

MINUTES**ABERDEEN CITY COUNCIL MEETING**

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, May 26, 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 by teleconference, Dave Lunzman, Josh Rife by teleconference, Alan Johnson, David Bunsness by teleconference, Dennis "Mike" Olson by teleconference, and Clint Rux. City Staff present were Lynn Lander by teleconference, Robin Bobzien by teleconference, Brett Bill by teleconference, Karl Alberts, Dave McNeil by teleconference, Jill Mohr by teleconference, Tom Wanttie by teleconference, and Mark Hoven by teleconference.

Mayor Schaunaman led the Pledge of Allegiance.

MINUTES

Motion by Rux, second by Lunzman to approve the minutes of the City Council Meeting of May 18, 2020, as circulated. Upon roll call vote, all voting aye, motion carried.

OPEN FORUM

Clark Thares encouraged the City Council to consider opening the Aquatic Center this summer.

Casey Weismantel presented the 1st quarter activities report for the Aberdeen Convention & Visitor's Bureau.

OLD BUSINESS**APPOINTMENT OF CITY MANAGER**

Human Resource Director Jill Mohr requested the council approve the appointment of Joseph A. Gaa as the City Manager, upon the June 19, 2020 retirement of the current City Manager Lynn Lander, at a beginning compensation of \$150,000.00 per year for a term starting June 22, 2020 and to authorize the Mayor to execute an employment agreement with Mr. Gaa. Motion by Ronayne, second by Bunsness to appoint Joseph A. Gaa as City Manager, pursuant to Aberdeen City Charter, Sec. 3.01 and SDCL §9-10-10, for an indefinite term starting June 22, 2020, at a beginning compensation of \$150,000.00 per year, with periodic raises thereafter as approved by the Council, to authorize the Mayor to execute an employment agreement with Mr. Gaa setting forth employment terms and conditions, and to thereafter place such agreement on file with the Finance Officer. Upon roll call vote, all voting aye, motion carried.

CONSENT CALENDAR

Mayor Schaunaman removed Item 5B2 – Plat for the Refuge Retreats Addition from the consent calendar. Motion by Rux, second by Remily to approve the remaining items on the consent calendar as follows:

LICENSES – Home Day Care – Rachel Rohrbach; Plumbing (Special Limited) – Joshua R.

Howe dba Howe, Inc.

PLATS – Shawn & Chanda Boesl Addition to the City of Aberdeen in the NW ¼ of Section 22, T123N, R63W of the 5th P.M., Brown County, SD (5002 and 5008 Kingfisher Avenue, SE); Wood’s Third Addition to the City of Aberdeen in the NE ¼ of Section 23, T123N, R64W of the 5th P.M., Brown County, SD (640 – 9th Avenue, SW and 619 South 8th Street) with stipulation that petitioners have sidewalks installed, where missing, along all platted rights-of-way within five years of the plat filing date.

DATE CHANGE – to October 2, 2020 on the request to serve and permit the consumption of alcoholic beverages at the Wylie Park Pavilion for a Hanson/Stanley Wedding Reception.

REPORTS AND MINUTES FROM CITY BOARDS – Aberdeen Airport Board Meeting Minutes; Aberdeen City Planning Commission Meeting Minutes; Board of Zoning Adjustment Meeting Minutes; K.O. Lee Aberdeen Public Library Board of Trustees Meeting Minutes – receive and place on file.

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

NEW BUSINESS

RESOLUTION NO. 20-05-05R – EXTENDING EMERGENCY ORDINANCE NO. 3

Motion by Ronayne, second by Johnson to approve first reading and passage of Resolution No. 20-05-05R extending Ordinance No. 20-04-05 (COVID-19 Emergency Ordinance No. 3). Upon roll call vote to approve resolution, all voting aye, motion carried.

RESOLUTION NO. 20-05-05R

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 regular meeting of the Aberdeen City Council on the 26th day of May, 2020. Number of AYES: 8; Number of NAYS: 1.

RESOLUTION NO. 20-05-06R – DEDICATION OF FACILITIES

City Engineer Robin Bobzien recommended approval of Resolution No. 20-05-06R accepting the dedication of essential public facilities in Centennial Commons Subdivision from the developer, Aberdeen Development Corporation. Motion by Rux, second by Lunzman to approve Resolution No. 20-05-06R accepting dedication of essential public facilities in Centennial Commons Subdivision from the developer, Aberdeen Development Corporation. Upon roll call vote, all voting aye, motion carried.

RESOLUTION NO. 20-05-06R

RESOLUTION ACCEPTING DEDICATION

OF ESSENTIAL PUBLIC FACILITIES

IN CENTENNIAL COMMONS SUBDIVISION

WHEREAS, Aberdeen Development Corporation, a South Dakota nonprofit corporation (hereafter referred to as “Developer), was the original owner of all of the subdivided real property in those certain recorded plats highlighted on the map attached hereto as Exhibit A and identified as follows(hereafter referred to as the “Centennial Commons Development”):

WHEREAS, the Centennial Commons Development is situated wholly within the real property originally platted as “Centennial Commons Addition to the City of Aberdeen”,

which real property is legally described below and hereafter referred to as the "Subdivision":

Lot 2, Block 1 of Centennial Commons Addition to the City of Aberdeen, Lots 1, 2, and 3 of Centennial Commons Second Addition to the City of Aberdeen, Lots 1 and 2 of Centennial Commons Third Addition to the City of Aberdeen, and Lots 1 and 2 of Centennial Commons Fourth Addition to the City of Aberdeen, all in the Northwest Quarter (NW1/4) of the Southeast Quarter (SE1/4) of Section Seventeen (17), Township One Hundred Twenty-Three North (123N), Range 63 West of the Fifth P.M., Brown County, South Dakota, according to the plats thereof record; and

WHEREAS, Developer petitions, without compensation, to dedicate to the City of Aberdeen, a South Dakota municipal corporation, and for the City to accept for public use the following essential public facilities in rights-of-way, utility easements, and public grounds located wholly within the Subdivision:

- a. Water system;
- b. Sanitary sewer system;
- c. Storm water drainage and retention system;
- d. Streets designated as Fouberg Street South, Gruman Avenue Southeast, Lafayette Street South, and Centennial Street South;
- e. Curb and gutter; and
- f. Sidewalks; and

WHEREAS, said essential public facilities are in conformance with the applicable subdivision regulations and meet engineering and construction standards established by the City Engineer.

NOW, THEREFORE, BE IT RESOLVED that the City of Aberdeen hereby appropriates and accepts the following dedicated essential public facilities in rights-of-way, utility easements, and public grounds in the Centennial Commons Development:

- a. Water system;
- b. Sanitary sewer system;
- c. Storm water drainage and retention system;
- d. Streets designated as Fouberg Street South, Gruman Avenue Southeast, Lafayette Street South, and Centennial Street South;
- e. Curb and gutter; and
- f. Sidewalks.

BE IT FURTHER RESOLVED that those dedicated public facilities specified above shall hereafter become the property of the City free from all claims from any person or entity and that this Resolution shall operate as a conveyance of each accepted public facility and that each accepted public facility placed within a public or platted right-of-way or dedicated public easement is irrevocably dedicated to the public use without any right of reimbursement

or compensation to Developer of any kind; and

BE IT FURTHER RESOLVED that Developer shall have no claim, direct or implied, in the title or ownership of the public facilities dedicated to and accepted by the City and that the City hereby takes full title to the public facilities.

BE IT FURTHER RESOLVED that the City hereafter shall enter upon and assume the use, operation, and maintenance according to law of those essential public facilities accepted.

BE IT FURTHER RESOLVED that the Mayor or City Manager is hereby authorized to execute, and the Finance Officer is authorized to accept, all deeds and instruments necessary to convey the above-described essential public facilities to the City.

BE IT FURTHER RESOLVED that the Mayor or City Manager is authorized to execute, and to have recorded with the Brown County Register of Deeds, or such official custodian of deeds and instruments, and against all real property within the Subdivision, an affidavit, or similar instrument, acknowledging the City's acceptance of the above-described essential public facilities.

The foregoing Resolution was approved after first reading and passed at a regular meeting of the Aberdeen City Council on the 26th day of May, 2020. Number of AYES: 9; Number of NAYS: 0.

RECOMMENDATION ON FUEL PURCHASES

City Engineer Robin Bobzien recommended purchasing gasoline and diesel fuels for the 2020-2021 season for the Public Works Department off of State contracts from Harms Oil and Agtegra Cooperative, both of Aberdeen, SD. Motion by Johnson, second by Lunzman to approve the purchase of the fuels off of State contracts as recommended. Upon roll call vote, all voting aye, motion carried.

PAYMENT FOR PUBLIC SAFETY GENERATOR WORK

City Engineer Robin Bobzien presented a payment request in the amount of \$5,099.92 to Quest Construction for work on the Aberdeen Public Safety Generator Project. Motion by Johnson, second by Rux to approve Payment #6 in the amount of \$5,099.92 to Quest Construction for the work on the project. Upon roll call vote, all voting aye, motion carried.

BILLS

Motion by Lunzman, second by Remily to approve payment of the bills listed for May 26, 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 47,066.93; Nationwide Employee Benefits 487.71; Business Improvement District 22,597.53; US Bank Corp. Trust 212,446.25; DTC 11,220.00; Dacotah Bank 47,955.72; Cortrust 23,977.88; Dacotah Bank 50,753.25; Great Plains Bank 16,917.75; Dacotah Bank

26,807.50; Plains Commerce Bank 26,807.50; Dacotah Bank 45,442.58; Great Plains Bank 17,452.39; Plains Commerce Bank 45,442.58; ELAVON Merchant Services 3,000.00; Dacotah Bank 6,000.00; Plug N Play 1,500.00; INFINTECH 1,500.00; Verizon Wireless 32.09; Banner Associates Inc. 1,066.00; HR Green, Inc. 1,998.18; HR Green, Inc. 2,375.23; Morrison Construction 9,500.73; J & K Mowing Service 162.50; CVB 10,154.76; Webb Co. 55.74; Joel Williams 33.79; BAB Mgnt, LLC 18.60; Angela Kock 62.98; POMPS 82.95; Rachel Hall 19.38; Kenny Pulling 32.49; Paul Sather 33.85; Christopher White 66.76; Ellsbee Estates 83.48; Terry Winegar 45.18; HAPI 20.67; Steve Darling 20.64; Cora Burrer 20.85; Tom Barondeau 44.57; David Paulson 66.71. Upon roll call vote, Rux, Olson, Johnson, Rife, Lunzman, and Remily voting aye, Bunsness, Ronayne, and Mayor Schaunaman abstaining, motion carried.

PAYROLL

Motion by Lunzman, second by Johnson to approve the payroll for the period from May 10, 2020 through May 23, 2020 and city share of social security, old age & survivor's insurance, retirement, health and life insurance: Wells Fargo 155,391.33; SD Retirement 78,642.12; Governing Body 3,192.28; City Manager 8,563.41; City Attorney 7,068.04; Finance 14,846.45; HR 7,946.22; Building 1,753.75; Computer 4,807.42; Planning/Zoning 15,659.46; Engineering 14,898.70, Nicholas Sperry 15.00 hr; Police 136,912.92, Justine Charles 24.58 hr, Nicole Embury 27.13 hr, Braxton Farmen 23.98 hr, Jacob Heyd 23.98 hr, Kasey Kurtz 23.98 hr; Fire 121,013.11, Landon Binfet 17.55 hr, Carter Deyo 15.91 hr, Austin Nath 17.55 hr, Tyler Rozell 13.50 hr; Housing/Building 6,718.55; Street 33,929.87; Traffic 6,267.42; Solid Waste 27,450.93, Austin Schlosser 13.25 hr; Transportation/Ride Line 18,241.33, Library 25,886.63; Parks, Rec & Forestry 129,322.02, Jennifer Aman 44 team, 9.60 hr, Claire Angerhofer 50-56 team, 9.60 hr, Allen Auske 9.75 hr, Denise Auske 9.75 hr, Jade Ausek 10.00 hr, Dimka Bahamande-Barrientos 11.50 hr, Gameillia Becker-Knebel 9.60 hr, Ashlyn Beyer 9.75 hr, Jamison Bjur 68-74 team, Stewart Bohle 420 week, 10.00 hr, Robert Bosma 11.50 hr, Andrew Brennan 44 team, 9.60 hr, Haven Brunen 11.00 hr, Kaden Clark 46 team, 9.60 hr, Caleb Crosby 10.75 hr, 12.25 hr, Morgan Dannen 46-52 team, 9.60 hr, Emily Davis 10.50 hr, Shaine Dinger 46 team, 9.60 hr, Carter Dreyer 10.00 hr, Keesha Ebel 9.75 hr, Kayleigh Fauth 44-50 team, 9.60 hr, Taryn Fergel 46-52 hr, 9.60 hr, Samantha Ferguson 44-50 team, 9.60 hr, Peyton Fisher 44 team, 9.60 hr, Noah Forkel 14-24 game, 9.60 hr, Meredith Friedrichsen 48-54 team, 9.60 hr, Charlee Galvin 19-33 class, 9.60 hr, Sophie Geernaert 19-25 class, 9.60 hr, Drew Geier 52-58 team, 14-24 game, 9.60 hr, Gab Goetz 19-33 class, 9.60 hr, Haley Gonsor 24-38 class, 9.60 hr, Zachary Gonsor 20-26 class, 9.60 hr, Savannah Green 44 team, 9.60 hr, William Griffin 52-58 team, 14-24 game, 9.60 hr, Jenny Gross 10.50 hr, Donavon Guhin 48-62 team, 14-24 game, 9.60 hr, Sidney Hansen 44 team, 9.60 hr, Emilee Hehn 9.75 hr, Taryn Hettich 44 team, 9.60 hr, Tyler Hoffman 54-60 team, 14-24 game, 9.60 hr, Elizabeth Katz 10.50 hr, Ellen Kendall 10.50 hr, Leeland Kirschman

10.50 hr, Ethan Kjenstad 52-58 team, 14-24 game, 9.60 hr, Eliana Klipfel 10.25 hr, Viena Klipfel 10.50 hr, Aaron Knox 10.75 hr, Trent Kurtz 360 week, 10.00 hr, Abigail Lane 9.75 hr, Hailee Lesnar 9.75 hr, Elizabeth Litzen 10.00 hr, Brendan Livermont 52-58 team, 14-24 game, 9.60 hr, Steve Markley 530 week, 10.00 hr, Aiden McCafferty 14-24 game, 9.60 hr, Kris McCafferty 530 week, 10.00 hr, Allen Miller 14-21 game, 9.60 hr, Meghan Mork 44 team, 9.60 hr, Melia Mouna 50-56 team, 9.60 hr, Cassandra Mraz 10.50 hr, Samuel Nilsson 44 team, 9.60 hr, Courtney Nipp 44 team, 9.60 hr, Katie Olson 11.00 hr, 12.25 hr, Lisa Osman 420 week, 10.00 hr, Abigail Pietz 10.50 hr, Arionne Reiter 11.00 hr, Ashton Remily 52-58 team, 14-24 game, 9.60 hr, Jack Riggs 19-33 class, 9.60 hr, Benjamin Rohr 9.75 hr, John Rohrbach 350 week, 10.00 hr, Summer Scepaniak 44-50 team, 9.60 hr, Tabor Schabot 54-60 team, 14-24 game, 9.60 hr, Sarah Schafer 10.50 hr, Ronald Sieler 14-24 game, 9.60 hr, Kara Sinar 10.75 hr, AnneMarie Smith 10.75 hr, Hailey Smith 10.00 hr, Joshua Steinwandt 14-24 game, 9.60 hr, Alexander Tennant 20-26 class, 9.60 hr, Austin Vetter 10.50 hr, Claire Vetter 11.50 hr, David Vilhauer 350 half, 10.00 hr, Casey Vining 14-24 game, 9.60 hr, Cody Voegeli 60-64 team, 14-24 game, 9.60 hr, Coralyn Wager 10.00 hr, Elizabeath Wanous 46-52 team, 9.60 hr, Kelly Weismantel 9.75 hr, William Wise 19-33 class, 9.60 hr, Madalynn Witte 44-50 team, 9.60 hr, Kim Zimmerman 530 week, 10.00 hr; Airport 18,435.78; Pipe 30,635.04; Gordon Brill Jr. 13.25 hr, Braiden Nelson 13.25 hr; Water Treatment 19,505.71; Meter 1,654.40; Water Reclamation 21,051.40; Pump 9,629.99. Upon roll call vote, all voting aye, motion carried.

CITY MANAGER'S REPORT

Lynn Lander gave the City Manager's Report including the use of General Fund reserves to fund pool operations during 2020.

ADJOURN

There being no further business, motion by Ronayne, second by Bunsness to adjourn the meeting. Upon roll call vote, all voting aye, motion carried. Meeting adjourned at 6:31 p.m.

Prepared by Mary Campton for the Finance Office.



 Finance Officer