



**NOTICE OF SPECIAL MEETING CALLED BY MAYOR
AGENDA FOR THE SPECIAL CITY COUNCIL MEETING
CITY OF ABERDEEN, SOUTH DAKOTA
SATURDAY, MAY 2, 2020, AT 2:30 P.M.
CITY COUNCIL CHAMBERS, CITY HALL, 123 S. LINCOLN ST.**

1. **ROLL CALL**
2. **PLEDGE OF ALLEGIANCE**
3. **NEW BUSINESS**
 - A. EXECUTIVE SESSION FOR POSSIBLE SELECTION OF CITY MANAGER FROM FINALISTS. DISCUSSION OF THE QUALIFICATIONS, COMPETENCE, PERFORMANCE, CHARACTER OR FITNESS OF A PROSPECTIVE PUBLIC OFFICER OR EMPLOYEE, CONSULT WITH LEGAL COUNSEL TO DISCUSS CONTRACTUAL MATTERS, AND PREPARE FOR CONTRACT NEGOTIATIONS WITH PROSPECTIVE EMPLOYEE. (SDCL § 1-25-2(1), (3), and (4)). COUNCIL TO RECEIVE INPUT FROM EXECUTIVE SEARCH CONSULTANT, INDIVIDUAL DEPT. HEADS, AND COMMUNITY MEMBERS.

NO COUNCIL ACTION CAN OCCUR DURING EXECUTIVE SESSION BUT COUNCIL ACTION MAY FOLLOW EXECUTIVE SESSION.
 - B. POSSIBLE APPOINTMENT OF NEW CITY MANAGER.
 - C. DISCUSSION AND POSSIBLE FIRST READING AND PASSAGE OF RESOLUTION EXTENDING EMERGENCY ORDINANCE NO. 3 REGARDING THE NOVEL CORONAVIRUS COVID-19 PUBLIC HEALTH CRISIS.
 - D. OTHER BUSINESS
4. **ADJOURN**

****COUNCIL CHAMBERS GUIDELINES DURING COVID-19 PANDEMIC****

ALL PERSONS ATTENDING THE MEETING IN COUNCIL CHAMBERS SHOULD MAINTAIN PHYSICAL SEPARATION OF AT LEAST SIX FEET (6') BETWEEN PERSONS WHO ARE NOT IMMEDIATE FAMILY MEMBERS OR MEMBERS OF THE SAME HOUSEHOLD. PUBLIC SEATING IN COUNCIL CHAMBERS WILL BE ARRANGED TO MAINTAIN THE PHYSICAL SEPARATION AND MAY NOT BE MOVED IN VIOLATION OF THIS REQUIREMENT. ANY PERSON WHO FAILS TO MAINTAIN THE REQUIRED PHYSICAL SEPARATION WILL BE ASKED TO COMPLY. ANY PERSON REFUSING TO COMPLY WILL BE REMOVED FROM COUNCIL CHAMBERS.

**City of Aberdeen
Request for Council Action**

Agenda Item No.	3C	Special Meeting Date:	May 2, 2020
Agenda Section	New Business	Originating Dept:	City Council
Ord. / Res.	Resolution No. 20-05-01R	Prepared by:	City Attorney
No. of Attachments	1	Presented by:	City Attorney

Item:

Discussion and possible first reading and passage of Resolution No. 20-05-01R extending Ordinance No. 20-04-05, also known as COVID-19 Emergency Ordinance No. 3.

City Manager's Proposed Action:

Motion by _____ second by _____ to approve first reading and passage of Resolution No. 20-05-01R extending Ordinance No. 20-04-05 (COVID-19 Emergency Ordinance No. 3).

Overview:

Emergency Ordinance No. 3 will be repealed if the Council does not affirm (1) the continued existence of the public health emergency, and (2) the necessity of all or parts of the social distancing measures described in Section A. Paragraphs 1 - 7. If extended, the Council should affirm those paragraphs or specific businesses or facilities that continue to be subject to the ordered prohibitions and closures, subject to such other modifications as it deems appropriate. The effect of taking no action on this Resolution will result in the automatic repeal of Emergency Ordinance No. 3 on May 3, 2020.

The resolution attached hereto is copied from Resolution No. 20-04-07R, which was approved at the special meeting on April 29, 2020.

Primary Issues/Alternatives to Consider:

Budgetary/Fiscal Issues:

Attachments: 1. Resolution No. 20-05-01R

RESOLUTION NO. 20-05-01R

**RESOLUTION EXTENDING ORDINANCE NO. 20-04-05
COVID-19 EMERGENCY ORDINANCE NO. 3
AND EASING CERTAIN RESTRICTIONS OF THE ORDINANCE**

WHEREAS, the Aberdeen City Council adopted COVID-19 Emergency Ordinance No. 3 (Ordinance No. 20-04-05) (“emergency ordinance”) implementing certain measures which it deemed necessary to slow the community spread of the virus responsible for the COVID-19 disease; and

WHEREAS, aided by the voluntary compliance of most residents and businesses with the social distancing and hygiene practices recommended by the CDC, such measures have helped in slowing the community spread of the virus and providing a basis to begin reopening businesses and other public gathering places within the community; and

WHEREAS, the emergency ordinance shall be repealed, in part or in whole, on the day following each regular or special meeting of the City Council, *unless* the City Council at such regular or special meeting by resolution affirms (1) the continued existence of the public health emergency, and (2) the necessity of all or certain parts of the social distancing measures set forth in Section A, Paragraphs 1 - 7, and extends all or any part of the ordinance for the day following the next regular or special meeting of the City Council.

WHEREAS, based on the number of cases in Brown County, the almost complete lack of hospitalization in the City, and the available modeling, the City Council believes some of the social distancing restrictions can be modified to allow businesses to resume on-site services of customers without causing the number of cases in the city to rise to the level that it will overwhelm the hospitals’ capacity if proper procedures are put in place.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council affirms that some, but not all, of the social distancing measures set forth in Section A, Paragraphs 1, 2, 3, 4, 5, 6, and 7 of the emergency ordinance are necessary for the prevention and spread within the City of Aberdeen of the contagious virus.

2. The City Council hereby extends paragraphs 1, 2, 3, 4, 5, and 7 of Section A of the emergency ordinance for the day following the next regular or special meeting of the City Council, except that part of each paragraph that prohibits or closes on-site

consumption, sales, or services *if* such business, facility, club, shop, organization, or other entity complies with the following restrictions:

- (a) Maintains a minimum six-foot space between tables, chairs, and barstools if occupants are not members of the same household or dining party of not more than 10 persons;
- (b) Limits capacity in indoor recreational facilities and fitness businesses to a number of persons that can safely and reliably ensure social distancing;
- (c) Requires handwashing at regular intervals of at least once per hour for all restaurant, bar, and food service employees;
- (d) Cleans and disinfects video lottery machines between each customer and at the start of business;
- (e) Reduces seating to allow for social distancing by removing chairs or marking certain seats as “not available due to social distancing”;
- (f) Posts for customers the regular cleaning and disinfecting schedule;
- (g) Maintains a six-foot space between customers waiting for service or entry into the facility; and
- (h) Employees of beauty and hair salons, nail salons, tattoo parlors, spas, massage studios, and barber shops wear masks which cover their nose and mouth during customer contact times. Customer seating must be at least six (6) feet apart.
- (i) Implements daily health screening protocol per South Dakota Department of Health guidelines for all employees.
- (j) Employees shall wear a mask that covers the face and nose when social distancing guidelines cannot be met with, or a barrier to the public is not provided.
- (k) Equipment and mats in health, fitness, athletic, and weight training facilities must be cleaned and disinfected between each use.

3. In addition to the specific requirements listed above, businesses shall operate in a manner consistent with CDC guidelines and any applicable state regulation or executive orders. Employers should plan to respond in a flexible way to varying levels of disease transmission in the community and be prepared to refine their business response plans as needed.

4. The City encourages all individuals within the City to continue to follow the CDC guidelines and recommended hygiene practices.

5. The City encourages grocery and retail stores to limit customers to a number of persons that can safely and reliably ensure social distancing, and, where practicable, to clearly mark one-way shopping aisles and install a plexiglass or similar divider between the customer and the cashier.

6. The City encourages enhanced cleaning and disinfecting requirements for motel and hotel rooms.

7. The City Council hereby extends paragraph 6 of Section A and all of Section B of the emergency ordinance for the day following the next regular or special meeting of the City Council.

The foregoing Resolution was approved after first reading and passed at a special meeting of the Aberdeen City Council on the 2nd day of May, 2020.

Number of AYES: _____

Number of NAYS: _____

Members abstaining: _____

Travis Schaunaman, Mayor

ATTEST:

Finance Officer