

**Unapproved Minutes of
REDFIELD CITY COUNCIL**

November 16, 2009

7:00 PM

The City Council met in regular session at City Hall on Monday, November 16, 2009 at 7:00 PM.

MEMBERS PRESENT: Mayor Duane Sanger, Norm Sihrer, Eileen Kearney, Lue Anne Keating, Darrell Ronnfeldt, Kenneth Avery, Larry Eldeen, Richard Gallup, Frank Schwartz, and City Attorney James Hare

STAFF PRESENT: Adam L. Hansen

VISITORS: Supt. Randy Joyce, Wilbur Nelson, Steve Nuhsbaumer, Mike Hubbard, Lori Jo Mundstock, Craig Carr, Rich Gruenwald @ 7:05 pm, Dave Nichols @ 7:15 pm

CALL TO ORDER: Mayor Sanger called the meeting to order at 7:00 PM.

ADOPT AGENDA: Motion by Sihrer, seconded by Avery to amend the agenda to add Ordinance #11-2009 & a public hearing for the 2010 liquor license renewals. Motion carried.

MINUTES: Motion by Eldeen, seconded by Schwartz to approve the November 2, 2009 minutes. Motion carried.

REPORTS:

FIRE REPORT: Mayor Sanger gave the Fire Report as presented to him. There was a fire on November 2, 2009 at 11:13 pm at 1005 Commercial Lane. The fire was caused by overheated grain. 20 firefighters were on duty for one hour for a total of \$200. There was a fire on November 7, 2009 at 2:16 pm at 309 7th Ave East. The fire was caused by smoldering rags. 15 firefighters were on duty for one hour for a total of \$150. Motion by Gallup, seconded by Schwartz to approve the reports for payment and place on file. Motion carried.

PARK & RECREATION REPORT: Motion by Sihrer, seconded by Schwartz to approve the Park & Recreation Minutes dated October 14, 2009. Various topics were discussed. Motion carried.

SENIOR CITIZENS' REPORT: Motion by Eldeen, seconded by Avery to accept the Senior Citizen's minutes dated November 3, 2009, that were distributed and place on file as presented. Motion carried.

VISITORS:

Supt. Randy Joyce, Wilbur Nelson, Steve Nuhsbaumer, Mike Hubbard of Johnson Controls - Supt. Joyce and Mike Hubbard presented a slideshow about the state of the armory. A question/answer session was held regarding various issues throughout the building. The design-build process for the armory was discussed.

Exit: Nichols @ 8:30 pm

Armory Improvements – Motion by Ronnfeldt, seconded by Sihrer that the Redfield City Council has determined to pursue, using the design build process, improvements to their facility’s dynamic systems (HVAC, electrical, etc.) because of the critical need for design/construction coordination, and the interrelation of such improvements with existing systems. Motion carried on a roll call vote with Keating, Eldeen, and Avery dissenting.

Motion by Ronnfedlt, seconded by Sihrer that the Redfield City Council adopts the design-build procedures set forth, and publish request for qualifications in accordance with 5-18-3, as required by 1-33B and 5-18-37 to qualify potential energy service companies and/or design-builders.

City of Redfield Design-Build Procedures

1. Performance criteria developer (PCD) designation or selection, and preparation of the performance criteria:

a.) The Council shall appoint the PCD, with preference given to City staff with the expertise and ability. If a staff member is not capable, a design professional with experience in that area of expertise shall be considered. If a design professional, who has experience cannot be identified, an ad shall be placed to solicit services for a PCD. This PCD will be selected, via qualification-based criteria formulated by the Council prior to publishing the ad.

b.) Performance criteria shall be developed to adequately define the project and protect the City’s long-term interest. These criteria will be developed by the PCD, reviewed and modified as necessary by City staff, and then be approved via a Council resolution in accordance with SDCL 5-18.

2. Request for proposals (RFP) contents and preparation:

a.) The contents of the RFP shall adequately define the project and include, at a minimum, the requirements set forth in SDCL 5-18.

b.) RFP’s shall be prepared b y the PCD, reviewed and modified as necessary by City staff, and then be approved via a Council resolution. It is expected that approval of the performance criteria and RFP shall be done concurrently, via approval of the RFP. A preferred design builder will be pre-qualified, in accordance with SDCL 5-18-37, the RFP shall not require information provided in response to the Request for Qualifications.

3. Qualifying Design Builders:

a.) Design Builders shall be pre-qualified using a qualification-based criteria formulated by the City and include, at a minimum, the requirements of SDCL 5-18. These qualifications shall require compliance with all applicable laws and codes.

b.) Qualified design builders must be able to demonstrate the implementation of similar projects and provide customer contacts where these projects were implemented.

4. Design Builder proposal submission and preparation:

a.) The RFP or the Request for Qualifications (RFQ) shall identify the format in which the proposals or qualifications will be submitted. This standard format will expedite the evaluation and selection process.

b.) The RFP or RFQ shall state the time and place that these documents are due.

c.) The RFP or RFQ shall be advertised in accordance with the provisions of SDCL 5-18-3, as required by law.

5. Evaluation of Proposals:

a.) Prior to evaluating any proposal or qualifications, the City shall determine that the respondent has submitted information that meets the requirements of the RFP or RFQ.

b.) Proposals or Qualifications meeting the prescribed requirements and format shall be forwarded to the PCD. The PCD will then determine if the proposal or qualifications complies with the performance criteria or RFQ, and provide written documentation of that opinion. The PCD may consult with the respondent to clarify or determine aspects of the proposal, as necessary.

c.) Once the PCD has given written notice that the proposal meets or exceeds the performance criteria, the City can then consider acceptance of the proposal.

6. Negotiations and Safeguards:

a.) In accordance with the provisions of SDCL 5-18, the City shall not voluntarily share any proprietary information provided by any of those submitting proposals or qualifications.

b.) The City shall negotiate the final terms and conditions of the proposal with the selected Design Builder. This negotiation process would allow the City to consider changes in scope, or alternate options to better serve the City's needs and/or financial situation.

c.) After the final terms and conditions have been determined, the City shall develop a formal recommendation, with respect to the Design Build contract, for consideration by the Council.

7. Award and Execution of Contract:

a.) The Council shall act on a resolution to award or deny the Design Build contract. In the event the contract is denied, the Council, or their designee with direction from the Council, shall attempt to re-negotiate the scope and terms of the contract to better match the Council's requirements.

b.) The resolution to award the contract shall specify the City's agent(s) who will be responsible for signing the Design Build contract documents. The City shall have all contract documents reviewed by the City's legal counsel prior to executing the final contracts.

8. Award and Execution of Contract in the Event of a Public Emergency:

a.) In the event of a public emergency, the City may, at its sole discretion, use this Design Build process to procure a solution to address the emergency. Dependent upon the urgency of the matter, and as allowed by law, this process may be altered in order to address the issue in a more timely fashion.

9. Formal Protests:

a.) Any format protest received, relating to the solicitation and/or award of the design build contract, shall be reviewed by the Council.

b.) The PCD shall be consulted, as deemed necessary.

c.) The City's legal counsel shall be consulted, as deemed necessary.

d.) After collecting the information necessary, and consulting with the parties deemed necessary, the City shall form an action plan to address the protest.

Motion carried on a roll call vote with Keating, Eldeen, and Avery dissenting.

Exit: Joyce, Hubbard, and Nuhsbaumer @ 8:34 pm

PUBLIC HEARINGS:

2010 Liquor License Renewals- Mayor Sanger opened the public hearing on the application for the 2010 liquor license renewals in the City of Redfield at 8:35 pm. There being no one present to testify at the hearing and no written comments received, the hearing was declared closed at 8:36 pm.

Motion by Gallup, seconded by Schwartz to approve the following 2010 renewals. Motion carried.

OFF-SALE LICENSES:

Business	Address	License Number	Open Sunday
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Robert Knigge B & L Food Stores, Inc. d/b/a/B& L Food Pride	602 W. 1 st St.	PL-4418
Roger Siebrecht d/b/a/Chrystal's	1202 W. 3 rd St.	PL-4793
Bi-Rite Liquors, Inc. d/b/a/Bi-Rite Liquors	14 E. 7 th Ave.	PL-4795
Terry's Inc. d/b/a/Terry's Package Liquor	616 Main St.	PL-4797
Ken's Super Valu, Inc. d/b/a Ken's Super Valu	516 Main St.	PL-4820

ON-SALE LICENSES:

Business	Address	License No.	Open Sunday
Terry's, Inc. d/b/a/Terry's Bar	616 Main St.	RL-5902	Yes
Monte A. Evans d/b/a/Starters Lanes & Sports Lounge	723 Main St.	RL-5903	Yes
Redfield Industrial Development Corporation	424 Main St.	RL-5904	
American Legion d/b/a/Clay Kiser Post 92	612 Main St.	RL-5905	
Curt Telkamp d/b/a Turtle Creek Saloon, LLC	828 4 th St. W.	RL-6134	Yes

OLD BUSINESS:

Notice of Abatements Served – City Attorney Hare discussed the abatement process.

NEW BUSINESS:

Library Lighting – Keating informed the board about the new interior lights that the library board would like to purchase. Motion by Keating, seconded by Sihrer to proceed with the project. Motion carried on a roll call vote with all members voting “Yes.”

2010 Fireworks Early Pay System – The City of Redfield can receive 15% off fireworks if paid by 12/1/09. Fire Chief Gruenwald and Craig Carr discussed the need for paying now. Motion by Sihrer, seconded by Schwartz to pay \$7,500 to Premier Pyrotechnics by Dec 1st for the fireworks. Motion carried.

2010 Cafeteria Plan – Mayor Sanger informed the Council that the City of Redfield will not be offering the insurance spend account option for the 2010 Cafeteria Plan.

Change Order No. 1 for Wright & Sudlow – Motion by Gallup, seconded by Ronnfeldt to approve Change Order No. 1 to Wright & Sudlow for \$54,316.48 for the curb & gutter project. Motion carried

on a roll call vote with all members voting "Yes."

Playground Equipment for City Park – Motion by Sihrer, seconded by Schwartz to approve payment of \$12,550.35 to Game Time for new playground equipment for the City Park. Motion carried on a roll call vote with all members voting "Yes."

ORDINANCES AND RESOLUTIONS:

Mayor Sanger gave the Second Reading of **Ordinance No. 11-2009** (2009 Supplemental Appropriations).

ORDINANCE NO: 11-2009
2009 Supplemental Budget Appropriations

Be it ordained by the City Council of Redfield, SD that the following sum is supplementally appropriated to meet the obligations of the municipality for the year 2009:

General Fund (101):

Dept 41920 General Government Buildings		
Object 41101 Part Time Salaries	\$	1,500
Object 42801 Electric	\$	1,000
Dept. 43100 Street		
Object 43300 Improvements other than Buildings	\$	1,500,000
Object 43400 Machinery & Equipment	\$	12,500
Dept 43160 Street Lighting		
Object 42500 Repairs & Maintenance	\$	1,000
Dept 43700 Cemeteries		
Object 43400 Machinery & Equipment	\$	7,500
Dept 45500 Library		
Object 43200 Building	\$	5,000
Dept 46500 Economic Development		
Object 45600 Subsidies	\$	10,000

Total General Fund: \$1,538,500

Means of Finance: Cash on Hand, Grants, Loan

Unrestricted 2nd Penny Fund (112)

Dept 43000 Public Works		
Object 42630 Asphalt Materials	\$	100,000
Object 42631 Gravel	\$	25,000
Object 60006 Street Improvements	\$	150,000

Dept. 45200 Parks

Object 60013 City Park Improvements	\$	25,000
Total 2 nd Penny Fund		\$300,000
Means of Finance: Cash on Hand		
Special Park Fund (221)		
Dept. 45200: Parks		
Object 43400 Machinery & Equipment	\$	1,500
Total Special Parks Fund:		\$1,500
Means of Finance: Cash on Hand		
Capital Projects (502)		
Dept. 43000 Public Works		
Object 43000 Improvements Other Than Buildings	\$	500,000
Total Capital Projects Fund		\$500,000
Means of Finance: Cash on Hand, Grants, Loan		
Flex Spending Pass Through (753)		
Dept. 41400 Financial Administration		
Object 42900 Other Current Expense	\$	25,000
Total Dept 41400	\$	25,000
Total Flex Spending Pass Through		\$25,000
Means of Finance Cash on Hand		

Dated this 16th day of November, 2009.

Duane Sanger, Mayor

Attest:

Adam L Hansen, Finance Officer

Motion by Eldeen, seconded by Sihrer to adopt Ordinance No. 11-2009. Motion carried on a roll call vote with all members voting "Yes."

INFORMATION AND DISCUSSION ITEMS:

Schwartz informed the Council about the successful free dump held this fall at the City Rubble Site.

Mayor Sanger mentioned the recent gun show was very successful with increased attendance from last year.

Retirement party for David Moeller – Sanger informed the Council that there will be an open house reception at the Depot December 11th from 2 – 4 pm. The general public is invited to attend. On Dec. 15th a private employee/Council retirement supper will be held at the Depot for David Moeller. It was the consensus of the Council to approve both events.

COUNCIL MEMBER REPORTS:

Ronnfeldt commented on the poor condition of the sidewalks at 1005 Commercial Lane. City attorney Hare will send the owner a letter to fix the sidewalks.

Kearney asked if the Armory improvements can be put on the December 7th Council Agenda.

PAY CLAIMS:

City Prepaid	\$6,638.92
City Unpaid	\$90,253.23
Hospital & Clinic Prepaid	\$69,020.50
Hospital & Clinic Unpaid	\$126,716.68
Additional Claims:	

Motion by Kearney, seconded by Sihrer to pay the above claims with the addition of \$7,500 to Premier Pyrotechnics for 2010 fireworks, \$12,550.35 to Game Time for playground equipment, and \$8,880.06 for the City's share and \$65,478.24 for Community Memorial Hospital for a total of \$74,358.30 for health insurance premium to Dakotacare. Motion carried on a roll call vote with all members voting "Yes."

SUCH ADDITIONAL ITEMS WHICH MAY PROPERLY COME BEFORE THE COUNCIL:

Mayor Sanger informed the Council that an exhibitor at the gun show had various historical items pertaining to Redfield and the Mayor would like permission to buy the items for the City. It was the consensus of the Council to proceed with the purchase.

Mayor Sanger informed the Council that all City of Redfield employees will be taking vacation time on the day after thanksgiving, November 27, 2009, the same as 2008.

There being no further business, meeting was adjourned at 9:19 PM.

Duane Sanger
Mayor

Adam L. Hansen
Finance Officer

Recorder: Adam L. Hansen