

**MINUTES**

**ABERDEEN CITY COUNCIL MEETING**

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, April 5, 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 Rob Ronayne, Dave Lunzman, Josh Rife, Alan Johnson by teleconference, Justin Reinbold, Tiffany Langer by teleconference, Clint Rux, and Mayor Travis Schaunaman. City Council Member Mark Remily was absent.

City Staff present were Joe Gaa, Ron Wager, Robin Bobzien, Brett Bill, Karl Alberts, Dave McNeil, Peggi Badten, Mark Hoven, Aaron Kiesz, and Joel Weig by teleconference.

**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, Ronayne, Lunzman, Rife, Johnson, Reinbold, Rux, and Mayor Schaunaman voting aye, Langer did not vote, motion carried.

**MINUTES**

Motion by Lunzman, second by Rife to approve the minutes of the March 22, 2021 City Council Meeting, as circulated. Upon roll call vote, Rux, Reinbold, Johnson, Rife, Lunzman, Ronayne, and Mayor Schaunaman voting aye, Langer did not vote, 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:

PERMISSION FOR – Safe Harbor to hang blue jeans on 2<sup>nd</sup> Street Overpass on April 18<sup>th</sup> to April 30<sup>th</sup> as part of “Crime Victim Awareness Week”.

SET BID DATE – of April 27, 2021 at 2:00 p.m. for the Aberdeen WRF Biosolids Dewatering – 2021 Project

SET HEARING DATE – of April 26, 2021 at 5:30 p.m. for the following petitions to rezone:

- 1) Rezone property described as Erdmann 1<sup>st</sup> Subdivision to the City of Aberdeen in the SW ¼ of Section 13, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, SD (302 South Fourth Street; 320 South Fourth Street; and 416 Fourth Avenue, SW) from (I-2) Unrestricted Industrial District and (C-3) Central Business District/(R-4) Special Density Residential District to (C-3) Central Business District/(R-4) Special Density Residential District;
- 2) Rezone property described as Rohl Subdivision of Lot 2 of Rohl’s 1<sup>st</sup> Addition to the City of Aberdeen in the SW ¼ of Section 13, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, SD

(118 and 120 First Avenue, NE) from (C-3) Central Business District to (I-2) Unrestricted Industrial District; 3) Rezone property described as lot 1, Keller Addition to the City of Aberdeen in the SE ¼ of Section 14, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, SD (824 Third Avenue, SW) from (R-3) High Density Residential District to (M) Municipal, State and County Use District; 4) Rezone property described as the East ½ of the South 80 Feet of Lot 16, Lawson's First Replat of Block 10, Woolverton Addition of the 5<sup>th</sup> P.M., Aberdeen, Brown County, SD (819 Tenth Avenue, SE) from (R-3) High Density Residential District to (C-1) Neighborhood Commercial District.

LICENSES – Taxi Cab Driver – Sean Chipman; Taxi Cab Driver – Craig Johnson

LOTTERY NOTICE – Yelduz Shriners – receive and place on file

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

### **OLD BUSINESS**

ORDINANCE NO. 21-03-03

Motion by Rife, second by Lunzman to approve second reading and final adoption of Ordinance No. 21-03-03 approving the issuance and provisions for repayment of Refunding Bonds (Series 2021) for the Series 2012A Bonds issued for improvements at the Water Treatment Plant. Upon roll call vote, all present voting aye, motion carried.

Council Member Remily joined the meeting at 5:34 p.m.

### **NEW BUSINESS**

ORDINANCE NO. 21-04-04

City Manager Joe Gaa presented Ordinance No. 21-04-04 amending the landscape standards for new construction and parking lots. Gaa explained the proposed amendment to the landscape standards as follows: 1) Changes to Sec. 56-113 which include increasing new building footprint from 1,000 sq. ft. to 2,500 sq. ft. and project valuation from \$100,000 to \$200,000; removing parking lot construction costs but applying standards to parking lots of more than 10,000 sq. ft.; capping cost of new landscaping at \$100,000 for large projects; 2) Changes to Sec. 56-210 which include splitting requirement for additional trees and bushes between new construction and existing structures; removing planting islands to a separate section; 3) Creates a new Sec. 56-214 for planting islands in commercial and healthcare districts and a new Sec. 56-215 for planting islands in industrial districts. Discussion followed. Motion by Ronayne, second by Rife to postpone the discussion of the ordinance amendment indefinitely. The Council scheduled a work session to be held on April 12, 2021 at 5:30 p.m., in City Council Chambers, for further discussion of Ordinance No. 21-04-04. Upon roll call vote, all voting aye, motion carried.

HEARING AND PASSAGE OF RESOLUTION NO. 21-04-01R TO LEASE CITY-OWNED LAND TO PRIVATE PERSONS

A public hearing was held on a possible first reading and passage of Resolution No. 21-04-01R approving leases of approximately 475 acres of city-owned land to private persons

for 5 years beginning in 2021. City Attorney Ron Wager explained the proposed Resolution No. 21-04-01R approving the lease of Airport Grass Lands to private persons. Motion by Lunzman, second by Rux to approve first reading and passage of Resolution No. 21-04-01R leasing designated tracts of land owned by the City to private persons for the terms and rental amount set forth therein and authorizing the City Manager to execute the Grass Land leases with such persons.

**RESOLUTION NO. 21-04-01R**  
**RESOLUTION APPROVING LEASE OF**  
**AIRPORT GRASS LANDS TO PRIVATE PERSONS**

WHEREAS, the City Council adopted Resolution No. 21-03-01R stating its intent to lease municipally-owned property to private persons for terms exceeding 120 days and for rental amounts exceeding \$500.00 annual value, such term and rental amounts invoking the requirements of SDCL §9-12-5.2; and

WHEREAS, a notice of hearing was published as required by law and the public hearing on the proposed leases was held by the City Council Chambers, 123 South Lincoln Street, Municipal Building, in the City of Aberdeen, South Dakota, on the 5<sup>th</sup> day of April, 2021, at 5:30 p.m., when and where any persons interested in the leases had an opportunity to appear and be heard prior to any action on such leases;

NOW, THEREFORE, BE IT RESOLVED that, after public hearing and due consideration of any comments of persons interested in such leases, the property owned by the City of Aberdeen described as: Lot 1, Aberdeen Regional Airport Subdivision, in Sections 21, 22, 27, and 28, Township 123 North, Range 63 West of the 5<sup>th</sup> P.M., Brown County, South Dakota, which contains approximately 475 acres of hayable land; may be leased to private persons as follows:

<b>Steven Zemlicka</b>			
Tract	Acres	Rent per Acre	Total Annual Rental
B	47.91	\$32.00	\$1,533.12
C	8.96	\$43.00	\$385.28
D	68.20	\$49.00	\$3,341.80
F	55.15	\$43.00	\$2,371.45
G	14.65	\$32.00	\$468.80
H	6.80	\$32.00	\$217.60
P	21.11	\$49.00	\$1,034.39
Q	24.85	\$21.00	\$521.85
<b>Total</b>	<b>247.63</b>		<b>\$9,874.29</b>

<b>Stan Beckler</b>			
Tract	Acres	Rent per Acre	Total Annual Rental

J	24.54	\$25.00	\$613.50
<b>Total</b>	<b>24.54</b>		<b>\$613.50</b>

<b>Colin Dutenhoffer</b>			
Tract	Acres	Rent per Acre	Total Annual Rental
K	22.59	\$40.00	\$903.60
R-Low Productivity	7.53	\$1.00	\$7.53
<b>Total</b>	<b>30.12</b>		<b>\$911.13</b>

<b>Kyle Myers/Habeck</b>			
Tract	Acres	Rent per Acre	Total Annual Rental
M	57.30	\$42.00	\$2,406.60
<b>Total</b>	<b>57.30</b>		<b>\$2,406.60</b>

<b>Sharp's Inc.</b>			
Tract	Acres	Rent per Acre	Total Annual Rental
I	7.92	\$46.10	\$365.11
<b>Total</b>	<b>7.92</b>		<b>\$365.11</b>

<b>Don Schumacher</b>			
Tract	Acres	Rent per Acre	Total Annual Rental
E	55.01	\$55.00	\$3,025.55
L	21.23	\$50.00	\$1,061.50
<b>Total</b>	<b>76.24</b>		<b>\$4,087.05</b>

<b>Douglas Farrand</b>			
Tract	Acres	Rent per Acre	Total Annual Rental
N	16.3	\$70.10	\$1,142.63
O	15.0	\$70.10	\$1,051.50
<b>Total</b>	<b>31.3</b>		<b>\$2,194.13</b>

BE IT FURTHER RESOLVED that the City Manager is authorized to execute all documents necessary to finalize such leases.

The foregoing Resolution was approved after first reading and passed at a regular meeting of the Aberdeen City Council on the 5<sup>th</sup> day of April, 2021.

Upon roll call vote, all voting aye, number of ayes-9, number of nays-0, Members abstaining-0, motion carried.

RESOLUTION NO. 21-04-03R

Police Chief Dave McNeil presented Resolution No. 21-04-03R declaring service firearms as surplus property and providing for trade in on new items. Motion by Rux, second by Ronayne to approve Resolution No. 21-04-03R as presented.

**RESOLUTION NO. 21-04-03R**

**RESOLUTION DECLARING FIREARMS SURPLUS PROPERTY**

BE IT HEREBY RESOLVED by the Aberdeen City Council that the following described property is declared surplus property and may be disposed of in accordance with SDCL §23A-37-13, said property is described as follows:

Description	Serial No.
H&K G36 55.6 Rifle	#84-004427
H&K G36 55.6 Rifle	#84-004429
H&K G36 55.6 Rifle	#84-004432

BE IT FURTHER RESOLVED that the Chief of Police may trade this surplus property to any licensed firearms dealer as allowed by law.

Upon roll call vote, all voting aye, number of ayes-9; number of nays-0; Members abstaining-0, motion carried.

**HEARING ON TRANSFERS OF LIQUOR LICENSES**

A public hearing was held on the transfers of Retail On-Sale Liquor and Package Off-Sale Liquor Licenses from TETON Development, LLC at The Junction, 205 Sixth Avenue, SE – Suite 101 to The 322, LLC at Three 22 Kitchen & Cocktails, 322 South Main Street. No one testified in opposition to the transfers of the licenses so Mayor Schaunaman closed the hearing. Motion by Ronayne, second by Reinbold to approve the transfers of the Liquor Licenses from TETON Development, LLC at 205 Sixth Avenue, SE – Suite 101 to The 322, LLC at 322 South Main Street. Upon roll call vote, all voting aye, motion carried.

**HEARING ON NEW WINE AND CIDER LICENSE**

A public hearing was held on a new Retail On-Off Sale Wine and Cider License for The Junction LCI, LLC at The Junction, 205 Sixth Avenue, SE – Suite 101. No one testified in opposition to the issuance of the license so Mayor Schaunaman closed the hearing. Motion by Ronayne, second by Lunzman to approve the Retail On-Off Sale Wine and Cider License for The Junction LCI, LLC at 205 Sixth Avenue, SE – Suite 101. Upon roll call vote, all voting aye, motion carried.

**UPDATE ON INDUSTRIAL WASTEWATER PERMITS**

City Manager Joe Gaa provided background information on Industrial Wastewater Permits. Water Reclamation Superintendent Peggi Badten gave an update on the status of the AGP’s permit levels of hydrogen sulfide and Biochemical Oxygen Demand (BOD). The New Angus permit levels will remain the same for the time being. Department of Natural Resources is working with New Angus on their BOD levels. No action was taken by the Council.

**PIGEON CONTROL SERVICES AGREEMENT**

City Manager Joe Gaa explained the Pigeon Control Services Agreement to reduce the pigeon population in Aberdeen and recommended approving a renewal of a two-year Pigeon Control Services Agreement with Tim Reed in the amount of \$548.00/month. Motion by Rux, second by Ronayne to approve and authorize the City Manager to renew a two-year Pigeon Control Services Agreement with Tim Reed in the amount of \$548.00/month. Upon roll call vote, all voting aye, motion carried.

**AGREEMENT WITH SDDOT FOR KLINE ST. RAILROAD IMPROVEMENTS**

City Engineer Robin Bobzien requested approval of an agreement with SD Department of Transportation for the Kline Street Railroad Signals and Crossing Surface Extension Project. Bobzien stated that the terms of the agreement will be that the City would be responsible for 10% of the funding which would be approximately \$20,000. Motion by Rux, second by Reinbold to approve and authorize the Mayor to sign the agreement with the SD Department of Transportation for the installation of new highway-rail grade crossing signals, crossing surface, and roadway upgrades for Kline Street. Upon roll call vote, all voting aye, motion carried.

**PURCHASE OF DUMP TRUCK FOR PUBLIC WORKS DEPT. – UTILITY DIVISION**

City Engineer Robin Bobzien requested approval to purchase a Dump Truck Chassis w/Box and Hoist for the Public Works Department – Utility Division from Crawford Trucks & Equipment of Aberdeen, SD in the amount of \$119,000 using the Sourcewell bid process. Motion by Rux, second by Rife to approve the purchase of one 2022 International Dump Truck w/Box and Hoist from Crawford Trucks & Equipment in the amount of \$119,000. Upon roll call vote, all voting aye, motion carried.

**REVIEW AND APPROVAL OF CLAIMS AND PAYROLL**

Motion by Lunzman, second by Reinbold to approve payment of the bills listed for April 5, 2021 and payroll from March 28, 2021 through April 10, 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: Wellmark Blue Cross/Blue Shield 182,500.00; US Bank Corp. Trust 1,017,984.38; Sanford 42.96; Veinty Inc. 15.73; Briscoe Rentals 258.71; JN Real Estate Holdings 38.87; US Bank 47,681.43; Wells Fargo Commercial Bank 288,527.59; Ty Reinke 84.00; MARCO Technologies LLC 411.11; Tom Barstad 242.00; RDO Equipment Co. 1,610.09; Girton Adams Company 2,115.44; Linde Inc. 5,126.55; City Treasurer 401.01; Hawkins Inc. 2,750.00; Dakota Electronics 8,060.00; Quality Welding Inc. 191.10; Performance Oil & Lubricants 844.00; Entenmann-Rovin Co. 1,204.50; Cole Papers Inc. 266.32; Farm Power Mfg. Inc. 148.96; Flexible Pipe Tool Company 1,336.50; Auto Value Part Stores/Hedahls 293.47; House of Glass, Inc. 4,553.50; Joel Weig 100.00; CDW Government Inc. 7,973.70; MAC's Inc. 207.85; Farnams Genuine Parts 162.50; A & B

Business Solutions 500.03; Dakota Supply Group 213.24; Midstates Group 1,878.00; Safety Service Inc. 148.65; SHARE Corp. 2,920.16; Crawford Trucks & Equipment 182.84; Brad Ziegler 84.00; Woodman Refrigeration Co., Inc. 281.09; Mission Mgmt. Information 1,090.09; Fastenal Company 535.35; Mattern Electric 347.09; Homes Are Possible Inc. 3,745.00; Harms Oil Company 47,459.10; Northern Truck Equipment Corp. 783.71; Dependable Sanitation, Inc. 518.00; HARR Motors 250.00; M & T Fire & Safety Inc. 731.04; USA Blue Book 4,821.21; Energy Laboratories Inc. 394.00; SD Dept. Health Lab 352.00; Northeast Mental Health Center 60.00; Pauer Sound & Music Inc. 887.00; Automationdirect.com Inc. 238.00; Dell Marketing LP 19,778.34; Executive Management 53.65; West Payment Center 85.35; Stacy Vrchota 100.00; Rick's Heating/Air Conditioning 416.33; Univar Solutions USA Inc. 7,055.57; Kyle Fadness 46.86; Jarman's Water Systems 502.50; Northern Valley Communications 29.88; McMaster-Carr Supply Co. 122.44; Otis Elevator Company 1,546.80; Dale Jensen's Plumbing & Heating 126.07; Sanford Health 531.00; Menards 668.20; Aqua Pure Inc. 2,116.96; Michael Roemmich 100.00; Convention Visitors Bureau 18,808.16; Dakota Fluid Power Inc. 6.08; AT & T Cell 1,760.18; Pete Lien & Sons, Inc. 14,131.80; Swede's Body Shop 246.00; 3M 1,420.32; CARTEGRAPH 1,000.00; Keystone Uniform Cap-Sentry Cap 1,447.53; THINGTECH 2,677.80; Matheson Tri-Gas Inc. 121.46; Aberdeen Shuttle 298.00; John Kirman 77.00; Locators & Supplies Inc. 539.06; Konica Minolta Premier Finance 126.85; GALLS Inc. 620.70; Premier Specialty Vehicles, Inc. 792.01; Business Improvement Dist. 2,903.52; Advance Auto Parts 115.76; Jordan Dahme 672.00; Hase Plumbing & Heating 547.90; North Central Rental/Leasing 18,308.25; SWATMOD LLC 400.00; Austin Nath 672.00; SDNOA 200.00; MVTL Laboratories Inc. 465.25; J R Huebner 100.00; Tech Sales Co. 6,683.00; Midcontinent Communications 378.28; ARAMARK 280.67; Newman Traffic Signs 61.50; Morrison Construction 11,683.90; Titan Machinery 75.25; Applied Concepts, Inc. 9,561.00; GRAINGER 392.45; Sanitation Products Inc. 652.11; Geffdog Designs 473.27; Jefferson Partners LP 171.25; Cooper Animal Clinic 101.25; Crescent Electric Supply 561.32; G & R Controls Inc. 307.81; Guardian Life Ins. Co. of American 1,072.78; Kiesler Police Supply Inc. 429.00; United Parcel Service 89.57; Guth Laboratories, Inc. 45.46; Northern Plains Psychological 2,190.00; MAC Tools/D & D Distributing LLC 410.00; Machining Services, Inc. 581.29; Office Depot 212.40; Atlas Carbon, LLC 20,140.80; Autozone 5.51; AGTEGRA Cooperative 7,181.77; Shannon Chemical Corp. 7,572.80; Runnings Supply Inc. 666.78; Interstate Battery 122.95; HR Green, Inc. 21,901.88; Hub City Cycles & Automotive 680.00.

Payroll for the period from March 28, 2021 through April 10, 2021 and the City's share of social security, old age & survivor's insurance, retirement, health and life insurance: EFTPS 131,308.44; SD Retirement 81,497.46; Governing Body 3,192.28; City Manager 7,832.80; City Attorney 7,120.78; Finance 13,988.12; HR 8,220.60; Building 1,797.76; Computer 4,860.63; Planning/Zoning 15,752.95, Amanda Kamphuis 19.68 hr; Engineering 13,906.00;

Police 144,187.14, Tyler Bogue 25.82 hr, Ty Reinke 27.80 hr; Fire 117,539.22, Housing/Building 6,886.55; Street 32,270.82, Chad Commet 18.73 hr; Traffic 5,525.88; Solid Waste 21,408.01; Transportation/Ride Line 17,546.41; Library 27,995.35; Parks, Rec & Forestry 90,669.33, Denise Auske 10.25 hr., Gerold Bitz 11.50 hr, Jessica Bitz 11.75 hr, Jaden Brave 10.75 hr, Andrea Christianson 10.75 hr, Donald Craft Jr 12.25 hr, Dennis Dahme 12.75 hr, Rodney Eisenbeisz 11.50 hr, Shannon Evans 11.25 hr, Charles Forrest 12.25 hr, David Hagen 12.75 hr, Hailey Holland 10.75 hr, Cole Holmes 11.75 hr, Lucus Howard 11.75 hr, Keith Johnson 12.75 hr, Anita Jung 10.00 hr, Christopher Kenitzer 11.75 hr, Hailee Lesnar 10.25 hr, Lisa Link 10.25 hr, Jacqueline McNeil 11.75 hr, Andrew Perleberg 11.00 hr, David Rice 10.75 hr, Kiya Stillman 10.25 hr, Slater Stolp 10.50 hr, Scott Sultz 12.50 hr, Bennie Swanson 12.00 hr, Airport 16,423.47; Pipe 23,119.42; Water Treatment 21,076.37; Meter 1,695.20; Water Reclamation 21,922.16; Pump 8,135.97, LeRoy Conn 18.73 hr. Upon roll call vote, Remily, Lunzman, Rife, Johnson, Reinbold, Langer, Rux, and Mayor Schaunaman voting aye, Ronayne abstaining, motion carried.

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

City Manager Joe Gaa gave recognition to City employee milestones for Ryan Kline – 5 years of service, Max Stoltenburg – 10 years of service, and Paula Nelson – 25 years of service.

#### **ADJOURNMENT**

There being no further business, motion by Ronayne, second by Rux to adjourn the meeting. Upon roll call vote, all voting aye, motion carried. The meeting adjourned at 6:17 p.m.

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