

MINUTES

ABERDEEN CITY COUNCIL MEETING

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, February 16, 2021 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 Mark Remily by teleconference, Rob Ronayne by teleconference, Josh Rife, Alan Johnson, Justin Reinbold, Tiffany Langer by teleconference, Clint Rux, and Mayor Travis Schaunaman. City Council Member Dave Lunzman was absent.

City Staff present were Joe Gaa, Ron Wager, Robin Bobzien, Brett Bill, Karl Alberts, Dave McNeil, Joel Weig by teleconference, Bob Braun, and Rich Krokkel.

PLEDGE OF ALLEGIANCE

Mayor Schaunaman led the Pledge of Allegiance.

APPROVAL OF AGENDA

Motion by Rux, second by Reinbold to approve the agenda. Upon roll call vote, all present voting aye, motion carried.

MINUTES

Motion by Johnson, second by Rux to approve the minutes of the February 1, 2021 City Council Meeting, as circulated. Upon roll call vote, all present voting aye, motion carried.

OPEN FORUM

No one appeared in open forum to address the Council.

CONSENT CALENDAR

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

PROCLAMATION – “Gladys Bertha Felix Day” on February 19, 2021

SET HEARING DATES – 1) March 1, 2021 at 5:30 p.m. - Transfer of Retail On-Sale Liquor License from Elf Inc. dba Circus Sports Bar & Grill, 14 Third Avenue, SE to The Circus, LLC dba Circus Sports Bar & Grill, 14 Third Avenue, SE; 2) March 1, 2021 at 5:30 p.m. – New Retail On-Off Sale Malt Beverage & SD Farm Wine License for KAREN LLC dba Palm Garden Thai Cuisine, 602 South Third Street.

SET BID DATES – 1) March 2, 2021 at 2:00 p.m. – North Dakota Street Roadway Improvements; 2) March 2, 2021 at 2:00 p.m. – Third Avenue, SE Street Reconstruction; 3) March 2, 2021 at 2:00 p.m. – Lease of City Hangar; 4) March 2, 2021 at 2:15 p.m. – Hay Land Leases.

LOTTERY NOTICE – Dakota Slidewayz RC Club – receive and place on file

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

NEW BUSINESS**REQUEST TO SURPLUS POLICE RADIOS**

Police Chief Dave McNeil requested permission to surplus 2 in-car radios and 25 hand-held radios for donation to the Warner Fire Department. Motion by Rux, second by Johnson to approve the surplus of the radios for donation to the Warner Fire Department. Upon roll call vote, all present voting aye, motion carried.

BIDS ON PURCHASE OF FLEET VEHICLES

City Manager Joe Gaa explained the bids received for the purchase of fleet vehicles and recommended accepting the lowest, qualified bid for each vehicle purchase. Motion by Rux, second by Rife to award the low bids as follows: Two Dodge Durangos from Wegner Chrysler at a price of \$27,595/each; One Dodge 1500 Pickup from Aberdeen Chrysler at a price of \$23,906; One Dodge 2500 Pickup from Wegner Chrysler at a price of \$28,184; and One Dodge 3500 Pickup from Aberdeen Chrysler at a price of \$30,069. Upon roll call vote, all present voting aye, motion carried.

REQUEST TO PURCHASE DEICING TRUCK FOR AIRPORT

Transportation Director Rich Krokkel requested to purchase a liquid deicing truck from M-B Companies Inc. in the amount of \$303,321.93 as part of AIP #3-46-0001-44-2020 Acquire Snow Removal Equipment Project. Motion by Ronayne, second by Johnson to approve the purchase of one deicer and chassis in the amount of \$303,321.93 from M-B Companies, Inc. and approve the payment to M-B Companies Inc. upon receipt of the equipment. Upon roll call vote, all present voting aye, 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 #3 – Airport Miscellaneous Services – Helms & Associates, in the amount of \$1,125.00; Payment #29 – AIP #3-46-0001-39-2018 Airport Master Plan/Airport Layout Plan – Helms & Associates, in the amount of \$2,621.23; Payment #28 – AIP #3-46-0001-40-2019 Airport Taxiway ‘C’ – Helms & Associates, in the amount of \$3,298.20; Payment #14 – AIP #3-46-0001-43-2021 Taxiway Geometry – Helms & Associates, in the amount of \$994.33; Payment #15 – AIP #3-46-0001-43-2021 Taxiway Geometry – Helms & Associates, in the amount of \$5,161.59; Payment #3 – AIP #3-46-0001-43-2021 GA Apron Project – Helms & Associates, in the amount of \$3,532.03. Motion by Johnson, second by Rife to approve and authorize the City Manager to sign the payment requests for work on the Airport Improvement Projects. Upon roll call vote, all present voting aye, motion carried.

RESOLUTION NO. 21-02-01R DISSOLVING TIF NO. 28

City Attorney Ron Wager informed the Council on the status of the Tax Increment Financing District No. 28 for the Ringneck Ridge Development west of Rolling Hills and recommended approving Resolution No. 21-02-01R dissolving TIF No. 28. Motion by

Ronayne, second by Rux to approve and adopt Resolution No. 21-02-01R dissolving and terminating Tax Incremental District No. 28. Upon roll call vote, Rux, Langer, Reinbold, Johnson, Ronayne, Remily, and Mayor Schaunaman voting aye, Rife abstaining, motion carried.

RESOLUTION NO. 21-02-01R

RESOLUTION DISSOLVING TAX INCREMENTAL DISTRICT NO. 28

WHEREAS, the City Council on May 21, 2018, approved Resolution No. 18-05-03R creating Tax Incremental District No. 28 with an effective date of May 21, 2018, subject to any conditions thereon; and

WHEREAS, Resolution No. 18-05-03R required that a development agreement setting forth the rights and responsibilities of the developer of the Project Plan be executed by the City of Aberdeen and the developer as a condition precedent for the creation of Tax Incremental District No. 28; and

WHEREAS, the City of Aberdeen and the developer, Ringneck Ridge Development, LLC, executed a development agreement with an effective date of September 5, 2018, establishing the conditions for development of the property and the expenditure of funds derived from Tax Incremental District No. 28 for the project costs set forth in the Project Plan; and

WHEREAS, the development agreement required the developer to complete construction of the proposed public facilities within two years of receiving City's approval; to wit, September 5, 2020; and

WHEREAS, City Administration became concerned about the lack of construction activity at the development and, by letter dated May 2, 2019, requested adequate assurance of the developer's financial ability to complete the project and a construction timetable for its completion; and

WHEREAS, the developer by letter dated June 10, 2019, responded to City's request with assurance of sufficient capital and a timeline showing completion of construction of the first phase of the project by the September 5, 2020, deadline; and

WHEREAS, City Administration again became concerned about the lack of construction activity at the development and, by letters dated February 26, 2020, and April 23, 2020, reminded developer of the completion deadline and warned that breach of the development agreement and inaction on the project may result in rescission of the tax incremental district; and

WHEREAS, the developer did not respond to the 2020 letters and has had no substantive communication with the City since June 12, 2019; and

WHEREAS, the developer failed to complete construction of the proposed public facilities within two years of receiving City's approval as required by the development agreement and did not request from the City an extension of the completion deadline prior to

its expiration; and

WHEREAS, the developer has not constructed any significant portion of the proposed public facilities and has otherwise failed to develop the property as set forth in the Project Plan; and

WHEREAS, the development is not being carried out or maintained in accordance with the terms and conditions of the development agreement, the developer has failed to perform the work with diligence, and the developer is not in compliance with the development agreement; and

WHEREAS, the developer has not submitted to the Finance Officer invoices of proposed reimbursable project costs incurred for construction of proposed public facilities; and

WHEREAS, the Finance Officer to date has received only \$234.18 in tax increment revenue as a result of the county assessor's reclassification of the property and not as a result of any construction related to the Project Plan; and

WHEREAS, the developer has not created the tax increment projected in the tax analysis set forth in the Project Plan; and

WHEREAS, SDCL §11-9-46 provides that the existence of a tax increment district shall terminate when the governing body, by resolution, dissolves the district, after payment or provision for payment of all project costs, grants, and all tax increment bonds of the district; and

WHEREAS, the City Council finds that Tax Incremental District No. 28 has incurred no project costs, received no grants, and did not issue tax incremental bonds and should be dissolved.

NOW THEREFORE, BE IT RESOLVED that Tax Incremental District No. 28 is hereby dissolved and such district is hereby terminated.

The foregoing Resolution No. 21-02-01R was adopted at a regular meeting of the Aberdeen City Council on the 16th day of February, 2021. Roll Call Vote - Number of Ayes 7, Number of Nays 0, Member Abstaining 1.

REVIEW AND APPROVAL OF CLAIMS AND PAYROLL

Motion by Rife, second by Rux to approve payment of the bills listed for February 16, 2021 and payroll for the period from January 31, 2021 through February 13, 2021.

Bills having been audited by the Finance Officer, 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: Jeremy Schrempp 39.15; Avera St. Luke's 41.75; M & M Property Holdings 41.73; Tom Barondeau 24.98; Zumbaum Property Mgmt. 125.58; Sherrie Humphries 25.33; Landal Leonhardt 35.77; Merle Kjer 46.06; ABC Seamless Siding 34.48; Jerke Brothers 182.95; Wellmark Blue Cross/Blue Shield 30,951.68; US Bank Corp. Trust 17,334.95; Dakota Custom Turf 2,500.00; American News 249.21; Aberdeen Development

Corp. 14,166.67; Praxair Distribution Inc. 279.26; Helms & Associates 22,940.53; MARCO Technologies LLC 778.20; Bonnie Bitz 4,070.00; RDO Equipment Co. 2,813.77; Brown County Landfill 16,374.58; Linde Inc. 3,922.00; Aberdeen News 2,879.61; Dakota Doors Inc. 1,770.39; Northern Plains Animal Health 119.92; Hawkins Inc. 4,962.50; Dakota Electronics 15,429.05; Don's Builders Hardware 72.00; Quality Welding Inc. 196.64; Cole Papers Inc. 2,363.75; Farm Power Mfg. Inc. 87.45; Flexible Pipe Tool Company 4,387.20; Global Imports Inc. 419.90; Graham Tire Co. 1,189.04; HACH Co. 1,613.05; Direct Automation LLC 765.00; Auto Vale Part Stores/Hedahls 4,597.49; Glenn Bitz 1,950.00; CASH-WA Distributing 160.29; House of Glass, Inc. 4,507.21; Nelson Sales & Service, LLC 40.00; SD Redbook Fund 292.00; Kesslers Inc. 62.89; CDW Government Inc. 2,248.82; Automatic Building Controls 240.00; Lawson Products Inc. 251.91; Steven Lust Automotive 213.48; MAC's Inc. 602.33; Mattern Diesel Service 2,723.42; E-One Inc. 662.55; Witmer Public Safety Group 233.76; Minnesota Knife 572.50; Farnams Genuine Parts 78.45; Northern Electric 6,933.53; NSU Workstudy 188.35; CenturyLink 4,280.50; Dakota Supply Group 636.21; Presentation College 12,000.00; Midstates Group 1,349.41; Cross Country Freight Solutions 279.78; Rockmount Research & Alloys 331.62; Safety Service Inc. 113.98; Avera St. Luke's Hospital 5,596.55; Light & Siren 1,332.00; SHARE Corp. 7,139.35; Sherwin-Williams Co. 127.40; Crawford Trucks & Equipment 823.96; SD Dept. of Labor 265.59; SD Div. of Motor Vehicles 8.00; SD Police Chief's Association 181.53; Stan Houston Equipment, Inc. 117.59; Town & Country Lumber Inc. 1,484.72; Western Area Power Adm. 3,929.88; Aberdeen Lawn Care 60.00; Diesel Machinery Inc. 129.68; GALE/Cengage Learning 353.24; Mission Mgmt. Information 710.18; Duane Donat 40.00; Fastenal Company 904.12; Aberdeen Awards 18.00; Totally Tubular Mfg. 136.84; Blair Scoular 32.00; Master Blaster 9,909.94; JAEDA Davis-Golliher 48.00; Avery Kroll 96.00; Target Specialty Products 202.07; Plumbing & Heating Wholesale 102.00; Keri Walker 48.00; Mattern Electric 331.08; Elite Collision Center, Inc. 690.00; Olson's Pest Technicians 400.00; Harms Oil Company 16,343.36; Ladner Electric 180.49; Cassie Mraz 214.50; Harms Heating and Cooling 455.00; Dependable Sanitation, Inc. 24,172.53; Dakota Ink & Toner 179.96; Center Point Large Print 179.48; Western State Fire Protection 1,847.10; American Family Life Assurance 56.35; Aberdeen Community Theatre 4,000.00; IACP 190.00; WISP Services LLC 60.00; PEPSI-COLA 95.74; Newsbank Inc. 6,628.00; M & T Fire & Safety Inc. 2,335.32; Cartney Bearing Co. 119.58; Energy Labs 48.00; SD Dept. Health Lab 515.00; Caleb Crosby 84.00; Pauer Sound & Music Inc. 557.48; Hub City Radio 195.00; Executive Management 308.55; Dakota Outdoors 70.00; Pierson Ford-Lincoln-Mercury 276.35; IP Media Holdings, Inc. 663.00; West Payment Center 662.20; SD Dept. of Revenue 1,326.40; Active Data Systems Inc. 850.00; Univar Solutions USA Inc. 896.00; Jarman's Water Systems 1,025.00; Dakotaland Autoglass Inc. 136.44; NVC 85.63; MTI Distributing 466.06; Kirk's Auto 4,426.42; SD Airport Managers Assn. 25.00; Affinis 1,054.52; McMaster-Carr

Supply Co. 519.86; Midland Lease Division 250.91; Pontem Software 1,800.00; William Cantalope 96.00; Glacial Lakes & Prairies 900.00; Michelle Bacon 175.50; Otis Elevator Company 2,042.00; Fire Safety First 486.55; SD One Call 135.52; Prairie Tool Company 450.00; Quill Corp. 240.86; Federal Express Corp. 505.62; Ken's Superfair Foods 1,302.89; Claims Associates Inc. 5.79; LTS Distributing 595.00; O'Reilly Auto Parts 23.97; RDJ Specialties Inc. 841.21; Century Business Products 2,667.52; Menards 7,419.17; Shannon Broderson 72.00; Bound Tree Medical LLC 5,502.01; Overdrive Inc. 2,637.24; Convention Visitors Bureau 31,082.22; Dakota Fluid Power Inc. 1,263.67; Borns Group 1,518.63; Impact Janitorial 4,179.85; AT & T 415.36; Pete Lien & Sons, Inc. 21,150.45; Double D Body Shop 198.00; NCL of Wisconsin 1,534.79; Confluence 425.14; Ferguson Waterworks 1,089.49; 3M 784.77; ATCO International 440.48; Matheson Tri-Gas Inc. 280.93; Gardner Locksmith 65.00; Commtech Inc. 149.99; POMP's Tire Service, Inc. 768.80; Staples 48.52; Building Sprinkler Inc. 550.00; Minitex 776.65; SDML Workers Compensation 248,992.00; Axon Enterprise, Inc. 4,016.75; GALLS Inc. 548.08; Dakota Oil 42.61; Dakota Transit Association 250.00; DLT Solutions Inc. 6,512.20; Advance Auto Parts 305.78; Budget Furniture 599.00; Karli Stubbe 28.00; Turf Addict 426.00; Ingram Library Services 2,947.10; Steve Markley 132.00; Plunkett's Pest Control 573.58; 3D Specialties Inc. 199.92; Randy Murphy 126.00; Meierhenry Sargent LLP 5,000.00; Midcontinent Communications 2,857.14; ARAMARK 1,800.49; Gavin Voss 48.00; EA Medical 4,323.00; GRAINGER 173.11; Geffdog Designs 1,853.43; Cooper Animal Clinic 1,547.31; Crescent Electric Supply 209.67; Builders Firstsource, Inc. 1,146.64; Diamond Dry Cleaning 118.58; Cellebrite, Inc. 4,300.00; A-1 Sanitation 791.08; Environmental Toxicity Control 1,350.00; Tri-State Water, Inc. 64.50; Diversified Inspection Inc. 287.85; United Parcel Service 172.70; Domino's Pizza 175.94; Swanson Electric 282.04; 121 Benefits 840.30; Spencer S. Aberle 80.00; Athletica Sport Systems Inc. 916.00; Robyn Ewalt 105.00; Northern Plains Psychologic 120.00; NAEMT 150.00; Nutri-Systems Corp. 71.24; Aberdak Club 1,140.00; Lyla Agius Designs 146.25; Carla Jo Krege 32.00; Sara Scepaniak 64.00; Daniel Orr 138.00; Luke Bunke 128.00; Office Depot 500.90; Hillyard Sioux Falls 2,434.42; Tyler Oliver 96.00; NAS Industrial 21,448.56; Megan Kusler 112.00; Kinetic Leasing, Inc. 399.00; Core & Main LP 4,584.04; Blackstrap Inc. 14,969.92; Autozone 845.60; Jonathon Murdy 2,500.00; AGTEGRA Coop 11,831.10; Cummins Sales & Service 657.36; Aqua Engineering & Equipment 101.75; Runnings Supply Inc. 4,562.54; Tumbleweed Press Inc. 1,500.00; Interstate Battery 513.80; Custom Installation Solution 746.00; Cardconnect 300.00; HR Green, Inc. 1,629.99; Hub City Cycles & Automotive 940.00; Legal & Liability Risk Management 150.00; Armand Advertising, LLC 424.06; Dacotah Paper Co. 304.62; Aberdeen Floral LLC 36.00; Sunset Law Enforcement 4,031.50; Lewis Reuer 90.00; Dakotas Isa Assoc. Organization 230.00; Ditch Witch Undercon. 403.85; Libraryworks Inc. 100.00; Loretta Simonet 300.00; National Registry of EMTs 175.00; Frontier Precision, Inc. 5,000.00; Jarrod Kannas 300.00; The

Blossom Shoppe & Gifts 45.00.

Payroll for the period from January 31, 2021 through February 13, 2021 and city share of social security, old age & survivor's insurance, retirement, health and life insurance: EFTPS 131,867.82; SD Retirement 80,291.30; Governing Body 3,192.28; City Manager 7,826.95; City Attorney 7,239.27; Finance 15,204.37; HR 8,220.60, Building 1,797.77; Computer 4,834.58; Planning/Zoning 15,911.42; Engineering 13,944.73; Police 134,314.90; Fire 116,963.67, Housing/Building 6,886.55; Street 31,979.55; Traffic 5,783.80; Solid Waste 22,983.11; Transportation/Ride Line 18,232.39, Library 27,891.79 ; Parks, Rec & Forestry 98,657.51, Jordan Hillesheim 12.00 hr; Airport 19,436.60; Pipe 21,325.63, Robert Haliburton 18.73 hr; Water Treatment 21,256.25; Meter 1,779.96; Water Reclamation 23,407.59; Pump 7,541.87.

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

CITY MANAGER'S REPORT

City Manager Joe Gaa gave a report on the upcoming events at Northern State University.

EXECUTIVE SESSION

Motion by Johnson, second by Reinbold to move into executive session to consult with legal counsel about proposed or pending litigation or contractual matters, pursuant to SDCL §1-25-2(3). Upon roll call vote, all present voting aye, motion carried. Ronayne left the meeting and did not participate in executive session. Motion by Reinbold, second by Rux to move out of executive session. Upon roll call vote, all present voting aye, motion carried.

ADJOURNMENT

There being no further business, motion by Rux, second by Rife to adjourn the meeting. Upon roll call vote, all present voting aye, motion carried. The meeting adjourned at 6:18 p.m.

Prepared by Mary Campton for the Finance Office. /s/ Karl Alberts, Finance Officer.