

MINUTES

CITY COUNCIL MEETING

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, March 23, 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, Alan Johnson, David Bunsness, Dennis "Mike" Olson, and Clint Rux. City Staff present were Lynn Lander, Ron Wager, Robin Bobzien, Brett Bill, Karl Alberts, Dave McNeil, Peggi Badten, and Tom Wanttie.

Mayor Schaunaman led the Pledge of Allegiance.

MINUTES

Motion by Rux, second by Bunsness to approve the minutes of the meeting of March 16, 2020, as circulated. All voting aye, motion carried.

OPEN FORUM

Kelly Jorgenson, Director of Environmental Compliance for AGP, gave an update on the progress in reducing the levels of hydrogen sulfide gas production in the wastewater collection system.

OLD BUSINESS

RESOLUTION NO. 20-03-02R

Motion by Bunsness, second by Rife to take from the table for consideration Resolution No. 20-03-02R regarding annual Promotion Fund allocations to the Northern State University Educational Impact Campaign. All voting aye, motion carried. Motion by Ronayne, second by Rux to approve Resolution No. 20-03-02R as follows:

RESOLUTION OF INTENT REGARDING ANNUAL
ALLOCATIONS TO NORTHERN STATE UNIVERSITY
EDUCATIONAL IMPACT CAMPAIGN

WHEREAS, the City of Aberdeen self-imposes a municipal 1% tax upon the gross receipts of sales for the promotion and advertising of the City and a second penny sales tax as mandated by City Ordinance No. 04-04-04 to be used for capital outlay; and

WHEREAS, the City annually makes allocations of Promotion Funds to eligible local organizations whose facilities, attractions, and activities promote and advertise the City and thereby stimulate economic development; and

WHEREAS, Sales Tax Revenue received pursuant to Ordinance No. 04-04-04 may be used for capital improvement; and

WHEREAS, Northern State University, a community asset instituted a building campaign to raise funds starting in 2018 to construct new facilities in Aberdeen and has secured donations and pledges; and

WHEREAS, the City Council finds that the Northern State University Educational

Impact Campaign to construct new facilities in Aberdeen including the South Dakota School for the Blind & Visually Impaired will promote the City and stimulate economic development; and

WHEREAS, the City Council wishes to express its record of intent to show support for the Northern State University Educational Impact Campaign by making annual allocations from the Promotion Fund and 2nd Penny Sales Tax Fund for a 10 year period from fiscal year 2019 through fiscal year 2028 in a total amount of \$5,000,000; and

WHEREAS, the City Council desires to support such requests to the extent authorized by law and based upon current budgetary projections and funding availability;

NOW, THEREFORE, BE IT HEREBY RESOLVED that the City of Aberdeen, by and through its elected City Council, supports the Northern State University Educational Impact Campaign and anticipates allocating a total of \$1,890,000 from the Promotion Fund and \$3,110,000 from the 2nd Penny Sales Fund over a ten year period beginning in 2019 to 2028 which exhibit "A" lists the annual scheduled payments; and

IT IS FURTHER RESOLVED that the Mayor and City officers are authorized to provide such assurances and execute such documents as may assist Northern State University in obtaining financing consistent with this resolution of intent but shall not bind the City to an irrevocable or non-modifiable pledge, obligation, or encumbrance upon future Promotion Fund allocations or the 2nd Penny Sales Tax allocations; and

IT IS FURTHER RESOLVED that this resolution shall not be deemed a pledge to support bond payments from anticipated non-ad valorem revenues of the City.

Roll call vote to approve: Remily, Ronayne, Lunzman, Rife, Johnson, Bunsness, Olson, and Rux voting aye, Mayor Schaunaman abstaining, 8 ayes, 1 abstaining, and no nays, motion carried.

CONSENT CALENDAR

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

NOMINATING PETITION – Daniel Richardt for City Council Member – SW District for a five-year term – receive and place on file

SET HEARING DATE – of April 13, 2020 at 5:30 p.m. for proposed Ordinance No. 20-04-01 amending zoning regulations of the Aberdeen City Code regarding the Official Zoning Map and a proposed Ordinance No. 20-04-02 amending zoning regulations of the Aberdeen City Code regarding Corner Visibility

SET BID DATE – of April 7, 2020 at 2:00 p.m. for Bids on Mill and Overlay Improvements Project (ST-2020-2)

PLATS – Malchow's First Addition to the City of Aberdeen in the SW ¼ of Sec. 13, T123N, R64W of the 5th P.M., Brown County, SD (502, 506, 508, and 510 South Main Street); Midcontinent Addition to the City of Aberdeen in the NW ¼ of Sec. 13, T123N, R64W of

the 5th P.M., Brown County, SD (24, 102, 116, and 118 First Avenue, NE)

REQUEST FOR STREET USE – Freedom Church’s Feeding South Dakota Event on March 24, 2020

All voting aye to approve, motion carried.

NEW BUSINESS

REQUEST TO HANG JEANS AND SHOES THROUGHOUT THE COMMUNITY

Gina Karst and McKenzie Gerth of Safe Harbor requested permission to hang different sizes of denim jeans and shoes throughout the community to bring awareness to sexual assault and child abuse for the entire month of April. Motion by Bunsness, second by Rife to allow the hanging of the denim jeans and shoes throughout the community for sexual assault and child abuse awareness for the month of April. All voting aye, motion carried.

PROPERTY TAX ABATEMENT

City Finance Officer Karl Alberts presented a request for a property tax abatement recommended by the Brown County Assessor’s Office for 1924 Miller Lane in the total amount of \$1,836.93 and said it should be noted that the City plans to appeal the property tax exemption at the next County Board of Equalization Meeting. City Attorney Ron Wager explained that the reason for the appeal of the property tax exemption would be because it doesn’t follow the allowable exemptions under statute. Motion by Bunsness, second by Ronayne to approve the property tax abatement for 1924 Miller Lane in the total amount of \$1,836.93 with City’s share being \$9.77. Roll call vote to approve: Rux, Olson, Bunsness, Johnson, Rife, Lunzman, Ronayne, Remily, and Mayor Schaunaman voting aye, motion carried.

\$10 CREDIT FOR UTILITY CUSTOMERS FOR ACH WITHDRAW SIGNUP

City Finance Officer Karl Alberts requested approval to offer a one-time \$10 credit for utility customers who sign up for automatic ACH withdraw for utility accounts between March 24, 2020 and April 30, 2020. Motion by Bunsness, second by Rux to allow the Finance Office to offer a one-time \$10 credit for utility customers who sign up for automatic ACH withdraw for utility accounts. Roll call vote to approve: Remily, Ronayne, Lunzman, Rife, Johnson, Bunsness, Olson, Rux, and Mayor Schaunaman voting aye, motion carried.

SECTION 5310 GRANT AGREEMENT WITH SD DOT

Ride Line Manager Tom Wanttie requested approval and authorization for the City Manager to sign a Section 5310 Preventative Maintenance Grant Agreement with the SD Department of Transportation. The grant award allows Ride Line to submit preventative maintenance reimbursements to the state up to \$16,921.45 with 80% federal share reimbursed up to \$13,537.16 and local share up to \$3,384.29. Motion by Johnson, second by Lunzman to authorize the City Manager to sign the Section 5310 Preventative Maintenance Grant Agreement with the SD Department of Transportation for Ride Line. All voting aye, motion carried.

BIDS ON STREET MAINTENANCE CONCRETE REPAIR

City Engineer Robin Bobzien explained the bids received for the 2020 Street Maintenance Concrete Repair Project (CONC-2020-1) and recommended awarding the bid to Wright & Sudlow in the amount of \$232,484.75. Motion by Ronayne, second by Bunsness to award the bid to Wright & Sudlow in the amount of \$232,484.75 and authorize the City Manager and Finance Officer to sign all necessary documents after approval by the City Attorney. Roll call vote to approve: Rux, Olson, Bunsness, Johnson, Rife, Lunzman, Ronayne, Remily and Mayor Schaunaman voting aye, motion carried.

BIDS ON ACCESSIBLE SIDEWALK QUADRANT IMPROVEMENTS

City Engineer Robin Bobzien explained the bids received for the 2020 Accessible Sidewalk Quadrant Improvements (CONC-2020-4) and recommended awarding the bid to CWF Masonry in the amount of \$178,577.13. Motion by Johnson, second by Olson to award the bid to CWF Masonry in the amount of \$178,577.13 and authorize the City Manager and Finance Officer to sign all necessary documents after approval by the City Attorney. Roll call vote to approve: Remily, Ronayne, Lunzman, Rife, Johnson, Bunsness, Olson, Rux, and Mayor Schaunaman voting aye, motion carried.

CHANGE ORDER/PAYMENT FOR ABERDEEN PUBLIC SAFETY GENERATOR

City Engineer Robin Bobzien requested approval of a Change Order in the amount of \$731.00 and Payment Requests in the total amount of \$202,029.17 to Quest Construction, LLC for work on the Aberdeen Public Safety Generator Project. Motion by Olson, second by Bunsness to approve Change Order #3 in the amount of \$731.00 and Payments #3 and #4 in the total amount of \$202,029.17 to Quest Construction LLC for work on the project. Roll call vote to approve: Rux, Olson, Bunsness, Johnson, Rife, Lunzman, Ronayne, Remily, and Mayor Schaunaman voting aye, motion carried.

BILLS

Motion by Johnson, second by Lunzman to approve payment of the bills listed for March 23, 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 28,525.12; Morrison Construction 3,499.13; Brown County Treasurer 37.20; Quill Corp. 48.56; Verizon Wireless 32.22; NVC 30,864.59; Walter Achterberg 41.60; Miller Rentals LLC 25.05; Todd Cunningham 25.86; Tyler Kampa 27.29; Business Improvement District 25,000.00; US Bank Corp. Trust 1,200.00. Roll call vote to approve: Remily, Ronayne, Lunzman, Rife, Johnson, Bunsness, Olson, and Rux voting aye, Mayor Schaunaman abstaining, motion carried.

CITY MANAGER'S REPORT

Lynn Lander gave the City Manager's Report including the City Attorney Ron Wager's discussion on authorities under emergencies. Council Member Ronayne asked that

staff prepare an ordinance addressing steps to be taken to prevent the spread of COVID-19 and to look for ways to hold a public meeting by teleconference.

Mayor Schaunaman called a special meeting of the Council for March 25, 2020 at 5:30 p.m. in City Council Chambers to review ordinances drafted by the City Attorney regarding the coronavirus public health crisis.

ADJOURN

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

Prepared by Mary Campton for the Finance Office.



Finance Officer

MINUTES

SPECIAL CITY COUNCIL MEETING

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, March 25, 2020 at 5:30 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, Alan Johnson, David Bunsness, Dennis “Mike” Olson, and Clint Rux. City Staff present were Lynn Lander, Ron Wager, Robin Bobzien, Brett Bill, Karl Alberts, and Dave McNeil.

Mayor Schaunaman led the Pledge of Allegiance.

NEW BUSINESS

DISCUSSION ON EMERGENCY ORDINANCE REGARDING CORONAVIRUS

City Attorney Ron Wager presented two versions of Ordinance No. 20-03-02 regarding the Coronavirus COVID-19 Public Health Crisis. City Attorney Wager explained that the first version is similar to the ordinance passed by several municipalities around the State and the second version follows the governor’s executive order 2020-08, providing social distancing directives and identifying closures of certain businesses. City Attorney Wager clarified the responsibilities of the Council and read through both versions of the ordinance. Discussion followed. Motion by Bunsness, second by Rife to approve first reading of Ordinance No. 20-03-02 - Version 2. Motion by Ronayne, second by Rux to amend to have an effective date of April 2, 2020. All voting aye, motion carried. Motion by Bunsness, second by Rux to amend to replace “and” with “or” in paragraph 2 and replace “a” with “each” in paragraph 4. All voting aye, motion carried. Motion by Bunsness, second by Lunzman to amend to add “licensed day cares” in paragraph 3(c). Motion carried by voice vote with Ronayne voting nay. On the original motion to approve first reading of Ordinance

No. 20-03-02 – Version 2 as amended, roll call vote to approve: Ronayne, Lunzman, Rife, Johnson, Bunsness, Rux, and Mayor Schaunaman voting aye, Olson voting nay, Remily abstaining, 7 voting aye, 1 nay, motion carried.

Mayor Schaunaman called for a special meeting of the City Council for April 1, 2020 at 5:30 p.m. at City Hall for second reading of Ordinance No. 20-03-02 – Version 2.

City Attorney Wager read the amended Ordinance No. 20-03-02 – Version 2 in its entirety.

ADJOURN

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

Prepared by Mary Campton for the Finance Office.



Finance Officer