan Houston Equipment 44.25; Town & Country Lumber Inc. 77.04; Recorded Books, Inc. 1,775.00; Diesel Machinery Inc. 148.00; Baker & Taylor Inc. 142.28; DEMCO Inc. 15.54; GALE/CENGAGE Learning 268.67; Amy Trujillo 182.00; Gold Pages Publishing Inc. 160.00; Fastenal Company 364.57; Totally Tubular Mfg 29.95; Blair Scoular 48.00; Carpet Master 469.00; Dependable Sanitation 858.00; WISP Services LLC 60.00; First National Bank 1,000,309.38; Cartney Bearing Co. 302.76; Pauer Sound & Music Inc. 743.49; Titan Access Acct 723.15; Mark Hoven 145.00; Hub City Radio 500.00; Executive Management 29.39; US Postal Service 235.00; Dakota Outdoors 199.99; Toysmith 3,644.55; North Central Farmers Elevator 1,593.44; Barton Heating & A/C Inc. 594.46; Dakota Broadcasting LLC 300.00; Livestock Specialist Inc. 26.40; MTI Distributing 1,649.18; Fire Safety First 639.67; Quill Corp. 589.93; Ken's Superfair Foods 208.89; O'Reilly Auto Parts 49.99; Michael J. Burns Architect 982.50; Century Business Products 161.25; Menards 856.18; Tyhe Mischke 26.00; Convention Visitors Bureau 23,396.52; Dakota Fluid Power Inc. 296.59; Turfwerks 453.00; Borns Group 558.19; OCLC, Inc. 920.72; The Kenerson Group 800.00; Matheson Tri-Gas Inc. 164.27; POMP's Tire Service, Inc. 76.33; Rich Krokkel 66.00; Wallwork Truck Center 106.03; Camby's Pass Inc. 594.69; American Solutions For Business 877.89; Advance Auto Parts 334.81; Tyson Paulson 96.00; Karli Gardner 120.00; Jordan Menken 120.00; Eric Glodery 48.00; Karen Karlen 1,798.68; Coates Piano Service 3,320.00; Ingram Library Services 3,236.70; Mead & Hunt, Inc. 3,650.00; R & R Specialties Inc. 115.25; Steve Markley 132.00; Randy Murphy 378.00; Aberdeen Chrysler Center 569.00; Midwest Tape 73.44; CONTECH Engineered Solutions, LLC 18,796.00; Curt Fredrickson 314.00; GRAINGER 236.54; Ameripride Services inc. 1,218.73; Midwest Pump & Tank 386.66; J Gross Equipment 106.15; Kamibashi Asian Art 498.00; G & R Controls Inc. 1,611.47; Tri-State Water, Inc. 82.20; Domino's Pizza 565.53; BMI Supply 1,341.02; Allied Climate Professionals 796.55; Carla Jo Krege 28.00; Sara Scepaniak 84.00; Matthew Rohrbach 42.00; Daniel Orr 96.00; Luke Bunke 64.00; Tyler Oliver 60.00; Jackie Witlock 59.73; Bradley Cihak 96.00; Adam Holt 50.00; Megan Kusler 252.00; Kandi Smith 287.50; Samantha Scepaniak 104.00; Andrea Nell 146.88; Transource Truck & Equipment Inc. 5,438.90; Autozone 35.16; Jonathon Murdy 2,500.00; AGTEGRA Coop 23,467.84; Runnings Supply Inc. 2,461.65; Jon Murdy 2,897.09; Eide Bailly LLP 4,675.00; Turbak Law Office P.C. 845.60. Upon roll call vote, all

present voting aye, motion carried.

CITY MANAGER'S REPORT

Lynn Lander gave the City Manager's Report including landfill charges at the county landfill.

There being no further business, motion by Ronayne, second by Bunsness to adjourn the meeting. All present voting aye, motion carried.

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