

## CITY COUNCIL MEETING MINUTES

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, March 9, 2020 at 5:30 p.m., regular meeting of the Board of City Council Members, Mayor Travis Schaunaman presiding. Present at roll call were City Council Members Mark Remily, Rob Ronayne, Dave Lunzman, Josh Rife, David Bunsness, Dennis “Mike” Olson by teleconference call, and Clint Rux. City Council Member Alan Johnson was absent. City Staff present were Lynn Lander, Ron Wager, Robin Bobzien, Brett Bill, Karl Alberts, Tanner Jondahl, Rich Krokkel, Mark Hoven, Peggi Badten, and Jeromy Thorstenson.

Mayor Schaunaman led the Pledge of Allegiance.

MINUTES

Motion by Bunsness, second by Rux to approve the minutes of the City Council Meeting of March 2, 2020, as circulated. Roll call vote to approve: Remily, Ronayne, Lunzman, Rife, Bunsness, Olson, Rux, and Mayor Schaunaman voting aye, motion carried.

OPEN FORUM - No one was present.

CONSENT CALENDAR

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

LICENSE – Residential Building Contractor – Shon Thielen

REQUEST FOR PERMISSION – to serve and permit the consumption of alcoholic beverages at the Wylie Park Pavilion on May 2, 2020 for a Woytassek Wedding Reception.

LOTTERY NOTICES – Creative Expressions – ASPIRE, Inc.; Farm Rescue Foundation; Hub City Soccer Club – receive and place on file.

Roll call vote to approve: Rux, Olson, Bunsness, Rife, Lunzman, Ronayne, Remily, and Mayor Schaunaman voting aye, motion carried.

NEW BUSINESSORDINANCE NO. 20-03-01

City Attorney Ron Wager explained Ordinance No. 20-03-01 amending Chapter 10 – Aviation of the City Code regarding permitted drone flight areas and the penalty classification. City Attorney Wager stated the following changes provided in the ordinance amendment: add the Moccasin Creek Soccer Complex as a permitted drone flight area, a change to Sec. 10-2(5) establishing a total of five large areas on public property within city limits for use by recreational drone operators, and at Sec. 10-4(1), stating the Class 2 misdemeanor classification for a violation by an adult but deleting the specific penalty language. Motion by Ronayne, second by Rux to approve first reading of Ordinance No. 20-03-01 as presented. Roll call vote to approve: Remily, Ronayne, Lunzman, Rife, Bunsness, Olson, Rux, and Mayor Schaunaman voting aye, motion carried. City Attorney Wager discussed his conversation with an FAA attorney regarding the City’s drone ordinance.

HEARING ON WINE LICENSE

Mayor Schaunaman opened a hearing on a request for a Retail On-Off Sale Wine & Cider License for Allevery Entertainment, LLC at 130 South Centennial Street. No one was present in opposition to the license request so Mayor Schaunaman closed the hearing. Motion by Rux, second by Remily to approve the Retail On-Off Sale Wine & Cider License for Allevery Entertainment, LLC at 130 South Centennial Street. Roll call vote to approve: Rux, Olson, Bunsness, Rife, Lunzman, Ronayne, Remily, and Mayor Schaunaman voting aye, motion carried.

ESTABLISH WORKING GROUP FOR DEER MANAGEMENT PLAN

City Manager Lynn Lander explained a request to establish a working group to develop a short and long-term deer management plan for the City of Aberdeen. City Manager

Lander stated that the plan would help determine the number of deer that is socially acceptable within the City and that can co-exist with the local human population. Motion by Olson, second by Ronayne to support the establishment of a working group to develop a short and long-term deer management plan for the City of Aberdeen which will be approved by the City Council at a later date. Council Member Olson volunteered to be a part of the working group. Roll call vote to approve: Remily, Ronayne, Lunzman, Rife, Bunsness, Olson, Rux, and Mayor Schaunaman voting aye, motion carried.

#### REQUEST TO SURPLUS DEFIBRILLATORS

Police Sergeant Tanner Jondahl reported that the Police Department were recently given updated automated external defibrillators from the State Helmsley Trust AED Project and requested permission to surplus seven automated external defibrillators for donation to churches. Motion by Bunsness, second by Remily to surplus the automated external defibrillators for donation to St. Mary's Church of Aberdeen, SD, 1<sup>st</sup> Presbyterian Church of Britton, SD, 1<sup>st</sup> Lutheran Church of Britton, SD, and the New Life Fellowship Church of Aberdeen, SD. Roll call vote to approve: Rux, Olson, Bunsness, Rife, Lunzman, Ronayne, Remily, and Mayor Schaunaman voting aye, motion carried.

#### BIDS FOR ANNUAL CONCRETE WORK

City Engineer Robin Bobzien explained the bids received for the Annual Concrete Work Project (CONC-2020-3) and recommended awarding the bid to CWF Masonry in the amount of \$143,208.45. Motion by Ronayne, second by Bunsness to award the bid to CWF Masonry in the amount of \$143,208.45 and authorize the City Manager and Finance Officer to sign all the necessary documents after approval by the City Attorney. Roll call vote to approve: Remily, Ronayne, Lunzman, Rife, Bunsness, Olson, Rux, and Mayor Schaunaman voting aye, motion carried.

#### PAYMENTS FOR WATER TREATMENT GROUNDWATER EXPANSION

City Engineer Robin Bobzien explained the payments in the total amount of \$76,796.00 to Traut Companies for the Water Treatment Facility Groundwater Expansion – Soil Borings for Hydrogeologic Investigation. Motion by Bunsness, second by Ronayne to approve Payment Request #1 in the amount of \$69,116.40 and Final Payment Request #2 in the amount of \$7,679.60 to Traut Companies for work on the Water Treatment Facility Groundwater Expansion –Soil Boring Project. Roll call vote to approve: Rux, Olson, Bunsness, Rife, Lunzman, Ronayne, Remily, and Mayor Schaunaman voting aye, motion carried.

#### OVERSIZING INFRASTRUCTURE FOR SUBDIVISIONS

City Engineer Robin Bobzien requested a payment of \$235,319.41 be made to JN Development, LLC for oversizing sanitary, storm and water infrastructure related to HAPI North Subdivision, JN Subdivision, and Dakota Estates Subdivision. Motion by Bunsness, second by Rux to approve of the payment in the amount of \$235,319.41 to JN Development LLC for the oversizing infrastructure for the various subdivision. Roll call vote to approve: Remily, Ronayne, Lunzman, Rife, Bunsness, Olson, Rux, and Mayor Schaunaman voting aye, motion carried.

#### AMENDMENT TO GENERAL AVIATION APRON PROJECT

Transportation Director Rich Krokkel asked for approval and authorization for the City Manager to sign Amendment #1 to an agreement with Helms & Associates for AIP #3-46-0001-41-2020, Reconstruction of General Aviation Apron Project. Motion by Bunsness, second by Remily to approve and authorize the City Manager to sign Amendment #1 to the agreement with Helms & Associates for work on the Reconstruction of General Aviation Apron Project. Roll call vote to approve: Rux, Olson, Bunsness, Rife, Lunzman, Ronayne, Remily, and Mayor Schaunaman voting aye, motion carried.

## PAYMENTS FOR AIRPORT PROJECTS

Transportation Director Rich Krokkel asked for approval and authorization for the City Manager to sign the following payment requests for work on Airport Improvement Projects: Payment #19 – AIP #3-46-0001-39-2018 Airport Master Plan/Layout Plan – Helms & Associates in the amount of \$6,731.58; Payment #17 – AIP #3-46-0001-40-2019 Reconstruction of Taxiway ‘C’ – Helms & Associates in the amount of 6,318.09; and Payment #5 – AIP #46-0001-41-2020 – Reconstruction of General Aviation Apron – Helms & Associates in the amount of \$2,888.62. Motion by Bunsness, second by Rife to approve Payment #19 in the amount of \$6,731.58, Payment #17 in the amount of \$6,318.09, and Payment #5 in the amount of \$2,888.62 to Helms & Associates for work on the Airport Improvement Projects. Roll call vote to approve: Remily, Ronayne, Lunzman,. Rife, Bunsness, Olson, Rux, and Mayor Schaunaman voting aye, motion carried.

## BILLS

Motion by Rux, second by Rife to approve payment of the bills listed for March 9, 2020, 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 96,931.62; Brick Markers 352.00; SD Division of Motor Vehicles 8.00; Brown County Treasurer 21.20; US Bank 54,558.89; Richard Klein 21.06; Shawna Gisi 27.82; Harlen Pease 83.96; Jency Agency 25.43; Ray Durband 28.08; Troy Dinger 25.21; Aberdeen Lawn Care 120.00; Crawford Trucks & Equipment 64,685.00; Crawford Trucks & Equipment 81,685.00; Safety Service Inc. 65,500.00; Clark Engineering Corp. 5,727.00; HR Green, Inc. 7,756.48; SD Dept. Environment/Natural Resources 925.00; Morrison Construction 6,692.13; SD Dept. of Revenue 27,930.30; Robin Hornseth 102.00; Rhodes Anderson Agency 8,228.00; American News 798.00; Praxair Distribution Inc. 317.16; Helms & Associates 15,000.00; MARCO Technologies LLC 256.91; Bonnie Bitz 3,710.00; RDO Equipment Co. 992.71; Dakota Doors Inc. 1,249.54; City Treasurer 7,350.00; Dakota Electronics 16.00; Don’s Builders Hardware 32.00; Heartland Paper Company 1,505.57; Quality Welding Inc. 129.55; Cole Papers Inc. 722.25; Farm Power Mfg Inc. 29.24; Graham Tire Co. 449.21; Lucas Leshner 54.00; Auto Value Part Stores/Hedahls 2,659.44; Cash-Wa Distributing 383.54; House of Glass Inc. 852.89; Nelson Sales & Service, LLC 373.39; Kesslers Inc. 64.93; Automatic Building Controls 3,793.00; Steven Lust Automotive 175.09; M-B Companies Inc. 7,907.95; McDonald Supply Co. 2,717.08; MAC’s Inc. 56.58; Mattern Diesel Service 2,667.88; Farnams Genuine Parts 1,454.97; Dakota Supply Group 669.55; Midstates Group 1,067.70; Ringgenberg Electric Inc. 368.88; Avera St. Luke’s Hospital 4,697.00; Schwan Welding & Boiler 29.00; Fay’s Refrigeration Service 991.87; Sherwin-Williams Co. 35.20; Crawford Trucks & Equipment 85.65; Stan Houston Equipment, Inc. 157.00; Hannah Lagerquist 52.92; Diesel Machinery, Inc. 147.76; DEMCO Inc. 90.53; GALE/Cengage Learning 532.13; Mission Mgmt Information 1,960.18; Duane Donat 25.00; Fastenal Company 301.52; Totally Tubular Mfg. 14.39; Midland Publications 25.00; Airside Solutions, Inc. 1,239.07; Deere & Company 18,418.68; Ray Payer 132.00; Ladner Electric 971.16; Northern Truck Equipment Corp. 450.87; Tom Wanttie 176.92; Dependable Sanitation, Inc. 770.50; WISP Services LLC 60.00; Cartney Bearing Co. 98.89; Titan Access Acct/Productivity Plus Acct 389.73; Hub City Radio 600.00; Amber Fortin 132.00; Ann Scott 75.00; Executive Management 51.70; US Postal Service 240.00; Pierson Ford-Lincoln-Mercury 34,567.45; West Payment Center 79.77; Holiday Inn Express 1,001.00; Dakotaland Autoglass Inc. 244.72; Northern Valley Communications 799.40; MTI Distributing 164,820.85; Bismarck Tribune 100.00; Michelle Bacon 234.00; Fire Safety First 841.30; Aberdeen Aqua Addicts 1,250.00; Quill Corp. 231.71; Lynn lander 151.32; Ken’s Superfair

Foods 1,209.93; Dale Jensen's Plumbing & Htg 117.81; LTS Distributing 595.00; PFC Products Inc. 135.42; Century Business Products 129.96; Sabrina Padfield 131.28; Menards 3,510.72; Shannon Broderson 144.00; Dakota Fluid Power Inc. 505.36; McQuillen Creative Group Inc. 71.25; Clint Rux 87.06; Borns Group 861.60; FP Mailing Solutions 135.00; OCLC, Inc. 955.25; Ferguson Waterworks 2,532.13; David's Lawn & Snow 480.00; Charles Kornmann 171.50; Aaron Kiesz 186.00; Matheson Tri-Gas Inc. 16.74; Combined Bldg Specialties 2,076.75; Truck World, Inc. 112.51; Dakota Oil 834.36; FEI Inc 572.02; Advance Auto Parts 487.68; Tyson Paulson 64.00; Isabella Seaton 54.00; Karli Stubbe 91.00; Jordan C. Menken 156.00; Turf Addict 703.17; Ingram Library Services 3,754.24; Vollan Oil Co. 9,750.32; R & R Specialties Inc. 2,905.75; Steve Markley 88.00; Aberdeen Plumbing & Heating Inc. 1,103.64; Patricia Brosz 810.00; John Kersten 354.00; Midwest Tape 239.81; Curt Fredrickson 52.00; Butler Machinery Co. 123.26; GRAINGER 357.16; Cassidy Keller 144.00; Ameripride Services Inc. 1,532.36; Allison Sommerville 48.00; Midwest Pump & Tank 78.69; Weissmans Designs For Dance 4,661.73; Innovative Interfaces, Inc. 2,362.50; J Gross Equipment 185.82; Builders Firstsource, Inc. 1,811.67; Harlow's Bus Sales, Inc. 73.70; Jim Kohnen 5.00; Derek Cleveland 84.00; Greg Malsom 54.00; Charise Mayer 22.50; Yellowstone Track Systems, LLC 5,410.00; Gordy Zens 100.00; Fortres Grand Corp. 1,354.54; Dennis Warner Music 400.00; G & R Controls Inc. 227.35; Domino's Pizza 41.44; Spencer S. Aberle 112.00; Melissa Kollman 270.00; Deere Credit, Inc. 16,315.20; Erange Inc. 365.00; Carla Jo Krege 240.00; Sara Scepaniak 105.00; Matthew Rohrbach 92.50; Daniel Orr 112.00; Luke Bunke 144.00; Hillyard 527.71; Tyler Oliver 72.00; Jackie Witlock 64.34; NAS Industrial 20,984.20; Megan Kusler 30.00; Lee Park Golf Course 150.00; Autozone 635.62; Jonathon Murdy 2,500.00; Anna Jahraus 638,87; Runnings Supply Inc. 2,703.71; Matt Wiebers 54.00; Ultimate Graphics 115.00; Tumbleweed Press Inc. 1,500.00; Custom Installation Solutions 663.30; Amazon Capital Services 364.79; Troy Beckner 1,890.75; Frontier Precision, Inc. 3,160.99; Mike Olsen 72.40. Roll call vote to approve: Rux, Olson, Rife, Lunzman, and Remily voting aye, Bunsness, Ronayne, and Mayor Schaunaman abstaining, motion carried.

#### NO CITY MANAGER'S REPORT

#### EXECUTIVE SESSION

Motion by Ronayne, second by Bunsness to move into executive session to consult with legal counsel about contractual matters and proposed or pending litigation (SDCL §1-25-2(3)). All present voting aye, motion carried. Council Member Olson left the meeting at 6:15 p.m. Motion by Bunsness, second by Ronayne to move out of executive session. All present voting aye, motion carried.

#### OTHER

Mayor Schaunaman called for a Special City Council Meeting at 5:00 p.m. on Wednesday, March 11, 2020.

#### ADJOURN

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

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

#### SPECIAL CITY COUNCIL MEETING MINUTES

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, March 11, 2020 at 5:00 p.m., special meeting of the Board of City Council Members, Mayor Travis Schaunaman presiding. Present at roll call were City Council Members Mark Remily, Rob Ronayne, Dave Lunzman, Josh Rife, David Bunsness, Dennis "Mike" Olson, and Clint Rux. City Council Member Alan Johnson was absent. City Staff present were Lynn Lander, Ron Wager Robin Bobzien, Karl Alberts, Brett Bill, Jordon

McQuillen, Andrea Schwan, Peggi Badten, Jeromy Thorstenson, and Amanda Fischer.

Mayor Schaunaman led the Pledge of Allegiance.

NEW BUSINESS

DISCUSSION OF AGP VIOLATIONS OF WASTEWATER DISCHARGE PERMIT

Mayor Schaunaman announced the discussion of AGP violations of its Wastewater Discharge Permit and possible actions to be taken by the City and AGP to address high levels of hydrogen sulfide gas production in the wastewater collection system. Council Member Rife noted he may have a conflict of interest and would abstain from the discussion and any action taken. City Attorney Ron Wager discussed the issues and the process at the meeting. Water Reclamation Superintendent Peggi Badten explained the wastewater discharge permitting process. Kelly Jorgenson, Environmental Compliance Official of AGP, and Ernie Kiley, Senior Vice President of AGP Operations, discussed the plans AGP has to mitigate the hydrogen sulfide production. No action was taken by the Council.

ADJOURN

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

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