

**MINUTES****ABERDEEN CITY COUNCIL MEETING**

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, June 8, 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 by teleconference, Josh Rife, Alan Johnson, David Bunsness by teleconference, Dennis “Mike” Olson, and Clint Rux by teleconference. City Staff present were Lynn Lander by teleconference, Ron Wager by teleconference, Robin Bobzien, Brett Bill by teleconference, Karl Alberts, Dave McNeil by teleconference, Bob Braun, and Rich Krokkel by teleconference.

Mayor Schaunaman led the Pledge of Allegiance.

**MINUTES**

Motion by Remily, second by Olson to approve the minutes of the City Council Meeting on June 1, 2020, as circulated. Upon roll call vote, all voting aye, motion carried.

**OPEN FORUM**

Tiffany Langer was present to discuss live streaming of the City Council meetings and explained a city flag concept.

**CONSENT CALENDAR**

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

SET BID DATE – of June 23, 2020 at 2:00 p.m. for the following bids: 2020 Street Maintenance Concrete Repair Project; 2020 City Hall Roof Replacement Project; 2020 Sheet Pile Dam Repairs on Elm River Project.

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

**NEW BUSINESS****ORDINANCE NO. 20-06-01**

City Attorney Ron Wager presented Ordinance No. 20-06-01 proposing a comprehensive amendment to the Aberdeen Home Rule Charter. Motion by Bunsness, second by Johnson to approve first reading of Ordinance No. 20-06-01 proposing a comprehensive amendment to the Aberdeen Home Rule Charter for the November 2020 election. Upon roll call vote, all voting aye, motion carried.

**ORDINANCE NO. 20-06-03**

Shelley Westra-Heier, Executive Director of the Aberdeen Downtown Association, spoke regarding a request made to amend the “Outdoor Dining” definition to permit the use of the public sidewalk fronting any on-sale alcohol license establishment. The current definition limits outdoor dining to only food businesses deriving no more than 50% of their gross revenues from alcohol sales. City Attorney Ron Wager explained Ordinance No. 20-06-03 proposing an amendment to Sec. 46-135 – Outdoor Dining of the Aberdeen City Code

to permit outdoor dining to include all licensed on-sale alcohol establishments and clarification on restrictions to promote responsible service of alcohol on the public right-of-way. Discussion followed. Motion by Remily, second by Ronayne to approve first reading of Ordinance No. 20-06-03 amending Aberdeen City Code, Sec. 46-135 – Outdoor Dining to permit the use of the public sidewalk by all on-sale alcohol licensees. Upon roll call vote, all voting aye, motion carried.

**DISCUSSION AND PASSAGE OF RESOLUTION NO. 20-06-05R**

City Attorney Ron Wager presented Resolution No. 20-06-05R extending Ordinance No. 20-04-05, also known as COVID-19 Emergency Ordinance No. 3. Motion by Bunsness, second by Ronayne to approve first reading and passage of Resolution No. 20-06-05R extending Ordinance No. 20-04-05 (COVID-19 Emergency Ordinance No. 3). Upon roll call vote, Remily, Ronayne, Lunzman, Bunsness, Olson voting aye, Rife, Johnson, Rux, and Mayor Schaunaman voting nay, motion carried.

RESOLUTION NO. 20-06-05R

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 8<sup>th</sup> day of June, 2020. Number of AYES: 5; Number of NAYS: 4.

#### **ALLOW PURPLE TOILET ON PROPERTIES FOR SAFE HARBOR FUNDRAISER**

Kelli Schaunaman of Safe Harbor Foundation requested permission to place a purple toilet and informational sign on properties throughout Aberdeen during the months of July and August as part of a fundraising campaign. Motion by Bunsness, second by Rife to allow the placement of a purple toilet and an informational sign on properties throughout Aberdeen during July and August for the Safe Harbor's Fundraising Campaign. Upon roll call vote, all voting aye, motion carried.

#### **APPOINT MEMBERS TO BOARD OF ETHICS**

Motion by Bunsness, second by Olson to ratify the Mayor's appointment of Sister Kathleen Bierne and Professor Jon Schaff to the Board of Ethics for four-year terms beginning July 1, 2020 and expiring July 1, 2024. Upon roll call vote, all voting aye, motion carried.

#### **REAPPOINT MEMBER TO AIRPORT BOARD**

Motion by Johnson, second by Ronayne to reappoint Mike Erickson to the Aberdeen Airport Board for another five-year term expiring on June 30, 2025. Upon roll call vote, all voting aye, motion carried.

#### **REQUEST FOR ASSESSMENT ABATEMENTS ON PROPERTIES**

City Finance Officer Karl Alberts explained a request from the Brown County Auditor's Office for special assessment abatements on properties located at 317 Fourth Avenue, SW and 412 First Avenue SE in the total amount of \$23,429.00 to allow for tax deed sales on the properties. Motion by Bunsness, second by Johnson to approve the request for special assessment abatements for 317 Fourth Avenue, SW in the amount of \$8,125.00 and for 412 First Avenue, SE in the amount of \$15,304.00. Upon roll call vote, all voting aye, motion carried.

**PAYMENT FOR DOME COVER REPLACEMENT AT WATER PLANT**

Water Treatment Superintendent Bob Braun requested approval of a final payment in the amount of \$117,000.00 to AB Contracting LLC for work on the 2019 Dome Cover Replacement Project at the Water Treatment Plant. Motion by Remily, second by Ronayne to approve the final payment request in the amount of \$117,000.00 to AB Contracting LLC for work on the project. Upon roll call vote, all voting aye, motion carried.

**PAYMENTS FOR WORK ON AIRPORT PROJECTS**

Transportation Director Rich Krokkel asked approval and authorization for the City Manager to sign the following payment requests for work on Airport Improvement Projects: Payment #22 - AIP-#3-46-0001-39-2018 Airport Master Plan/Airport Layout Plan – Helms & Associates, in the amount of \$32,956.24; Payment #20 – AIP #3-46-0001-40-2019 Reconstruction of Taxiway ‘C’ – Helms & Associates, in the amount of \$4,576.84; Payment #8 – AIP #3-46-0001-41-2020 Reconstruction of General Aviation Apron – Helms & Associates, in the amount of \$16,683.75; and Payment #2 – AIP #3-46-0001-40-2019 Taxiway Improvements, Bid Schedule A and Schedule B – Reede Construction, in the amount of \$64,288.27. Motion by Johnson, second by Olson to approve Payment #22 in the amount of \$32,956.24, Payment #20 in the amount of \$4,576.84, and Payment #8 in the amount of \$16,683.75 to Helms & Associates and Payment #2 in the amount of \$64,288.27 to Reede Construction for the work on the Airport Improvement Projects. Upon roll call vote, all voting aye, motion carried.

**BILLS**

Motion by Olson, second by Rux to approve payment of the bills listed for June 8, 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: Midwest Alarm Company 570.96; American News 2,610.60; Aberdeen Development Corp. 14,166.67; Anchor Industries Inc. 549.00; Praxair Distribution Inc. 437.52; American Assn. Airport Execs. 275.00; MARCO Technologies LLC 40.75; Bonnie Bitz 3,935.00; Russell B. Landscaping 6,529.60; Tessman Company 2,235.25; RDO Equipment Co. 1,303.83; Katherine Bommarito 178.94; Dakota Doors Inc. 544.40; Leidholt Electric LLC 989.35; Vosika Fencing 2,473.00; Heartland Paper Company 240.13; Eddie’s Northside Sinclair 10.00; Quality Welding Inc. 2,354.81; Cole Papers Inc. 984.03; Farm Power Mfg. Inc. 125.24; Jensen Rock & Sand Inc. 837.01; Graham Tire Co. 1,327.00; Grote Body Shop 306.55; Auto Value Part Stores/Hedahls 1,164.23; CASH-WA Distributing 4,317.12; House of Glass, Inc. 1,154.26; Inman Irrigation 222.67; H F Jacobs & Son 2,145.67; Kesslers Inc. 78.00; McDonald Supply Co. 212.59; MAC’s Inc. 425.59; NB Golf LLC 435.80; Sewer Duck Inc. 635.00; Farnams Genuine Parts 41.78; Overhead Door Company 180.00; Dakota Supply Group 995.75; Midstates Group 2,836.18; Avera St Luke’s Hospital 5,662.50;

Schwan Welding & Boiler 582.00; Fay's Refrigeration Service 270.77; Sherwin-Williams Co. 574.79; Sodak Sports 203.95; Stan Houston Equipment, Inc. 2,667.18; Town & Country Lumber Inc. 1,441.91; Hannah Lagerquist 5.99; Aberdeen Lawn Care 315.00; Diesel Machinery Inc. 1,398.96; GALE/Cengage Learning 191.95; Amy Trujillo 134.67; SD Discovery Center 300.80; Dacotah Bank 2,046.00; Fastenal Company 382.63; True Edge Inc. 590.62; Totally Tubular Mfg. 301.90; ADAPCO Inc. 741.90; Airside Solutions, Inc. 508.68; Target Specialty Products 34,120.00; North Wind Machine 160.75; Goodmark Nurseries 3,915.00; Dependable Sanitation Inc. 990.75; United Way 13,000.00; Aberdeen Community Theatre 15,000.00; Fordham Signs 774.30; WISP Services LLC 60.00; PEPSI-COLA 2,615.80; Cartney Bearing Co. 132.38; COCA-COLA Refreshments 233.00; Titan Access Acct/Productivity Plus Acct. 129.30; Hub City Radio 600.00; Executive Management 53.17; Beacon Athletics 1,158.84; West Payment Center 645.40; Parkview Nursery Inc. 8,420.70; Dakota Broadcasting LLC 500.00; Dakotaland Autoglass Inc. 48.26; Livestock Specialist Inc. 179.71; MTI Distributing 3,436.18; Fire Safety First 894.85; Action Pest Control 315.00; ACE Refrigeration 867.00; Quill Corporation 101.04; Ken's Superfair Foods 1,858.87; Sertoma Club 73.00; Menards 8,455.33; Abdn Community Concert 2,500.00; Pheasant Country Express 26.30; SD Pilots Association 20.00; Dakota Fluid Power Inc. 633.74; McQuillen Creative Group Inc. 2,228.75; Midwest Mini Melts 2,324.00; Grand Forks Herald 431.25; Borns Group 211.75; FP Mailing Solutions 135.00; OCLC, Inc. 955.25; Midwest Playscapes, Inc. 2,620.00; Ferguson Waterworks 3,373.52; David's Lawn & Snow 50.00; Matheson Tri-Gas Inc. 161.15; Haider Construction, Inc. 2,267.86; Pomp's Tire Service, Inc. 58.00; Van Diest Supply Co. 11,774.38; Dakota News 8,851.60; Camby's Pass Inc. 724.29; Crapton Railroad Company, Inc. 1,483.00; DSS Image Apparel 918.90; Advance Auto Parts 240.11; Ingram Library Services 954.58; Vollan Oil Co. 3,480.49; Rivards Turf & Forage 1,689.42; Plunkett's Pest Control 498.01; Pro Ag Supply Inc. 6.30; Brick's TV & Appliance 452.00; J & R Janitorial 95.28; Grainger 298.49; Geffdog Designs 289.10; Ameripride Services Inc. 1,070.67; Weismans Designs for Dance 32.27; Builders Firstsource, Inc. 24.90; K & A Log Furniture, LLC 12,012.93; Kamibashi Asian Art 63.50; Tri-State Water, Inc. 10.63; Swanson Electric 3,226.54; Convergint Technologies LLC 428.57; CWF Masonry & Construction Inc. 80,841.98; Altec Industries Inc. 258.97; Hillyard Sioux Falls 212.52; Jackie Witlock 61.40; Bibliothica, LLC 10,084.00; KAPCO 9.39; Kandi K. Smith 1,150.00; Apple Books 2,470.19; Autozone 139.99; Jonathon Murdy 2,500.00; Specialty Mfg Co. 5,074.00; Runnings Supply Inc. 5,449.98; Interstate Battery 38.95; Daniel Bader 125.00; Dacotah Bank 127.80; PO & Tar Dah 125.00; Jobi Gramlow 125.00; Douglas & Cindy Kenny 125.00; Marvin Tesky 93.72; WPS Tricare For Life 114.89; Shawn Hennessee 504.32; Risk Administrative Services, Inc. 380.00; Northwestern Energy 57,157.32; Matheson Tri-Gas Inc. 153.45; MARCO Technologies LLC 27.34; Brown County Treasurer 42.40; AT & T 195.95; US Bank 43,708.02; Dorsey & Whitney LLP 15,000.00; Clark Engineering Corp. 2,132.00;

Dakota Pump Inc. 90,918.53; Western Area Power Adm. 7,537.35; J & K Mowing Service 1,200.00. Upon roll call vote, Rux, Olson, Johnson, Rife, Lunzman, and Remily voting aye, Bunsness, Ronayne, and Mayor Schaunaman abstaining, motion carried.

**PAYROLL**

Motion by Remily, second by Rux to approve the payroll for the period from May 24, 2020 through June 6, 2020 and city share of social security, old age & survivor's insurance, retirement, health and life insurance: Wells Fargo 152,191.66; SD Retirement 80,878.58; Governing Body 3,192.28; City Manager 8,563.41; City Attorney 7,117.57; Finance 14,816.15; HR 7,946.20, Building 1,753.75; Computer 4,807.42; Planning/Zoning 15,659.44; Engineering 15,486.25; Police 148,774.23, Landon Seaman 24.58 hr, Brady Woehl 24.58 hr; Fire 109,485.31, Jordon Dahme 17.55 hr, Kyle Stoddard 17.55 hr; Housing/Building 6,718.55; Street 33,831.68; Traffic 6,368.87; Solid Waste 27,226.46; Transportation/Ride Line 17,706.70, Library 25,396.74; Parks, Rec & Forestry 170,111.48, Tiana Aberle 10.00 hr, Brock Braker 52-58 team, 14-24 game, 9.60 hr, Zachary Bohnenkamp 54-60 team, 14-24 game, 9.60 hr, Emily Davis 10.50 hr, Keisean Deehr 9.60 hr, Karlie Karst 11.50 hr, Trejon King 11.25 hr, Morgan Mewes 10.50 hr, Jesse Nellans 10.50, Jackson Ness 10.50 hr, Richard Osman 14-24 game, 9.60 hr, Maxwell Prehn 52-58 team, 14-24 game, 9.60 hr, Linda Resmen 10.25 hr, Hallie Sallee 19-33 class, 9.60 hr, Collin Stoebner 14-24 game, 9.60 hr, Jonah Stolp 11.50 hr; Airport 18,340.27; Pipe 28,062.43, Cody Dvorak 18.28 hr, John Kolb 18.73 hr; Water Treatment 19,726.99; Meter 1,799.16; Water Reclamation 21,718.14 ; Pump 9,257.20. Upon roll call vote, all voting aye, motion carried.

**CITY MANAGER'S REPORT**

Lynn Lander gave the City Manager's Report including year-to-date sales tax receipts.

**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. Meeting adjourned at 6:19 p.m. Prepared by Mary Campton for the Finance Office.

  
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 Finance Officer