CITY COUNCIL PROCEEDINGS

City Council Chambers, Aberdeen Recreation and Cultural Center, 225 Third Avenue, SE Alumni Room #101, Aberdeen, South Dakota, October 14, 2014, 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, Alan Johnson, Mark Remily, Rob Ronayne, Clint Rux, and Laure Swanson. City Council Members Todd Campbell and Jennifer Slaight-Hansen were absent. City staff present were Lynn Lander, Ron Wager, Robin Bobzien, Brett Bill, Karl Alberts, and Rob Baumgartner.

Mayor Levsen led the Pledge of Allegiance.

MINUTES

Ronayne moved, Swanson seconded to approve the minutes of October 6, 2014, as circulated. All present voting aye, motion carried.

OPEN FORUM – No one was present.

CONSENT CALENDAR

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

LICENSE – Journeyman Plumber – Benjamin Brunner

LOTTERY NOTICE – Aberdeen Schools Foundation – receive and place on file

SET BID DATE – of November 12, 2014 at 2:00 p.m. for the advertisement for a bids for the Raw Water Intake Project

All present voting aye, motion carried.

NEW BUSINESS

RESOLUTION NO. 14-10-02R

Ronayne moved, Johnson seconded to approve Resolution No. 14-10-02R to vacate the public right-of-way described as portion of Oakwood Lane Right-Of-Way being a part of Luitjens Addition to Ashwood Heights Subdivision to the City of Aberdeen in the SW ¼ of Section 8, T123N, R63W of the 5th P.M., Brown County, South Dakota. All present voting aye, motion carried.

EXECUTIVE SESSION

Bunsness moved, Ronayne seconded to move into executive session pursuant to SDCL §1-25-2(3) for litigation/contract matters relating to the purchase of the Convention Center at 1402 8th Avenue, NW by Jeff Lamont. All present voting aye, motion carried. Ronayne moved, Swanson seconded to move out of executive session. All present voting aye, motion carried. Ronayne moved, Rux seconded the motion to postpone taking any legal action against Jeff Lamont for specific performance of the purchase of the Convention Center until November 3, 2014. All present voting aye, motion carried.

BIDS FOR TRAFFIC SIGNAL IMPROVEMENTS

Bids were received and publicly opened for the Traffic Signal Improvements Project TRAFFIC-2014-2. A detailed list of bids is on file at the City Finance Office. Rux moved, Bunsness seconded to award the Traffic Signal Improvements Bid to Muth Electric in the amount of $204,116.65 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 FOR ACCESSIBLE QUADRANT PROJECT

Ronayne moved, Johnson seconded to approve and authorize the City Manager to sign Change Order #2, a decrease in the amount of $5,659.62 and Pay Estimate #4 in the amount of $4,684.60 to Wright & Sudlow for work completed on the Accessible Quadrant Improvements Project CONC-2014-2. Upon roll call, all present voting aye, motion carried.

CHANGE ORDER/PAYMENT FOR SANITARY SEWER PIPE LINING

Swanson moved, Rux seconded to approve and authorize the City Manager to sign Change Order #3 in the amount of $19,796.28 and Pay Estimate #4 in the amount of $170,026.45 to Hydro Klean for work on the Sanitary Sewer Pipe Lining Project SA-2013-1. Upon roll call, all present voting aye, motion carried.

CHANGE ORDER/PAYMENT FOR MILL AND OVERLAY PROJECT

Johnson moved, Remily seconded to approve and authorize the City Manager to sign Change Order #1 in the amount of $37,217.40 and Pay Estimate #1 in the amount of $312,916.90 to Lien Transportation for work completed on the Mill and Overlay Improvements Project ST-2014-1. Upon roll call, all present voting aye, motion carried.

PAYMENT REQUEST FOR KLINE ST. STORM SEWER PROJECT

Rux moved, Swanson seconded to approve and authorize the City Manager to sign Pay Estimate #3 in the amount of $232,230.13 to Dahme Construction for work on the Kline Street Storm Sewer Improvements Project SS-2014-1. Upon roll call, all present voting aye, motion carried.

BILLS

Johnson moved, Remily seconded to approve the following audited bills for services, supplies, repairs and maintenance: Dakotacare 150,148.52; Brown County Landfill 9.50; AT & T 53.72; Northern Valley Communication 253.56; SD Dept of Revenue 18,013.15; MARCO Inc 171.59; Dependable Sanitation, Inc 15,112.00; Executive Management 206.12; Centurylink 3,763.49; Western Area Power Adm 9,098.24; Northern Electric 6,634.39; Fugro Geospatial, Inc 14,250.00; American News 4,295.80; Aberdeen Chamber of Commerce 176.00; Aberdeen Development Corp 14,166.67; Praxair Distributing Inc 552.60; Beadle Floral & Nursery 1,221.50; MARCO Inc. 410.80; Bonnie Bitz 2,930.00; Tessman Co 337.08; RDO Equipment Co 62.73; Br Co Landfill 111.92; Clark Engineering Corp 5,760.00; Dakota Electronics 109.45; Don's Builders Hardware 31.40; Dennis Gavin 2,500.00; Cole Papers Inc 742.29; Farm Power Mfg Inc 1,572.91; Range Servant America Inc 263.85; OfficeMax Inc 43.29; Jensen Rock & Sand Inc 283.85; Carquest Auto 330.71; Graham Tire Co 1,556.54; Hedahls Inc 310.98; CASH-WA Distributing 113.75; House of Glass 1,930.55; H F Jacobs & Son 2,200.00; Kesslers Inc 48.74; Todd R Thorson 300.00; Steven Lust Automotive 161.35; MAC's Inc 227.50; VanMeter Facility Maintenance LLC 455.00; McFarland Supply Co Inc 620.03; RDO Equipment 62.69; Kim Bonen 14.06; GFOA 375.00; Gerald Robert Bourelle 42.00; Minnesota Knife 74.00; Farnums Genuine Parts 167.76; A & B Business Solutions 14.29; Pantorium 42.38; Dakota Supply Group 3,143.10; Syrena Maranell 375.62; Lorie Johnson 260.00; MidStates Group 8,366.14; Mark Miller 127.00; Sanders Sew-N-Vac Inc 346.14; Ditch Witch of SD Inc 211.21; SD Dept of Transportation 24.00; SD Federal Property Agency 33.00; SD Municipal League 120.00; Hefty Seed Co 491.62; J & K Mowing Service 210.00; Town & Country Lumber Inc. 139.80; Academy Trophy Co 131.00; Pro-Build 100.70; Western Printing 712.75; Rainbow Printing 700.00; Baker & Taylor Inc 2,594.35; GALE 25.59; Bradley Danielson 91.00; Fastenal Co 64.31; Quality Books Inc 2,542.97; Lauren McCafferty 65.00; Taylor Music 20.00; Michael Bunke 34.00; Badger Meter, Inc 900.00; D & E Lawn Service 320.00; SD Campground Owner Assn 600.00; Dependable Sanitation 297.50; Center Point Large Print 107.25; SD Wheat Growers Bath 84.11; Amy Scepaniak 17.00; Mark Grote 64.00; SD Dept Health Lab 28.00; Titan Access Acct 9,424.07; Mark Hoven 64.00; Hub City Radio 150.00; Curtis Kline 42.00; Executive Management 27.40; EBSCO Information Services 6,302.10; Pierson Ford-Lincoln-Mercury 40.00; Toysmith 66.96; West Payment Center 416.14; ULINE 94.12; Aspen Equipment Co 158.47; North Central Farmers Elevator 5,831.29; Livestock Specialist Inc 133.24; Northern Valley Communications 19.80; MTI Distributing 1,529.19; FAST Corp 2,800.00; Firewood & Co 850.00; Westland Giftware 29.98; L-Tron Corp 386.10; Fire Safety First 37.05; Civic

Plus 532.20; Ace Refrigeration 230.52; Quill Corp 389.04; DETCO 1,890.61; Federal Express Corp 49.20; Ken's Superfair Foods 1,348.41; O'Reilly Auto Parts 5.31; Travis Lemer 39.00; Century Business Products 63.59; Karl Alberts 118.40; Fairway Manufacturing Co 145.87; Northwestern Corp 94.35; Menards 2,049.95; Ken's Major Appliance & Refrigeration 67.50; Taste of Home Books 31.98; Shannon Broderson 85.00; Matthew Bender & Co., Inc 77.88; Overdrive Inc 1,023.48; Golden West Industrial Supply 234.31; Dakota Fluid Power Inc 542.86; McQuillen Creative Group Inc 950.08; Harve's Pro Prints 1,586.96; Borns Group 3,944.19; Mike Levsen 118.40; OCLC, Inc 793.05; The Carpet Cleaners 2,080.25; SDPRA 150.00; CONFLUENCE 4,000.00; Ferguson Waterworks 1,555.09; Shirley Arment 158.40; Reed-Joseph International Co 340.00; Dakota Tree Co, LLC 4,295.00; Breann Jackson 13.00; Autumn Schulz 65.00; Big Sky Outdoors 1,595.00; Carlson & Stewart Refrigeration Inc 3,152.30; SD Hotel & Lodging Assoc 95.00; A M Best 1,254.25; Tim Blue 64.00; Gene Morsching 30.00; R & R Specialties Inc 1,328.75; Skip Jensen 140.00; Plunkett's Pest Control 211.18; Aberdeen Plumbing & Heating Inc 182.35; Pro Ag Supply Inc 1,250.16; TAPCO 170.55; Randy Murphy 126.00; Tom Suedmeier 90.00; Aberdeen Chrysler Center 620.00; Aberdeen Asphalt Inc 25,996.55; Midwest Tape 53.42; West Sioux Ceramics & DPS 68.95; Clean Harbors Env Services 6,356.07; Game Store LLC 90.00; Contractor Tool & Equipment Repair 85.00; Wood Bay Consulting Group Ltd 244.38; Koos O'Kemmery 462.00; Contech Engineered Solutions, LLC 34,290.00; GRAINGER 644.84; Geffdog Designs 216.96; Hali-Brite, Inc 78.59; Ameripride Services Inc 1,132.43; Crescent Electric Supply 59.22; Northern Wireless Communications 159.80; Domino's Pizza 61.89; Swanson Electric 898.22; Insurance Plus 1,129.78; Aberdeen Senior Center 2,263.81, Runnings Supply Inc 1,493.99; Interstate Battery Arlington 906.60; Casey Swanson 60.00. Upon roll call, all present voting aye, motion carried.

CITY MANAGER'S REPORT

Lynn Lander presented the City Manager's Report.

HEARING

This being the time and place set for a hearing on the appeal of Steven D. Smith, property owner, of determination by the Planning and Zoning Director affirming Notice of Violation and Order of the Code Enforcement Office to abate the nuisance at 1415 8th Avenue, SW. Brett Bill, City Planner, presented the process for the nuisance declaration. Steve Smith, property owner, was present to discuss his side of the nuisance declaration. Swanson moved, Bunsness seconded to approve to affirm the decision of the Planning and Zoning Director dated September 24, 2014 and thereby declare a nuisance at 1415 8th Avenue, SW and the abatement thereof, such Resolution on the motion to be drafted by the City Attorney and submitted in the minutes. Motion carries by voice vote.

There being no further business, Remily moved, Rux 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.