

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

Brown County Courthouse Commission Chambers, 25 Market Street, Aberdeen, South Dakota, June 10, 2022 at 2:00 p.m., special meeting of the City Council. Mayor Travis Schaunaman presiding. Present at roll call were City Council Members Rob Ronayne, Alan Johnson, Justin Reinbold, and Clint Rux. City Council Members Mark Remily, Dave Lunzman, Josh Rife, and Tiffany Langer were absent. City Staff present were Jordan McQuillen, Joe Gaa, and Ron Wager.

**CANVASS MUNICIPAL ELECTION RESULTS**

County Auditor Cathy McNickle reported the June 7, 2022 Municipal Election vote results electing Erin Fouberg as the City Council Member – NE District, Charlotte Liebelt as the City Council Member – NW District, and David Novstrup as the City Council Member – SE District. Motion by Rux, second by Johnson to approve the returns of the City Election canvassed by the City Council and passage of Resolution No. 22-06-02R as follows:

**RESOLUTION NO. 22-06-02R****RESOLUTION DECLARING THE RESULTS OF THE MUNICIPAL  
ELECTION HELD IN THE CITY OF ABERDEEN, SD ON JUNE 7, 2022**

WHEREAS, on the 7<sup>th</sup> day of June, 2022, there was held in the City of Aberdeen, South Dakota, an Annual Municipal Election in conjunction with the School and Primary Election for the purpose of electing a City Council Member-Northeast District, City Council Member-Northwest District, and a City Council Member-Southeast District, for five-year terms; and

WHEREAS, at the Annual Municipal Election held in three voting centers in the City of Aberdeen, South Dakota on Tuesday, the 7<sup>th</sup> day of June, 2022, there were cast the following votes for Office of City Council Member-Northeast District, to wit: Erin Fouberg received 919 votes, Mark Remily received 238 votes, and Andy Schaunaman received 364 votes, there being a total of 1,521 legal votes cast; Office of City Council Member-Northwest District, to wit: Charlotte Liebelt received 667 votes, Jon Boon McNutt received 470 votes, there being a total of 1,137 legal votes cast; Office of City Council Member-Southeast District, to wit: Chad Nilson received 350 votes, Kyle Walz received 320 votes, David Novstrup received 523 votes, there being a total of 1,193 legal votes cast; and

WHEREAS, the returns of said election have been delivered and canvassed by the City Council, and the official vote at the Municipal Election was as follows: Erin Fouberg received a plurality of the legal votes cast for City Council Member-Northeast District, Charlotte Liebelt received a plurality of the legal votes cast for City Council Member-Northwest District, and David Novstrup received a plurality of the legal votes cast for City Council Member-Southeast District.

NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY

OF ABERDEEN, that the City Finance Officer is hereby directed to issue the proper Certificates of Election to Erin Fouberg elected City Council Member-Northeast District, Charlotte Liebelt elected City Council Member-Northwest District, and David Novstrup elected City Council Member-Southeast District for five-years terms beginning July 1, 2022.

The foregoing Resolution was adopted at a special meeting of the Council on the 10<sup>th</sup> day of June, 2022. Voice vote to approve, all present voting aye, number of ayes 5, number of nays 0, members abstaining 0, motion carried.

Prepared by Mary Campton for the Finance Office. /s/ Jordan McQuillen, Finance Officer.

### **ABERDEEN CITY COUNCIL MEETING**

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, June 21, 2022 at 5:30 p.m., regular meeting of the City Council.

#### **CALL TO ORDER**

##### **MEETING ROLL CALL**

Present at roll call were City Council Members Rob Ronayne by teleconference, Mark Remily, Dave Lunzman, Josh Rife by teleconference, Alan Johnson, Justin Reinbold, Tiffany Langer, Clint Rux, and Mayor Travis Schaunaman.

City Staff present were Joe Gaa, Ron Wager, Robin Bobzien, Brett Bill, Jordan McQuillen, Dave McNeil, Joel Weig, and Rich Krokkel.

##### **PLEDGE OF ALLEGIANCE**

Mayor Schaunaman led the Pledge of Allegiance.

#### **APPROVAL OF AGENDA**

Motion by Rux, second by Lunzman to approve the agenda. Voice vote to approve, all voting aye, motion carried.

#### **MINUTES**

Motion by Reinbold, second by Johnson to approve the minutes of the June 1 and June 6, 2022 City Council Meetings, as circulated. Voice vote to approve, all voting aye, motion carried.

#### **OPEN FORUM**

No one appeared in open forum to address the Council.

#### **CONSENT CALENDAR**

Motion by Rux, second by Reinbold to approve the following items on the consent calendar:

RENEWALS OF RETAIL ON-OFF SALE MALT BEVERAGE AND SD FARM WINE LICENSES – from July, 2022 – July, 2023 for Aberdeen Cue Club Inc. dba 1603 – 6<sup>th</sup> Avenue, SW; Guadalajara III Inc. dba Guadalajara Mexican Restaurant, 3015 – 6<sup>th</sup> Avenue, SE #3; and Melynda Sletten dba Platinum Salon and Spa, 714 South Main Street #1.

SET HEARING DATE – of July 5, 2022 at 5:30 p.m. for transfers of Retail On-Off Sale

Malt Beverage and SD Farm Licenses with Video Lottery - From Midwestern-Flack LLC dba Dakota Players Club, 1715 – 6<sup>th</sup> Avenue, SE (A) To G & T Gaming, Inc. dba Dakota Players Club, 1715 – 6<sup>th</sup> Avenue, SE (A); From Midwestern-Flack LLC dba Jokers Wild Casino, 1715 – 6<sup>th</sup> Avenue, SE (B) To G & T Gaming, Inc. dba Jokers Wild Casino, 1715 – 6<sup>th</sup> Avenue, SE (B)

FIREWORKS DISPLAY PERMIT – for Aberdeen Parks and Recreation Department dba Lew’s Fireworks, Inc. at Wylie Park on July 4, 2022

LICENSE – Transient Merchant – Ivan Quinones dba Backyard Butchers

REQUESTS FOR STREET USE – 1) Rolling Hills Subdivision (Shortridge Drive, Nicklaus Drive, Stewart Drive, and Palmer Circle) for July 4<sup>th</sup> Parade; 2) 10 Block of 5<sup>th</sup> Avenue, SW for “Crossfit Rails Competition” on July 23, 2022; 3) 5<sup>th</sup> Avenue, SE between South Lincoln Street and South Washington Street for First United Methodist Church’s Car Show on June 26, 2022; 4) First Avenue from Weber Street to Jackson Street for Aberdeen Hub Area BMX’s “BMX Nationals” on August 26 – 28, 2022

Voice vote to approve, all voting aye, motion carried.

### **NEW BUSINESS**

#### **RESOLUTION NO. 22-06-03R GIVING APPROVAL TO SEWER FACILITY IMPROVEMENTS AND ISSUANCE AND SALE OF REVENUE BOND TO FINANCE IMPROVEMENTS**

City Manager Joe Gaa presented Resolution No. 22-06-03R giving approval to certain Sewer Facility Improvements and to the issuance and sale of a Revenue Bond to finance the improvements. Gaa said that an SRF loan for the Wastewater Treatment Plant Improvements was approved for a term of 30 years at 2.125% for an amount not to exceed \$32,426,100 and staff recommends approval of the resolution to move forward with the process. Motion by Ronayne, second by Rux to approve of Resolution No. 22-06-03R giving approval to certain Sewer Facility Improvements and to the issuance and sale of a Revenue Bond to finance the improvements. Roll call vote to approve, number of ayes 9, number of nays 0, members abstaining 0, motion carried.

#### **RESOLUTION NO. 22-06-03R**

**RESOLUTION APPROVING CERTAIN SEWER FACILITIES IMPROVEMENTS; APPROVING THE ISSUANCE AND SALE OF A REVENUE BOND TO FINANCE, DIRECTLY OR INDIRECTLY, THE IMPROVEMENTS TO THE FACILITIES; APPROVING THE FORM OF THE LOAN AGREEMENT AND THE REVENUE BOND AND PLEDGING PROJECT REVENUES AND COLLATERAL TO SECURE THE PAYMENT OF THE REVENUE BOND; AND CREATING SPECIAL FUNDS AND ACCOUNTS FOR THE ADMINISTRATION OF FUNDS FOR OPERATION OF THE SYSTEM AND RETIREMENT OF THE REVENUE BOND AND PROVIDING FOR A SEGREGATED SPECIAL CHARGE OR SURCHARGE FOR THE PAYMENT OF THE**

## BONDS.

WHEREAS, one of the purposes of SDCL Chapter 9-40 (the “Act”) as found and determined by the Legislature is to provide for financing the acquisition, maintenance, operation, extension or improvement of any system or part of any system for the collection, treatment and disposal of sewage and other domestic, commercial and industrial wastes; or any system for the control of floods and drainage; or any combination thereof, together with extensions, additions, and necessary appurtenances; and,

WHEREAS, a municipality is authorized by Section 6 of the Act to issue revenue bonds to defray the cost of extensions, additions and improvements to any utility previously owned without pledging its credit and is authorized to pledge the net income or revenues from the Project in accordance with Section 15 of the Act; and,

WHEREAS, the City of Aberdeen (the “City”) currently operates a sewer system for the collection, treatment and disposal of sewage and other domestic, commercial and industrial wastes; and for the control of floods and drainage and has determined that improvements to the sewer facilities are necessary for the conduct of its governmental programs and qualifies as an improvement, extension or addition to its sewer system; and,

WHEREAS, the City has determined to issue its revenue bonds to finance the improvements to its sewer system for the purpose of collecting, treating and disposing of sewage and other domestic, commercial and industrial wastes (the “System”) and has applied to the South Dakota Conservancy District (the “District”) for a Clean Water State Revolving Fund Loan to finance the improvements;

WHEREAS, the City shall adopt special rates or surcharges for the improvements to be pledged, segregated and used for the payment of the Bonds.

NOW THEREFORE BE IT RESOLVED by the City as follows:

SECTION 1. Definitions. The terms when used in this Resolution shall have the following meanings set forth in this section unless the context clearly requires otherwise. All terms used in this Resolution which are not defined herein shall have the meanings assigned to them in the Loan Agreement unless the context clearly otherwise requires.

“Act” means South Dakota Codified Laws Chapter 9-40.

“Loan” means the Loan made by the South Dakota Conservancy District to the City pursuant to the terms of the Loan Agreement and as evidenced by the Revenue Bond.

“Project” means the City of Aberdeen Wastewater Treatment Facility Upgrade Project.

“Revenue Bond” means the revenue bond or bonds issued the date of the Loan Agreement by the City to the South Dakota Conservancy District to evidence the City’s obligation to repay the principal of and pay interest and Administrative Expense Surcharge on the Loan.

“System” means the City’s system of collecting, treating and disposing of sewage and other domestic, commercial and industrial wastes.

SECTION 2. Declaration of Necessity and Findings.

2.1.1. Declaration of Necessity. The City hereby determines and declares it is necessary to construct and finance improvements to its System described as the Project.

2.2. Findings. The City does hereby find as follows:

2.2.1. The City hereby expressly finds that if the Project is not undertaken, the System will pose a health hazard to the City and its inhabitants and will make the City unable to comply with state and federal law.

2.2.2. Because of the functional interdependence of the various portions of the System, the fact that the System may not lawfully operate unless it complies with State and federal laws, including SDCL Chapter 34A-2, and the federal Clean Water Act, and the nature of the improvements financed, the City hereby finds and determines that the Project will substantially benefit the entire System and all of its users within the meaning of Sections 15 and 17 of the Act.

2.2.3. The City hereby determines and finds that for the purposes of the Act, including, in particular, Sections 15 and 17 of the Act, only the net income from the Project financed by the Revenue Bond be pledged for its payment.

**SECTION 3. Authorization of Loan, Pledge of Revenue and Security.**

3.1. Authorization of Loan. The City hereby determines and declares it necessary to finance up to \$32,426,100 of the costs of the Project through the issuance of bonds payable from the revenue of the Project and other funds secured by the City. The City hereby determines that because the Revenue Bond is issued in connection with a financing agreement described in SDCL 46A-1-49, pursuant to Section 15 of the Act no election is required to issue the Revenue Bond.

3.2. Approval of Loan Agreement. The execution and delivery of the Revenue Obligation Loan Agreement (the "Loan Agreement"), the form of which is on file with the Finance Officer (the "Finance Officer") and open to public inspection, between the City as Borrower and the District, is hereby in all respects authorized, approved and confirmed, and the Mayor and Finance Officer are hereby authorized and directed to execute and deliver the Loan Agreement in the form and content attached hereto, with such changes as the Attorney for the City deems appropriate and approves, for and on behalf of the City. The Mayor and Finance Officer are hereby further authorized and directed to implement and perform the covenants and obligations of the City set forth in or required by the Loan Agreement. The Loan Agreement herein referred to and made a part of this Resolution is on file in the office of the Finance Officer and is available for inspection by any interested party.

3.3. Approval of Revenue Bond. The issuance of a revenue bond in a principal amount not to exceed \$32,426,100 as determined according to the Loan Agreement in the form and content set forth in Appendix B attached to the form of Loan Agreement (the "Revenue Bond") shall be and the same is, in all respects, hereby authorized, approved, and confirmed and the Mayor, Finance Officer, and other appropriate officials shall be and are hereby

authorized and directed to execute and seal the Revenue Bond and deliver the Revenue Bond to the District, for and on behalf of the City, upon receipt of the purchase price, and to use the proceeds thereof in the manner set forth in the Loan Agreement. The Mayor and Finance Officer are hereby authorized to approve the final terms of the Revenue Bond and their execution and delivery thereof shall evidence that approval. The Revenue Bond shall be issued under the authority of SDCL Chapter 9-40 and SDCL Chapter 6-8B, and the provisions of the Act are hereby expressly incorporated herein as provided in Section 19 of the Act.

3.4. Pledge of Revenues. The Revenue Bond together with the interest thereon, shall not constitute a charge against the City's general credit or taxing power, but shall be a limited obligation of the City payable solely out of the Project Debt Service Account, which payments, revenues and receipts are hereby and in the Loan Agreement pledged and assigned for the equal and ratable payments of the Revenue Bond and shall be used for no other purpose than to pay the principal of, interest and Administrative Surcharge on the Revenue Bond, except as may be otherwise expressly authorized in the Loan Agreement (including the purpose of securing Additional Bonds issued as permitted by the terms thereof). The City covenants and agrees to charge rates for all services from the Project or establish special charges or surcharges which will be sufficient to provide for the payments upon the Revenue Bond issued hereunder as and when the same become due, and as may be necessary to provide for the operation and maintenance and repairs of the Project, and depreciation, and the Rate Resolution shall be revised from time to time so as to produce these amounts. The City hereby reserves the right to determine on a periodic basis the appropriate allocation of operation and maintenance expenses, depreciation, repair and reserves associated with the facilities financed with the Revenue Bond, provided that such determination of allocable operation and maintenance expenses shall in no event abrogate, abridge or otherwise contravene the covenant of the City set forth in this Section 3 or any other covenant or agreement in the Loan Agreement.

SECTION 4. Special Charge or Surcharge for Revenue Bond.

4.1. The City does hereby create the Revenue Bond Special-Surcharge District (the "Surcharge District") which shall include all users which benefit from the Project. There shall be charged a special charge or surcharge pursuant to Section 15 of the Act for the services provided by Project financed by the Revenue Bond. The special charge or surcharge shall be segregated from other revenues of the System and shall be used for the payment of the Revenue Bond. The special charge or surcharge shall create net income, remaining from time to time after first paying all reasonable and current expenses of maintenance, repairs, replacements and operation, sufficient to fund interest, reserve and debt service fund annual requirements and shall be 110% of the debt service requirements on the Revenue Bond.

4.2. Rates and collection. The rate herein specific will be collected as a special charge or

surcharge for the Project. This special charge or surcharge shall remain in effect until such time as the Revenue Bond is defeased or paid in full.

4.3. Initial Surcharge. The initial special charge or surcharge shall be set by resolution and collected at the same time as other charges of the utility. All users within the Surcharge District which benefit from the Project, current and future, shall be charged the special charge or surcharge. The special charge or surcharge is found to be equitable for the services provided by the Project. The special charge or surcharge shall begin at such time as will produce sufficient revenue to pay principal of, interest and Administrative Surcharge on the Revenue Bond when due.

4.4. Segregation. The Finance Officer shall set up bookkeeping accounts in accordance with South Dakota Legislative Audit guidelines for the segregation of the revenue, special charges and surcharges.

4.5. Periodic review. The amount of the surcharge shall be reviewed from time to time, not less than yearly, and shall be modified in order to produce such funds as are necessary and required to comply with the Loan Agreement's rate covenant and to pay principal of, interest and Administrative Surcharge on the Revenue Bond when due. The surcharge may be set by resolution in accordance with this Section. The rate resolution shall be necessary for the support of government and shall be effective upon passage.

SECTION 5. Additional Bonds. As permitted by Sections 8 and 9 of the Act, Additional Bonds payable from revenues and income of the System or Project may be issued, as permitted in the Loan Agreement, and no provision of this Resolution shall have the effect of restricting the issuance of, or impairing the lien of, such additional parity bonds with respect to the net revenues or income from the extensions, additions or improvements. The City shall have the right to issue additional bonds secured by a lien subordinate to the lien from the Revenue Bond pursuant to the Loan Agreement.

SECTION 6. Project Fund Accounts. For the purpose of application and proper allocation of the income of the Project and to secure the payment of principal, Administrative Surcharge and interest on the Revenue Bond, the following mandatory asset segregations shall be included in the sewer system account of the City and shall be used solely for the following respective purposes until payment in full of the principal of and interest on the Revenue Bond:

6.1. Project Revenue Account. There shall be deposited periodically into the Project Revenue Account the net revenues as defined in Section 17 of the Act derived from the operation of the Project collected pursuant to the resolutions and ordinances of the City of Aberdeen, South Dakota (collectively the "Rate Resolution"). Moneys from the Project Revenue Account shall be transferred periodically into separate funds and accounts as provided below.

6.2. Project Debt Service Account. Out of the revenues in the Project Revenue Account,

there shall be set aside no later than the 25<sup>th</sup> day of each month into the account designated Project Debt Service Account, a sum sufficient to provide for the payment as the same become due of the next maturing principal of, interest and Administrative Surcharge on the Revenue Bonds and any reserve determined by the City's governing body to be necessary. The amount set aside monthly shall be not less than one-third of the total principal, interest, and Administrative Surcharge payable on the following February 15, May 15, August 15 or November 15 and if there shall be any deficiency in the amount previously set aside, then the amount of such deficiency shall be added to the current requirement.

6.3. Depreciation Account. There shall be established a General Depreciation Account. Out of the revenues of the Project Revenue Account there shall be set aside each month into the General Depreciation Account an amount determined by the Common Council to be a proper and adequate amount for repair and depreciation of the Project.

6.4. Project Surplus Account. There shall be established the Project Surplus Account. Revenues remaining in the Project Revenue Account at the end of any fiscal year after all periodic transfers have been made therefrom as above required, shall be deemed to be surplus and shall be transferred to the Project Surplus Account. If at any time there shall exist any default in making any periodic transfer to the Project Debt Service Account, the Common Council shall authorize the Finance Officer to rectify such default so far as possible by the transfer of money from the Project Surplus Account. If any such default shall exist as to more than one account or fund at any time, then such transfer shall be made in the order such funds and accounts are listed above.

When not required to restore a current deficiency in the Project Debt Service Account, moneys in the Project Surplus Account from time to time may be used for any of the following purposes and not otherwise:

- (a) To redeem and prepay the Revenue Bond when and as such Revenue Bond becomes prepayable according to its terms;
- (b) To pay for repairs of or for the construction and installation of improvements or additions to the System; and, if the balances in the Project Debt Service Account and the Project Depreciation Account are sufficient to meet all payments required or reasonably anticipated to be made there from prior to the end of the then current fiscal year, then:
- (c) To be held as a reserve for redemption and prepayment of any bonds of the System which are not then but will later be prepayable according to their terms; or
- (d) To be used for any other authorized municipal purpose designated by the Common Council.
- (e) No moneys shall at any time be transferred from the Project Surplus Account or any other account of the Fund to any other fund of the City, nor shall such moneys at any time be loaned to other municipal funds or invested in warrants, special improvements bonds or other obligations payable from other funds, except as provided in this Section.



SECTION 7. Approval of Paying Agent/Registrar. The Revenue Bond shall be payable at the office of U.S. Bank National Association, St. Paul, Minnesota, hereby designated as paying agent and registrar.

SECTION 8. Approval of Bond Counsel. Meierhenry Sargent LLP is hereby retained as Bond Counsel with respect to the Revenue Bond.

SECTION 9. Tax Matters. The Interest on the Revenue Bond shall be excludable from gross income for federal income tax purposes under the Internal Revenue Code of 1986, as amended (“the Code”) and applicable Treasury Regulations (the “Regulations”).

SECTION 10. Covenants. The City hereby covenants and agrees with the District and other owners of the Revenue Bond as follows:

10.1. The City will punctually perform all duties with reference to the Project, the System and the Revenue Bond required by the constitution and laws of the State of South Dakota and by this Resolution.

10.2. The City agrees and covenants that it will promptly construct the improvements included in the Project.

10.3. The City covenants and agrees that pursuant to Sections 25 through 27 of the Act, the lawful holders of the Revenue Bond shall have a statutory mortgage lien upon the Project and the extensions, additions and improvements thereto acquired pursuant to the Act, until the payment in full of the principal and interest on the Revenue Bond, and the City agrees not to sell or otherwise dispose of the System, the Project, or any substantial part thereof, except as provided in the Loan Agreement and shall not establish, authorize or grant a franchise for the operation of any other utility supplying like products or services in competition therewith.

10.4. The City covenants and agrees with the District and other owners of the Revenue Bond that it will maintain the System in good condition and operate the same in an efficient manner and at a reasonable cost, so long as any portion of the Revenue Bond remains outstanding; that it will maintain insurance on the System for the benefit of the holders of the Revenue Bond in an amount which usually would be carried by private companies in a similar type of business; that it will prepare, keep and file records, statements and accounts as provided for in this Resolution and the Loan Agreement. The Revenue Bond shall refer expressly to this Resolution and the Act and shall state that it is subject to all provisions and limitations thereof pursuant to Section 19 of the Act.

SECTION 11. Depositories. The Finance Officer shall cause all moneys pertaining to the Funds and Accounts to be deposited as received with one or more banks which are duly qualified public depositories under the provisions of SDCL Ch. 4-6A, in a deposit account or accounts, which shall be maintained separate and apart from all other accounts of the City, so long as any of the Bonds and the interest thereon shall remain unpaid. Any of such moneys not necessary for immediate use may be deposited with such depository banks in savings or time deposits. No money shall at any time be withdrawn from such deposit accounts except

for the purposes of the Funds and Accounts as authorized in this Resolution; except that moneys from time to time on hand in the Funds and Accounts may at any time, in the discretion of the City's governing body, be invested in securities permitted by the provisions of SDCL 4-5-6; provided, however, that the Depreciation Fund may be invested in such securities maturing not later than ten years from the date of the investment. Income received from the deposit or investment of moneys shall be credited to the Fund or Account from whose moneys the deposit was made or the investment was purchased, and handled and accounted for in the same manner as other moneys therein.

SECTION 12. Consent to Appointment. In the event of mismanagement of the Project, a default in the payment of the principal or interest of the Revenue Bond, or in any other condition thereof materially affecting the lawful holder of the Revenue Bond, or if the revenues of the Project are dissipated, wasted or diverted from their proper application as set forth in the Loan Agreement, Revenue Bond, or herein, the City hereby consents to the appointment of a receiver pursuant to Section 33 of the Act, and agrees that the receiver will have the powers set forth therein, and in Sections 34 and 35 of the Act to operate and administer the Project, and charge and collect rates as described therein.

SECTION 13. Severability. If any section, paragraph, clause or provision of this Resolution, the Loan Agreement, the Revenue Bond, or any other Loan Document shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution or said Loan Agreement, Revenue Bond, or any other Loan Document.

SECTION 14. Repeal of Resolution. At such time as the Revenue Bond is defeased or paid in full, this Resolution and the special charge or surcharge shall automatically be repealed without any further action of the City.

SECTION 15. Authorization of City Officials. The Mayor, Finance Officer, City Attorney and City officials shall be and they are hereby authorized to execute and deliver for and on behalf of the City any and all other certificates, documents or other papers and to perform such other acts as they may deem necessary or appropriate in order to implement and carry out the actions authorized herein.

SECTION 16. Effective Date. This Resolution shall take effect on the 20<sup>th</sup> day following its publication, unless suspended by a referendum.

The foregoing Resolution No. 22-06-03R was adopted at a regular meeting of the Aberdeen City Council on the 21<sup>st</sup> day of June, 2022.

#### PUBLIC HEARING AND RESOLUTION FOR ANNEXATION OF PROPERTY INTO CITY LIMITS

Mayor Schaunaman opened a hearing on a petition of voluntary annexation submitted by Kevin Weisbeck of SkyLine Development, LLC for property described as Lot 2, Fessenden Addition in the SW<sup>1</sup>/<sub>4</sub> of Section 8, T123N, R63W of the 5<sup>th</sup> P.M., Brown County,

South Dakota (2505 – 8<sup>th</sup> Avenue, NE). City Planning/Zoning Director Brett Bill said that the petitioner is requesting the annexation of the property for future development and recommended approval of the resolution to annex the property into city limits. No public comments were received so Mayor Schaunaman closed the hearing. Motion by Remily, second by Rux to approve Resolution No. 22-06-05R for annexation of the property. Roll call vote to approve, all voting aye, number of ayes 9, number of nays 0, members abstaining 0, motion carried.

RESOLUTION NO. 22-06-05R  
RESOLUTION FOR ANNEXATION OF  
CERTAIN PROPERTY INTO THE CITY LIMITS  
OF THE CITY OF ABERDEEN, SOUTH DAKOTA

BE IT RESOLVED, by the City Council, Aberdeen, Brown County, South Dakota, that the voluntary petition to annex the following described property filed by Kevin Weisbeck of SkyLine Development, LLC is hereby granted and the following described property is hereby added to the municipal boundaries of the City of Aberdeen, South Dakota and shall be within the city limits of said City. Said property described as follows:

Lot 2, Fessenden Addition in the SW<sup>1</sup>/<sub>4</sub> of Section 8, T123N, R63W of the 5<sup>th</sup> P.M.,  
Brown County, South Dakota (2505 – 8<sup>th</sup> Avenue, NE)

BE IT FURTHER RESOLVED by the Aberdeen City Council, Brown County, Aberdeen, South Dakota, that the Mayor of the City of Aberdeen shall cause an accurate map of such territory together with a copy of this Resolution duly certified to be recorded in the Office of the Register of Deeds, Brown County, South Dakota.

The foregoing Resolution was adopted at a regular meeting of the Council on the 21<sup>st</sup> day of June, 2022.

DECLARE SURPLUS EMS EQUIPMENT ITEMS FOR TRADE IN TO STRYKER

Fire Chief Joel Weig requested approval to declare surplus various EMS equipment items for trade in as part of the Stryker ALS 360 Comprehensive Replacement of Ambulance Equipment Program. Motion by Reinbold, second by Ronayne to declare surplus various EMS equipment items for trade in as part of the Stryker ALS 360 Comprehensive Replacement of Ambulance Equipment Program. Roll call vote to approve, all voting aye, motion carried.

REAPPOINTMENT OF BOARD MEMBER TO PARKS AND RECREATON BOARD

Motion by Johnson, second by Langer to reappoint Kristan Morris to the Aberdeen Parks and Recreation Board for a five-year term ending June 30, 2027. Roll call vote to approve, all voting aye, motion carried.

RECOMMENDATION ON BID FOR ROOSEVELT SANITARY SEWER PROJECT

City Engineer Robin Bobzien presented the bids for the Roosevelt Sanitary Sewer Project and recommended awarding the bid to Dahme Construction in the amount of

\$1,025,891.90. Motion by Rux, second by Ronayne to award the bid for the Roosevelt Sanitary Sewer Project to Dahme Construction in the amount of \$1,025,891.90 and authorize the City Manager and Finance Officer to sign all necessary documents after approval by the City Attorney. Roll call vote to approve, all voting aye, motion carried.

**REQUEST TO PURCHASE TRAILER MOUNTED UTILITY VACUUM FROM DITCH WITCH**

City Engineer Robin Bobzien presented a request to purchase a trailer-mounted Utility Vacuum Unit from Ditch Witch of Oklahoma in the amount of \$87,970.65 for the Utility Department through the Sourcewell Procurement Process. Motion by Johnson, second by Rux to approve the purchase of the Utility Vacuum Unit from Ditch Witch in the amount of \$87,970.65. Roll call vote to approve, all voting aye, motion carried.

**ADDENDUM TO NET GROUND LEASE WITH QUEST AVIATION**

City Attorney Ron Wager presented an Addendum to the Net Ground Lease #23 for Quest Aviation to reduce leased premises by 187 square feet. Motion by Johnson, second by Lunzman to approve the Addendum to Commercial Aviation Net Ground Lease #23 for Quest Aviation, Inc., such addendum reducing the leased premises by 187 square feet and fixing the lease rental square footages, and authorize the City Manager and Transportation Director to execute the same. Roll call vote to approve, Ronayne, Remily, Lunzman, Rife, Johnson, Langer, Rux, and Mayor Schaunaman voting aye, Reinbold abstaining, motion carried.

**PAYMENT REQUESTS FOR AIRPORT IMPROVEMENT PROJECTS**

Transportation Director Rich Krokkel requested approval of the following payments for work on Airport Improvement Projects: Payment #7 – AIP #3-46-0001-43-2021 Taxiway Geometry – Helms & Associates in the amount of \$3,439.50; Payment #31 – AIP #3-46-0001-43-2021 Taxiway Geometry – Helms & Associates in the amount of \$4,847.54. Motion by Johnson, second by Reinbold to approve and authorize the City Manager to sign the payment requests for work on the Airport Improvement Projects. Roll call vote to approve, all voting aye, motion carried.

**REVIEW AND APPROVAL OF CLAIMS AND PAYROLL**

Motion by Lunzman, second by Ronayne to approve payment of the bills listed for June 21, 2022 and payroll for the period from June 5, 2022 through June 18, 2022.

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: SD Dept. of Revenue 9,546.88; Blackstone 206.83; Blackstone 164.66; Don Hamlin 24.46; James Von Tesmar 83.22; Logan Holter 62.82; Catherine Allred 26.38; Kenn Bailly 165.11; Michael Herman 73.00; Dylan Weisser 9.04; Phyllis Hochhalter 46.65; Wolfsong Apts. LLC 35.59; Wanda Colon 23.12; JN Real Estate Holdings 24.67; Fifth Ave. Holdings, LLP 42.49; Samuel Ellyson 87.77; Wellmark Blue Cross/Blue Shield

81,809.97; CVB 30,203.60; 121 Benefits 1,033.20; Northwestern Energy 160,000.00; Northern Electric 7,500.00; Valley Petroleum Equipment 378.60; Scott & Susan Sultz 156.05; Midwest Alarm Co. 1,444.92; Praxair Distribution Inc. 203.19; Helms & Associates 33,502.49; MARCO Technologies LLC 9,856.78; Tarah Heupel 50.00; RBL Designs 45,580.30; Tom Kuck 50.00; Tessman Company 2,058.07; RDO Equipment Co. 930.70; Brown County Landfill 21,213.10; Aberdeen News 985.73; Northern Plains Animal Health 418.00; Leidholt Electric LLC 3,648.71; Tube Pro Inc. 2,231.00; Hawkins Inc. 8,524.83; Dakota Electronics 3,214.90; Vosika Fencing 72.00; Don's Builders Hardware 295.70; Quality Welding Inc. 731.07; Cole Papers Inc. 9,362.34; Flexible Pipe Tool Company 6,209.30; Jensen Rock & Sand Inc. 54,757.27; Graham Tire Co. 128.00; Patty Holm 129.25; Direct Automation LLC 765.00; Auto Value Parts/Hedahls 1,953.58; HKG Architects Inc. 11,981.25; CASH-WA Distributing 4,335.07; House of Glass Inc. 20,245.36; J & N Seeding 6,775.00; Inman Irrigation 369.80; Nelson Sales & Service LLC 16.30; Jacobs Construction 1,355.57; Kesslers Inc. 54.56; CDW Government Inc. 6,306.96; Steven Lust Automotive 2,427.86; MAC's Inc. 642.21; Sewer Duck Inc. 325.00; Sanford Health Occupational 6,116.00; B & B Contracting 9,770.43; NSU Workstudy 220.00; CenturyLink 4,367.25; Pantorium 16.00; Dakota Supply Group 6,257.94; Midstates Group 8,578.53; Aberdeen Catholic Schools 1,336.30; Safety Service Inc. 110.25; Avera St. Luke's Hospital 6,966.61; Schwan Welding & Boiler 287.00; SHARE Corp. 4,948.95; Fay's Refrigeration Service 4,793.30; Gary's Auto Body & Accessories 16.75; Crawford Trucks & Equipment 176.19; Sound Decisions 3,339.88; Stan Houston Equipment Inc. 1,277.97; Town & Country Lumber Inc. 9,968.97; Western Area Power Adm. 6,620.67; Woodman Refrigeration Co. Inc. 2,074.33; Aberdeen Lawn Care 620.00; Baker & Taylor Inc. 1,473.35; GALE/Cengage Learning 288.85; Mission Mgmt. Information 2,490.09; Fastenal Company 843.61; Great Northern Environment 391.00; Totally Tubular Mfg. 80.00; Angerhofer Concrete Product 906.00; Plumbing & Heating Wholesale 1,120.45; Deere & Company 52,077.18; Badger Meter Inc. 579.42; Olson's Pest Technicians 575.00; Harms Oil Company 40,145.33; MacQueen Emergency Group 662.18; Ladner Electric 429.45; Redfield Press 144.00; Tim Reed 2,173.00; SD Dept. of Health 17.00; Dependable Sanitation 3,718.80; Center Point Large Print 118.05; Western States Fire Protection 440.00; IACP 875.00; WISP Services LLC 60.00; PEPSI-COLA 3,701.29; M & T Fire & Safety Inc. 13,389.85; Sleuth Software 1,904.00; Cartney Bearing Co. 81.18; Coca-Cola Bottling Co. 18.00; Pauer Sound & Music Inc. 319.00; Titan Access Productivity 821.81; Hub City Radio 150.00; Dell Marketing LP 6,659.04; Executive Mangement 399.01; US Postal Service 332.00; David A. Vilhauer 150.00; Climate Control 299.00; Relentless LLC 649.00; West Payment Center 366.81; Parkview Nursery Inc. 1,098.08; Rick's Heating/Air Conditioning 283.16; Dakota Broadcasting LLC 1,275.00; Jarman's Water Systems 1,944.73; Vermont Systems Inc. 2,220.00; Dakotaland Autoglass Inc. 345.50; NVC 382.01; MTI Distributing 3,847.94;

Kirk's Auto 2,943.14; Inside Outside Architecture 9,000.00; Lien Transportation Co. 17,968.05; Dakota Fence Co. 293,780.00; Footsteps Counseling 120.00; McMaster-Carr Supply Co. 29.67; The Lifeguard Store Inc. 1,761.00; Bismarck Tribune 348.00; Fire Safety First 2,985.99; Ace Refrigeration 501.84; Ken's Superfair Foods 3,143.77; Century Business Products 319.16; West River Beverage Inc. 757.50; The Boston Fern 675.00; Menards Inc. 6,482.55; Taste of Home Books 38.32; Carol Weber Green 304.00; Bound Tree Medical LLC 1,322.91; Overdrive Inc. 6,755.06; Reuers Auto Service 5,540.86; SD Pilots Association 20.00; Dezurik Inc. 559.31; Aqua Pure Inc. 325.00; The Brookings Register 179.00; Dakota Fluid Power Inc. 2,433.89; McQuillen Creative Group Inc. 2,989.00; Midwest Mini Melts 3,871.50; Forum Communications Co. 1,006.25; Wylie Thunder Road 200.00; Renaissance Artist 3,200.00; Borns Group 2,054.40; FP Mailing Solutions 135.00; Bill Spellman Painting 9,842.49; Killoran Trucking & Brokerage 15,007.41; OCLC Inc. 974.30; Impact Janitorial 2,453.03; AT & T Cell 415.36; Midwest Playscapes Inc. 2,742.00; Confluence 865.10; Ferguson Waterworks 66,834.27; Recreation Supply Co. 1,709.98; FBI-Leeda 695.00; Advantage Police Supply 15,959.25; David's Lawn & Snow 100.00; Evergreen Enterprises 351.20; Matheson Tri-Gas Inc. 269.69; Aberdeen Shuttle 45.00; Gatekeeper Systems 4,600.00; POMP's Tire Service 438.29; L & T Lawn Care LLC 775.00; Clubcar Connect 864.00; MV Sport MV Corp. Inc. 6,513.32; Van Diest Supply Co. 15,202.50; Simplot Grower Solutions 2,832.50; Minitex Regents 258.00; Spee-Dee Delivery Service 95.95; Camby's Pass Inc. 183.96; Galls Inc. 100.95; Premier Specialty Vehicles 73.39; Dakota Oil 751.32; David Sandvig 200.00; DSS Image Apparel 586.00; Advance Auto Parts 267.96; Carter Deyo 346.00; Best Western Ramkota Pierre 196.00; Best Western Ramkota Watertown 581.94; Barcodes Inc. 121.50; MVTL Laboratories Inc. 1,102.00; Ingram Library Services 1,909.37; Vollan Oil Co. 23,318.09; Plunkett's Pest Control 387.21; Pro Ag Supply Inc. 348.06; Midwest Tape 202.37; Midcontinent Communications 115.42; Aramark Uniform Services 1,819.27; Newman Traffic Signs 981.29; Morrison Construction 10,759.57; New Deal Deicing 11,353.13; Butler Machinery Co. 94.66; GRAINGER 3,752.13; Sanitation Products Inc. 1,983.26; Geffdog Designs 461.83; Jefferson Partners LP 839.32; Crescent Electric Supply 277.86; Arctic Glacier USA Inc. 415.40; Lexisnexis Risk Solutions 150.00; Associated Supply Co. Inc. 9,554.44; Stantec Consulting Services 12,164.00; A-1 Sanitation 3,555.46; Stryker Sales Corp. 273.70; Aberdeen Area Humane Society 5,400.00; Linde Gas & Equipment Inc. 319.61; G & R Controls Inc. 67.37; Tri-State Water Inc. 118.50; United Parcel Service 382.26; Domino's Pizza 115.89; Swanson Electric 5,014.47; Kanopy, Inc. 105.00; NAPA Central 133.77; Sign Solutions USA LLC 3,098.53; Sarah Knie 38.72; NSU Foundation 500,000.00; Erframson Electric Inc. 3,165.11; At Cleaning 818.50; Jarrod Zaruba 94.00; Northern Plains Psych 240.00; Doug Farrand 100.00; American Bankers Ins. Co. 1,862.00; Hub City Roofing Inc. 275.00; IHeartMedia 477.00; CWF Masonry & Construction 6,729.35; SD Network Against Family 200.00; Hillyard

Sioux Falls 39.51; Jackie Witlock 91.56; Haar Plumbing & Heating 9,186.53; Kandi Smith 862.50; Atlas Carbon LLC 27,622.00; Quest Hospitality Suppliers 4,938.29; Autozone 922.87; Jonathon Murdy 3,880.79; Runnings Supply Inc. 6,613.26; Interstate Battery 1,021.65; Cardconnect 650.00; Nick Gehrts 50.00; Dacotah Paper Co. 627.61; CBM LLC Cherry Lake Publishing 17.99; X-Stream WaterJetting 1,211.29; Crouch Irriation 444.00; Jake Cramond 50.00; Kristan Morris 50.00; Robert Prentice 850.00; Bert Klipfel 168.00; Don Trebilock 3,000.00; Grace Ross 150.00; National Business Furniture 2,819.00; Assurance Land Surveying 492.90; Eide Bailly LLP 365.00; William Eggena 140.82; Elizabeth Preszler 77.45; Jadon Rohrbach 45.76; Gideon Labrosse 59.84; Grace Preszler 39.40; Ava Nannenga 45.04; Gabriella Kiesz 28.16; Halle Buckhouse 29.57; Juna Ramey 77.45; Raini Labrosse 63.37; Sophie Spah 10.56; Violet Archambeau 45.76; Abby Exner 25.00; Corey Wipf 38.33; Jerome Naasz 20.00; Larry Ihde 25.00; Kevin Dell 630.00; Pat Olsen 180.00; Zona Schanzenbach 42.60; Abigail Kirk 14.08; Andrew Schwab 24.64; Annabel Lee Johnson 21.12; Avagail Mason 21.12; Carson Swisher 21.12; Celine Song 3.52; Charlie Weber 50.69; Cordelia Kitto 54.88; Emma Hayes 45.06; Grace Leibfried 7.04; Greyson Georgoff 14.08; Heegeon Song 61.25; Jamison Rekow 10.56; Josiah Kollman 3.52; Kealy Descamps 20.41; Keegan Georgoff 26.75; Kinley Mitchell 7.04; Laukia Gundewar 31.68; Lilly Schwab 16.19; Maeve Sullivan 3.52; Lumen Harper 37.31; Nora Ulrich 3.52; Teagan McDaniel 3.52.

Payroll for the period from June 5, 2022 through June 18, 2022 and city share of social security, old age & survivor's insurance, retirement, health and life insurance: EFTPS 167,506.93; SD Retirement 82,654.67; Governing Body 3,351.93; City Manager 8,357.92; City Attorney 7,372.48; Finance 11,922.76; HR 8,005.61, Building 1,887.37; Computer 5,122.22; Planning/Zoning 16,509.73; Engineering 14,526.20; Police 141,329.80; Fire 117,986.12; Housing/Building 7,233.75; Street 34,790.68; Traffic 9,907.94; Solid Waste 26,270.80; Transportation/Ride Line 20,620.27; Library 28,975.12; Parks, Rec & Forestry 259,147.62, Tyler Two Eagle 12.00 hr, Julia Raveillette 13.00 hr, Anita Jung 11.25 hr, Ava Yeske 13.00 hr, Jordyn Hilgemann 13.00 hr, Travis Sharp 14.50 hr, Melia Mounga 14.00 hr, Ayden Gisi 13.00 hr, Gabriella Becker 12.75 hr, Jared Loecker 13.25 hr, Olivia Whitney 12.00 hr, Thomas Undlin 15.89 hr, Darren Elsen 21.19 hr, Benjamin LaPointe 16.00 hr, Devin Schnaidt 16.00 hr, Jessica Reeb 14.00 hr; Airport 16,070.52; Pipe 33,622.29; Water Treatment 22,389.86; Meter 1,803.07; Water Reclamation 22,884.09; Pump 10,790.91. Roll call vote to approve, Ronayne, Lunzman, Rife, Johnson, Reinbold, Langer, and Mayor Schaunaman voting aye, Remily abstaining on payment to Ashton Remily and voting aye on remainder of the payments, Rux abstaining on payments to Mitchell Rux and Gretchen Rux and voting aye on remainder of the payments, motion carried.

### **CITY MANAGER'S REPORT**

City Manager Joe Gaa updated the Council on summer programming and gave

employee recognitions to Todd Branson, 5 years with the Library, Nathan Sturgeon, 5 years with the Fire Department, Stacie Hallenbeck, 10 years with the Finance Department, Bill Norner, 15 years with the Solid Waste Department, and Gene Morsching, 35 years with the Parks, Recreation, and Forestry Department.

**ADJOURNMENT**

There being no further business, motion by Remily, second by Reinbold to adjourn the meeting. Voice vote to adjourn, all voting aye, motion carried. The meeting adjourned at 5:49 p.m.

Prepared by Mary Campton for the Finance Office. /s/ Jordan McQuillen, Finance Officer.