

MINUTES

ABERDEEN CITY COUNCIL MEETING

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, April 6, 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 Rob Ronayne, Josh Rife, Alan Johnson, David Bunsness by teleconference, Dennis “Mike” Olson by teleconference, and Clint Rux. City Council Members Mark Remily and Dave Lunzman were absent. City Staff present were Lynn Lander by teleconference, Ron Wager, Robin Bobzien by teleconference, Brett Bill by teleconference, Karl Alberts, and Dave McNeil by teleconference.

Mayor Schaunaman led the Pledge of Allegiance.

MINUTES

Motion by Rux, second by Johnson to approve the minutes of the meetings of March 30 and April 1, 2020, as circulated. Upon roll call vote, all voting aye, motion carried.

OPEN FORUM

Aaron Schultz, United Way Executive Director, was present to discuss the non-profit response to the COVID-19 pandemic.

Fallon Helm, owner of Revive Salon and Spa, spoke about the ordinance that restricts hair salons being open, asking the Council to allow them to be open.

Council Member Lunzman joined the meeting by teleconference.

OLD BUSINESSORDINANCE NO. 20-03-03

Motion by Ronayne, second by Rux to approve second reading and final adoption of Ordinance No. 20-03-03 supplementing the 2020 Budget for various activities and expenses. Upon roll call vote, all voting aye, motion carried.

CONSENT CALENDAR

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

NOMINATING PETITIONS – Tiffany Langer for City Council Member – SE District, a five-year term; Justin Reinbold for City Council Member – SW District, a five-year term; David Welling for City Council Member – SE District, a five-year term – receive and place on file

NOMINATING PETITION WITHDRAWN - by Daniel Richardt, candidate for City Council Member – SW District – receive and place on file

SET HEARING DATE – of April 27, 2020 at 5:30 p.m. for the following petitions to rezone: Rezone from (C-3) Central Business District to (R-3) High Density Residential District for Lot 5, Block 40, Thomas Addition in the NW ¼ of Section 24, T123N, R64W of the 5th P.M., Aberdeen, Brown County, SD (926 South Lincoln Street); Rezone from (R-2) Medium

Density Residential District to (M) Municipal, State and County Use District for Lot 1, NSU Athletic Field Addition to Aberdeen in the SE ¼ of Section 24, T123N, R64W of the 5th p.m., Aberdeen, SD (1416 South State Street).

REQUEST FOR STREET USE – 5th Avenue, SE from alley to South Lincoln Street for First United Methodist Church’s Easter Celebration Outdoor Service on April 12, 2020.

Upon roll call vote, all voting aye, motion carried.

NEW BUSINESS

ORDINANCE NO. 20-04-05 (COVID-19 EMERGENCY ORDINANCE NO. 3)

Discussion was held on proposed Ordinance No. 20-04-05, also known as COVID-19 Emergency Ordinance No. 3. City Attorney Ron Wager stated that the ordinance includes all of the social distancing measures in Emergency Ordinance No. 2 but revises the repeal provision to authorize the Council to extend certain social distancing measures of the ordinance while letting other measures expire if no longer needed. Motion by Ronayne, second by Rux to approve first reading of Ordinance No. 20-04-05 (COVID-19 Emergency Ordinance No. 3), pursuant to Aberdeen City Charter, Sec. 2.14. City Attorney Ron Wager asked for consideration of amendments to the ordinance. Motion by Ronayne, second by Rux to approve amendments creating Section A to include Paragraphs 1 – 7 of the ordinance and creating Section B to include Paragraphs 1 - 3 for the rest of the ordinance. Upon roll call vote, all voting aye, motion carried. Motion by Rux, second by Ronayne to approve an amendment, in Section B, Paragraph 2 after the word “misdemeanor”, inserting “and may result in suspension or revocation of any license issued by the city.” Upon roll call vote, Rux, Olson, Johnson, Rife, Lunzman, Ronayne, and Mayor Schaunaman voting aye, Bunsness voting nay, motion carried. The Mayor called for the vote on the main motion to approve first reading of Ordinance No. 20-04-05 (COVID-19 Emergency Ordinance No. 3) as amended. Upon roll call vote, all voting aye, motion carried.

RESOLUTION NO. 20-04-01R

City Attorney Ron Wager discussed Resolution No. 20-04-01R extending Ordinance No. 20-03-02, also known as COVID-19 Emergency Ordinance No. 1 with the Council. Motion by Rux, second by Ronayne to approve first reading and passage of Resolution No. 20-04-01R extending Ordinance No. 20-03-02 – COVID-19 Emergency Ordinance No. 1.

RESOLUTION NO. 20-04-01R

RESOLUTION EXTENDING ORDINANCE NO. 20-03-02

COVID-19 EMERGENCY ORDINANCE NO. 1

WHEREAS, the Aberdeen City Council adopted COVID-19 Emergency Ordinance No. 1 (Ordinance No. 20-03-02) (“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, the emergency ordinance shall be repealed 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 the social distancing measures set forth in Paragraphs 1 – 2, and extends the ordinance for the day following the next regular or special meeting of the City Council.

NOW THEREFORE, BE IT RESOLVED:

1. The City Council affirms the COVID-19 public health emergency continues to exist within the City of Aberdeen.

2. The City Council affirms the social distancing measures set forth in Paragraphs 1 – 2 of the emergency ordinance are necessary for the prevention and spread within the City of Aberdeen of the contagious virus causing the deadly COVID-19 disease.

3. The City Council hereby extends the emergency ordinance for the day following the next regular or special meeting of the City Council.

Upon roll call vote, Ronayne, Lunzman, Rife, Johnson, Bunsness, Olson, Rux, and Mayor Schaunaman voting aye, number of ayes 8, number of nays 0, motion carried.

REQUEST FOR PROPERTY TAX ABATEMENT

City Finance Officer Karl Alberts presented a request from the Brown County Assessor's Office to deny a property tax abatement for 419 South Dakota Street in the total amount of \$1,346.98 with City's share being \$428.01. Motion by Ronayne, second by Rux to deny a property tax abatement for 419 South Dakota Street as recommended. Upon roll call vote, all voting aye, motion carried.

REQUEST TO PURCHASE SERVERS

City Finance Officer Karl Alberts requested to purchase three HPE DL360 GEN 10 Servers for the Computer Services Department from OneNeck IT Solutions in the total amount of \$31,106.84. Motion by Johnson, second by Rife to approve the purchase of three servers for the Computer Services Department from OneNeck IT Solutions. Upon roll call vote, all voting aye, motion carried.

AMENDMENT TO RECREATIONAL TRAIL PROJECT WITH STATE

City Manager Lynn Lander explained the amendment agreement to the Transportation Alternatives Program (TAP) Project with SD Department of Transportation for work on the 15th Avenue Recreational Trail from Dakota Street to 2nd Avenue North. Motion by Ronayne, second by Johnson to authorize the City Manager to sign Amendment No. 1 to the (TAP) Project Agreement with SD Department of Transportation for the work on the recreational trail. Upon roll call vote, all voting aye, motion carried.

BILLS

Motion by Rux, second by Ronayne to approve payment of the bills listed for April 6, 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: US Bank 74,982.99; US Bank Corp. Trust 1,008,309.38; Northwestern Energy 93,832.91; Shirley A. Jacobs 40,117.66; AT & T 2,220.27; Beachair Enterprises 64.08; Wesley Haas 55.16; Kathryn North 27.11; Gene Lorenz 60.78; MARCO Technologies LLC 54.74; Matheson Tri-Gas Inc. 399.97; Jack Ness 879.30; Milbank Winwater 8,964.90. Upon roll call vote, Ronayne, Lunzman, Rife, Johnson, Olson, Rux, and Mayor Schaunaman voting aye, Bunsness abstaining, motion carried.

CITY MANAGER'S REPORT

Lynn Lander gave the City Manager's Report including an update from Kelly Jorgenson, AGP Environmental Officer.

Council Member Lunzman left the meeting at 6:35 p.m.

ADJOURN

There being no further business, motion by Johnson, second by Rux to adjourn the meeting. Upon roll call vote, all voting aye, motion carried.

Prepared by Mary Campton for the Finance Office.



Finance Officer

MINUTES

SPECIAL ABERDEEN CITY COUNCIL MEETING

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, April 7, 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 by teleconference, Rob Ronayne, Dave Lunzman by teleconference, Josh Rife, Alan Johnson, David Bunsness by teleconference, Dennis "Mike" Olson by teleconference, and Clint Rux. City Staff present were Lynn Lander by teleconference, Ron Wager, Robin Bobzien by teleconference, Brett Bill by teleconference, Karl Alberts, and Dave McNeil by teleconference.

Mayor Schaunaman led the Pledge of Allegiance.

OPEN FORUM

Fallon Helm, owner of Revive Salon and Spa, discussed the proposed emergency ordinances, asking for hair salons to remain open.

Len Ivey, owner of Ivey's for Hair, discussed the proposed emergency ordinances, also asking for hair salons to remain open.

OLD BUSINESS

ORDINANCE NO. 20-03-04 (COVID-19 EMERGENCY ORDINANCE NO. 2)

Discussion was held on possible second reading of Ordinance No. 20-03-04 (COVID-19 Emergency Ordinance No. 2. Motion by Ronayne, second by Rux to approve second

reading and final adoption of Ordinance No. 20-03-04 (COVID-19 Emergency Ordinance No. 2), pursuant to Aberdeen City Charter, Sec. 2.14.

Motion by Rux, second by Johnson to amend the ordinance by:

1. Inserting the recital paragraph “**WHEREAS**, Governor Noem on April 6, 2020, noting her authority under the Constitution and Laws of the State, including SDCL Ch. 34-48A, and recent projections of the potential demand upon hospitals due to the spread of the novel coronavirus in South Dakota, issued Executive Order 2020-12, which order rescinded the directives of Executive Order 2020-08 and mandated that the prescribed social distancing and CDC hygiene practices *shall* be followed by every South Dakotan, all employers, any enclosed retail business that promotes social gatherings, all healthcare organizations, and all local and municipal governments; and” before the last recital paragraph, and
2. After “a State of Emergency” in the seventh recital paragraph, inserting “in all counties in the”, and
3. Inserting the recital paragraph “**WHEREAS**, Governor Noem on April 2, 2020, issued Executive Order 2020-11 declaring a disaster to exist in all sixty-six counties and nine tribal reservations of South Dakota and that federal resources are needed to alleviate the impacts of the pandemic on the State of South Dakota; and” after the seventh recital paragraph. Upon roll call vote, all voting aye, motion carried.

Motion by Johnson, second by Rife to amend the ordinance by deleting paragraph 5 of the ordinance. Discussion of the amendment. Upon roll call vote, Johnson and Schaunaman voting aye, Rux, Olson, Bunsness, Rife, Lunzman, Ronayne and Remily voting nay, motion failed.

Discussion of the main motion. The Mayor called for the vote on the main motion to approve second reading and final adoption of Ordinance No. 20-03-04 (COVID-19 Emergency Ordinance No. 2), as amended, pursuant to Aberdeen City Charter, Sec. 2.14. Upon roll call vote, all voting aye, motion carried.

NEW BUSINESS

RESOLUTION NO. 20-04-02R

Resolution No. 20-04-02R was presented extending Ordinance 20-03-02 (COVID-19 Emergency Ordinance No. 1) regarding the novel Coronavirus COVID-19 public health crisis. Motion by Ronayne, second by Rux to table the resolution. Motion withdrawn. No action was taken.

ADJOURN

There being no further business, motion by Johnson, second by Rux to adjourn the meeting. Upon roll call vote, all voting aye, motion carried.

Prepared by Mary Campton for the Finance Office.



 Finance Officer

