

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

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, February 27, 2023 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, Charlotte Liebelt, Josh Rife by teleconference, Alan Johnson, Justin Reinbold, Tiffany Langer, David Novstrup, and Mayor Travis Schaunaman. City Council Member Erin Fouberg was absent.

City Staff present were Joe Gaa, Ron Wager, Robin Bobzien, Ken Hubbard, Jordan McQuillen, Dave McNeil, Joel Weig, and Bob Braun.

**PLEDGE OF ALLEGIANCE**

Mayor Schaunaman led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Motion by Johnson, second by Reinbold to approve the agenda. Voice vote to approve, all present voting aye, motion carried.

**MINUTES**

Motion by Reinbold, second by Liebelt to approve the minutes of the February 21, 2023 City Council Meeting, as circulated. Voice vote to approve, 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 Liebelt to approve the following items on the consent calendar:

ADVERTISEMENTS FOR BIDS – Set Bid Date of March 14, 2023 at 2:00 p.m. for the 2023 Fire Station #1 Roof Replacement; Set Bid Date of March 21, 2023 at 2:00 p.m. for the Pretreatment Sludge System at the Water Treatment Plant

SET HEARING DATE – of March 20, 2023 at 5:30 p.m. for a Special One-Day Retail On-Sale Liquor License on March 25, 2023 for the Boys & Girls Club of the Aberdeen Area dba Wine Fest Renaissance, 1121 – 1<sup>st</sup> Avenue, SE

SET HEARING DATE – of March 20, 2023 at 5:30 p.m. for petitions to vacate public right-of-way: 1) The entire 60' x 640' Poplar Drive Public Right-Of-Way located between Lots 5 – 13, Block 13, and Lots 4 – 12, Block 10, Wylie Park Estates Fifth Addition and the entire 60' x 640' Maple Drive Public Right-Of-Way located between Lots 13 – 21, Block 10, and Lots 2 – 11, Block 11, Wylie Park Estates Fifth Addition in the NW ¼, Sec. 11, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (Poplar Drive and Maple Drive between Willow Drive and Olive Drive); 2) That portion of Chandler Street Public Right-Of-

Way commencing 419.33' South of 132<sup>nd</sup> Street Public Right-Of-Way adjacent to Lots 1 and 4 to its intersection with Longtail Lane Public Right-Of-Way, the entire Longtail Lane Public Right-Of-Way adjacent to Lots 2, 4 – 19, 28 and 29, and 32–36, the entire Ringneck Drive Public Right-Of-Way adjacent to Lots 1, 30 and 32, 37, and 51, the entire Windsor Lane Public Right-Of-Way adjacent to Lots 19 – 28, that portion of Gooseneck Lake Road Public Right-Of-Way commencing 419.3' South of 132<sup>nd</sup> Street Public Right-Of-Way adjacent to Lots 2 and 3, 16 and 42 and continuing to its point of termination, the entire Benelli Boulevard Public Right-Of-Way adjacent to Lots 1, 2, and 38 – 51, and the entire Bird Dog Drive Public Right-Of-Way adjacent to Lots 35 and 36, Ringneck Ridge First Subdivision to the City of Aberdeen in the NE¼ of Section 15, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota

PLATS – 1) Bollen First Addition to the City of Aberdeen in the N½ of Sec. 11, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (1416 Poplar Drive, 1414 and 1415 Maple Drive and 1717 Olive Drive; 2) Prospect Place First Addition to the City of Aberdeen in the NE¼ of Sec. 19, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (1916 Prospect Avenue, SE and 1915 – 10<sup>th</sup> Avenue, SE); 3) West Lake First Subdivision to the City of Aberdeen in the NE¼ of Sec. 15, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (Former Ringneck First Subdivision); 4) Pine Haven Estates Third Subdivision to the City of Aberdeen in the S½ of Sec. 7, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (1319, 1403, 1409, 1415, 1421, and 1427 Kettering Drive, 1208, 1214, 1218, 1302, 1316, 1404, 1416, and 1422 Lancelot Drive North, 1521 Heritage Circle North and 1602 – 12<sup>th</sup> Avenue, NE); 5) Menards AmericInn Fourth Subdivision to the City of Aberdeen in the SE¼ of Sec. 17, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (3824 and 3906 – 3<sup>rd</sup> Avenue, SE and 316 County Hwy. 19 South)

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; Park & Recreation Board Meeting Minutes – receive and place on file

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

### **NEW BUSINESS**

PUBLIC HEARING ON PETITION TO REZONE AND FIRST READING OF ORDINANCE NO. 23-02-01

Mayor Schaunaman opened a hearing on a petition from Plaza Rentals, LLP to rezone the property described as Lots 11 – 15, Block 25, Roches East Side Addition in the SW¼, Sec. 17, T123N, R63W of the 5<sup>th</sup> P.M., Aberdeen, Brown County, South Dakota (2401 – 3<sup>rd</sup> Avenue, SE) from (R-3) High Density Residential District to (C-1) Neighborhood Commercial District. City Planner Ken Hubbart explained that the petitioner is requesting this rezoning of property to bring the property into a district that allows for the operation of a

coffee shop. No public comments were received. Mayor Schaunaman closed the hearing and called for a vote on first reading of Ordinance No. 23-02-01 to approve the rezoning of the property. Motion by Johnson, second by Liebelt to approve first reading of Ordinance No. 23-02-01 to rezone the described property from (R-3) District to (C-1) District as presented. Roll call vote to approve, all present voting aye, motion carried.

#### EXTENSION OF EXPIRATION DATES OF CANNABIS DISPENSARY PERMITS

City Attorney Ron Wager presented a request for possible extensions of expiration dates of six cannabis dispensary permits for the following dispensaries to the same expiration date as the registration certificates issued to them by the State:

Establishment	City Permit Issued	State Registration Certificate Issued
Genesis Farms, LLC	03/29/2022	07/11/2022
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Dakota Herb, LLC	03/29/2022	05/18/2022
Blue Sunrise, LLC	05/03/2022	08/09/2022
BWD Aberdeen, LLC	04/05/2022	08/23/2022

Wager informed the Council that City Code Sec. 60-356 provides that any cannabis dispensary permit from the City expires one year following its issuance. Because of a delay in the issuance of registration certificates to the permittees by the SD Department of Health, Office of Medical Cannabis (OMC), Wager said that it resulted in delays for the dispensaries to comply with the “active use” requirement of Sec. 60-356. Motion by Langer, second by Ronayne to extend the permit expiration dates for the cannabis dispensaries as listed to the same expiration date as the registration certificates issued to them by the State. Voice vote to approve, all present voting aye, motion carried.

#### RECOMMENDATION ON BIDS FOR PUBLIC WORKS DEPARTMENT

City Engineer Robin Bobzien recommended approval of bids received for the following Public Works Department items: 1) Award the bid for Road Oils to Jebro, Inc. for \$969.53 per ton; 2) Award the bid for Aggregates-Option A (Pea Rock) in the amount of \$122,500.00 and Aggregates-Option C (Crushed Granite) in the amount of \$95,220.00 to Jensen Rock & Sand, Inc. Motion by Reinbold, second by Novstrup to award the bid for Road Oils to Jebro, Inc., the bids for Aggregates to Jensen Rock & Sand, Inc., and authorize the City Manager and Finance Officer to sign all the necessary documents after approval by the City Attorney. Roll call vote to approve, all present voting aye, motion carried.

City Engineer Robin Bobzien recommended approval of the Bituminous Surfacing Repair Mix Bid-Item #1 in the amount of \$17,500.00 and the Asphaltic Concrete Mix Bid-Items #3 and #4 in the amount of \$922,500.00 to Jensen Rock & Sand, Inc. but accept all submitted bids and utilize the lowest available provider as needed. Motion by Ronayne,

second by Johnson to accept all submitted bids for the Bituminous Surfacing Repair and Asphaltic Concrete Mix but utilize lowest available provider and authorize the City Manager and Finance Officer to sign all the necessary documents after approval by the City Attorney. Roll call vote to approve, all present voting aye, motion carried.

#### RECOMMENDATION ON BIDS FOR ENGINEERING DEPARTMENT

City Engineer Robin Bobzien recommended approving bids received for the following Engineering Department items and projects: 1) Award the Annual Concrete Work Bid in the amount of \$158,434.60 to CWF Masonry & Construction, Inc.; 2) Award the Accessible Sidewalk Quadrant Improvements Project Bid in the amount of \$79,236.80 to CWF Masonry & Construction, Inc.; 3) Award the Street Maintenance Concrete Repair I Project Bid in the amount of \$266,636.00 to Wright & Sudlow, Inc. Motion by Ronayne, second by Johnson to award the bids as recommended for Annual Concrete Work to CWF Masonry & Construction, Inc., Accessible Sidewalk Quadrant Improvements to CWF Masonry & Construction, Inc., and Street Maintenance Concrete Repair I Project to Wright & Sudlow, Inc. and authorize the City Manager and Finance Officer to sign all the necessary documents after approval by the City Attorney. Roll call vote to approve, all present voting aye, motion carried.

#### PRESENTATION BY ABERDEEN AREA CONVENTION & VISITORS BUREAU

Casey Weismantel, Aberdeen Area Convention & Visitors Bureau Executive Director, presented the Convention & Visitors Bureau 2022 year in review.

#### **REVIEW AND APPROVAL OF CLAIMS AND PAYROLL**

Motion by Johnson, second by Reinbold to approve payment of the bills listed for February 27, 2023 and payroll for the period from February 12, 2023 through February 25, 2023.

Bills having been audited by the Finance Officer and fully itemized and authorize the Mayor or City Manager to sign, and the Finance Officer to countersign, all warrants for payment of the following approved bills: US Bank 80,000.00; Paymentech, LLC 3,000.00; Elavon Merchant Services 310.00; UPS 500.00; Aberdeen Chamber of Commerce 85.00; MARCO Technologies LLC 73.39; Dakota Pump & Control 4,719.40; Cole Papers Inc. 352.67; Jensen Rock & Sand Inc. 615.00; Auto Value Parts/Hedahls 65.25; Nelson Sales & Service LLC 158.25; Steven Lust Automotive 80.68; MAC's Inc. 22.56; Dakota Supply Group 11.31; Stan Houston Equipment Inc. 358.00; Paula Nelson 186.00; Totally Tubular Mfg. 23.00; Dependable Sanitation 116.00; Dell Marketing LP 37,645.57; Electrical Engineer & Equipment 2,296.01; Barry Dunlavy 186.00; Goodway Technologies Corp. 860.21; NVC 50.00; Fire Safety First 44.40; SD One Call 24.64; Century Business Products 70.00; Menards Inc. 805.57; Aqua Pure Inc. 350.00; Convention Visitors Bureau 19,801.88; Dakota Fluid Power Inc. 959.20; Pete Lien & Sons Inc. 8,241.10; Dept. of Ag & Natural Resources 120.00; Building Sprinkler Inc. 550.00; Advance Auto Parts 51.45; GRAINGER 2,867.66;

Sanitation Products Inc. 417.45; J Gross Equipment 505.70; Linde Gas & Equipment Inc. 7,081.75; NAPA Central 399.75; James Valley Coop Telephone Co. 33.34; Chris Brick 186.00; Shannon Chemical Corp. 7,063.54; Runnings Supply Inc. 342.62.

Payroll for the period from February 12, 2023 through February 25, 2023 and city share of social security, old age & survivor's insurance, retirement, health and life insurance: EFTPS 144,960.38; SD Retirement 92,345.44; Governing Body 3,435.71; City Manager 11,003.08; City Attorney 7,696.37; Finance 15,467.16; HR 8,267.21, Building 1,933.78; Computer 5,296.24; Planning/Zoning 15,000.15; Engineering 15,196.45; Police 158,828.03; Fire 138,235.02; Housing/Building 6,760.80; Street 39,867.53, Traffic 8,760.90; Solid Waste 20,481.46, Horner, Ty 17.50 hr, Trauger, Nathan 19.20 hr; Transportation/Ride Line 19,093.69; Library 28,062.49; Parks, Rec & Forestry 96,587.91, Mollman, Jaci 14.00 hr, Berry, William 18.00 hr; Airport 21,746.17; Pipe 30,351.47; Water Treatment 22,710.13; Meter 2,042.39; Water Reclamation 22,677.65; Pump 9,323.43. Roll call vote to approve, all present voting aye, motion carried.

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

City Manager Joe Gaa reported that snow has been piled on the right-of-way and to keep it on private property. With snow in the forecast, Gaa reminded residents to clear snow in the right-of-way and try to place the snow on your own private property.

#### **ADJOURNMENT**

There being no further business, motion by Novstrup, second by Langer to adjourn the meeting. Voice vote to adjourn, all present voting aye, motion carried. The meeting adjourned at 6:05 p.m.

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