

MINUTES

ABERDEEN CITY COUNCIL MEETING

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, April 27, 2020 at 5:30 p.m., regular meeting of the Board of City Council Members, Mayor Travis Schaunaman presiding. Present at roll call were City Council Members Mark Remily by teleconference, Rob Ronayne, Dave Lunzman, Josh Rife by teleconference, Alan Johnson, David Bunsness by teleconference, Dennis “Mike” Olson by teleconference, and Clint Rux. City Staff present were Lynn Lander by teleconference, Ron Wager by teleconference, Robin Bobzien by teleconference, Brett Bill by teleconference, Karl Alberts, Dave McNeil by teleconference, Bob Braun, Rich Krokkel by teleconference, and Tom Wanttie by teleconference.

Mayor Schaunaman led the Pledge of Allegiance.

MINUTES

Motion by Johnson, second by Rux to approve the minutes of the meetings of April 20, 2020 as circulated. Upon roll call vote, all voting aye, motion carried.

CONSENT CALENDAR

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

SET BID DATE – of May 12, 2020 at 2:00 p.m. for bids on Old Building Roof Replacement at Water Treatment Plant.

LICENSE – Residential Building Contractor – Chris Holmes

PLATS – 1) Proposed Lot 1, NSU Athletic Field Addition to Aberdeen, in the SE ¼ of Section 24, T123N, R64W of the 5th P.M., Brown County, South Dakota with stipulation that any necessary utility easements for current and future utilities must be established and maintained with the City Engineering Department (1416 South State Street); 2) ADC 2020-1 First Subdivision to the City of Aberdeen, in the NE ¼ of Section 16, T123N, R63W of the 5th P.M., Brown County, South Dakota (4706 and 4719 Maloney Avenue, NE); 3) BOESL Addition to the City of Aberdeen, in the NW ¼ of Section 22, T123N, R63W of the 5th P.M., Brown County, South Dakota (5002 and 5008 Kingfisher Avenue, SE); 4) South Main Launder-Mat Addition to the City of Aberdeen, in the NW ¼ of Section 24, T123N, R64W of the 5th P.M., Brown County, South Dakota (924 South Main Street).

REPORTS AND MINTUES FROM CITY BOARDS – Aberdeen City Planning Commission Meeting Minutes; Board of Zoning Adjustment Meeting Minutes; Park & Recreation Board Meeting Minutes – receive and place on file.

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

OPEN FORUM

Todd Forkel, Avera CEO, and Ashley Erickson, Sanford Health CEO, were present to discuss the COVID-19 pandemic and possible actions to open businesses.

David Novstrup was present to discuss possible business opening actions.

Duane Sutton was present to discuss possible business opening actions.

Fallon Helm was present to discuss possible business opening actions.

John Bushnell was present to discuss possible recreational opening actions.

NEW BUSINESS

ORDINANCE NO. 20-04-03

City Planning/Zoning Director Brett Bill explained the petition to rezone from Frost Development, Inc. and Ordinance No. 20-04-03 to rezone the property described as Lot 5, Block 40, Thomas Addition in the NW ¼ of Section 24, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota (926 South Lincoln Street) from (C-3) Central Business District to (R-3) High Density Residential District. Motion by Ronayne, second by Johnson to approve first reading Ord Ordinance No. 20-04-03. Upon roll call vote, all voting aye, motion carried.

ORDINANCE NO. 20-04-04

City Planning/Zoning Director Brett Bill explained the petition to rezone from Northern State University and Ordinance No. 20-04-04 to rezone the property described as proposed Lot 1, NSU Athletic Field Addition to Aberdeen, in the SE ¼ of Section 24, T123N, R64W of the 5th P.M., Brown County, South Dakota (1416 South State Street) from (R-2) Medium Density Residential District and (M) Municipal, State, and County Use District to (M) Municipal, State, and County Use District. Motion by Rux, second by Lunzman to approve first reading of Ordinance No. 20-04-04. Upon roll call vote, all voting aye, motion carried.

DISCUSSION AND PASSAGE OF RESOLUTION NO. 20-04-06R

Motion by Ronayne, second by Bunsness to approve first reading and passage of Resolution No. 20-04-06R extending Ordinance No. 20-04-05, also known as COVID-19 Emergency Ordinance No. 3. Council Member Johnson presented another resolution for consideration that eases some of the social distancing measures by permitting on-site consumption, sales, or services of certain businesses and facilities if they comply with the described restrictions. Discussion followed. Motion by Johnson, second by Rife to amend with the substitute resolution. Upon roll call vote to amend, Rux, Olson, Bunsness, Lunzman, Ronayne, Remily voting nay, Johnson, Rife, and Mayor Schaunaman voting aye, motion failed.

Mayor Schaunaman called for the vote on the main motion to approve first reading and passage of Resolution No. 20-04-06R extending Ordinance No. 20-04-05 as follows:

RESOLUTION NO. 20-04-06R

RESOLUTION EXTENDING ORDINANCE NO. 20-04-05

COVID-19 EMERGENCY ORDINANCE NO. 3

WHEREAS, the Aberdeen City Council adopted COVID-19 Emergency Ordinance

No. 3 (Ordinance No. 20-04-05) (“emergency ordinance”) implementing certain measures which it deemed necessary to slow the community spread of the virus responsible for the COVID-19 disease; and

WHEREAS, the emergency ordinance shall be repealed, in part or in whole, on the day following each regular or special meeting of the City Council, *unless* the City Council at such regular or special meeting by resolution affirms (1) the continued existence of the public health emergency, and (2) the necessity of all or certain parts of the social distancing measures set forth in Section A, Paragraphs 1 – 7, and extends all or any part of the ordinance for the day following the next regular or special meeting of the City Council.

NOW THEREFORE, BE IT RESOLVED:

1. The City Council affirms the COVID-19 public health emergency continues to exist within the City of Aberdeen.

2. The City Council affirms the social distancing measures set for in Section A, Paragraphs 1, 2, 3, 4, 5, 6, 7 of the emergency ordinance are necessary for the prevention and spread within the City of Aberdeen of the contagious virus causing the deadly COVID-19 disease.

3. The City Council hereby extends Section A, Paragraphs 1, 2, 3, 4, 5, 6, 7, and all of Section B of the emergency ordinance for the day following the next regular or special meeting of the City Council.

Upon roll call vote, Remily, Ronayne, Lunzman, Rife, Johnson, Bunsness, Olson, Rux voting aye, Mayor Schaunaman voting nay, number of ayes: 8 and number of nays: 1, motion carried.

Mayor Schaunaman called for a special meeting of the City Council on April 29, 2020 at 5:30 p.m., in City Council Chambers, for further discussion of the resolution concerning the COVID-19 Emergency Ordinance No. 3.

SDDOT SECTION 5304 GRANT FOR RIDE LINE

Ride Line Manager Tom Wantie presented a Section 5304 Planning Grant with the SD Department of Transportation for Ride Line in the total amount of \$31,259 (20% Local Match of \$6,250 and 80% Federal Share of \$25,000). Motion by Rux, second by Johnson to approve and authorize the City Manager to sign the Section 5304 Grant Agreement with SD Department of Transportation for Ride Line. Upon roll call vote, all voting aye, motion carried.

AGREEMENT WITH HR GREEN, INC.

Water Treatment Superintendent Bob Braun presented a professional services agreement with HR Green, Inc. for planned improvements to the soda ash silo at the Water Treatment Plant. Motion by Lunzman, second by Rux to approve and authorize the City Manager to sign the agreement with HR Green, Inc. for the improvements at the Water Treatment Plant. Upon roll call vote, all voting aye, motion carried.

BRIDGE REINSPECTION PROGRAM RESOLUTION

City Engineer Robin Bobzien presented a Bridge Reinspection Program Resolution allowing the City to choose Clark Engineering from the SD Department of Transportation List to provide bridge inspection work for nine bridge locations in the City of Aberdeen. Motion by Johnson, second by Rux to approve the Bridge Reinspection Program Resolution as follows:

WHEREAS, Title 23, Section 151, United States Code and Title 23, Part 650, Subpart C, Code of Federal Regulations, requires initial inspection of all bridges and reinspection at intervals not to exceed two years with the exception of reinforced concrete box culverts that meet specific criteria. These culverts are reinspected at intervals not to exceed four years.

THEREFORE, the City of Aberdeen is desirous of participating in the Bridge Inspection Program using Bridge Replacement funds.

The City requests SDDOT to hire Clark Engineering (Consulting Engineers) for the inspection work. SDDOT will secure Federal approvals, make payments to the Consulting Engineer for inspection services rendered, and bill the City for 20% of the cost. The City will be responsible for the required 20% matching funds.

Upon roll call vote, all voting aye, number of ayes: 9 and number of nays: 0, motion carried.

CHANGE ORDER/PAYMENT FOR PUBLIC SAFETY GENERATOR PROJECT

City Engineer Robin Bobzien requested approval of a Change Order in the amount of \$14,877 and Payment Request in the amount of \$19,002.56 to Quest Construction, LLC for work on the Aberdeen Public Safety Generator Project. Motion by Olson, second by Johnson to approve Change Order #4 in the amount of \$14,877 and Payment #5 in the amount of \$19,002.56 to Quest Construction, LLC for work on the project. Upon roll call vote, all voting aye, motion carried.

PAYMENT FOR ST. MAINTENANCE CONCRETE REPAIR WORK

City Engineer Robin Bobzien requested approval of Payment #1 in the amount of \$10,984.10 to Wright & Sudlow for work on the Street Maintenance Concrete Repairs Project. Motion by Johnson, second by Lunzman to approve Payment #1 in the amount of \$10,984.10 to Wright & Sudlow for the work on the project. Upon roll call vote, all voting aye, motion carried.

BILLS

Motion by Rux, second by Lunzman to approve payment of the bills listed for April 27, 2020, and any additions thereto, such bills having been audited by the Finance Officer and fully itemized and authorize the Mayor or City Manager to sign, and the Finance Officer to countersign, all warrants for payment of the following approved bills: Northwestern Energy 25,929.93; Elavon Merchant Services 1,750.00; Dacotah Bank 6,000.00; Infintech 1,500.00;

Plug N Play 1,500.00; Business Improvement Dist. 4,678.07; Wellmark Blue Cross/Blue Shield 205,000.00; Nationwide Employee Benefits 484.74; Jefferson Partners LP 6,742.75; Morrison Construction 11,876.10; CVB 13,257.44; Gary Aderhold 51.70; Warren Hunstad 28.07; Nicholas Iverson 65.78; Ellsbee Estates 52.38; Matheson Tri-Gas Inc. 21.65. Upon roll call vote, Remily, Lunzman, Rife, Johnson, Olson, and Rux voting aye, Ronayne, Bunsness, and Mayor Schaunaman abstaining, motion carried.

PAYROLL

Motion by Ronayne, second by Lunzman to approve the payroll for the period from April 12, 2020 through April 25, 2020 and city share of social security, old age & survivor's insurance, retirement, health and life insurance: Wells Fargo 128,063.55; SD Retirement 79,035.16 ; Governing Body 3,192.28; City Manager 8,557.71 ; City Attorney 7,310.25; Finance 15,031.66; HR 7,946.21, Building 1,753.75; Computer 4,721.02; Planning/Zoning 15,659.44; Engineering 13,495.01; Police 135,995.86, Briston Bruce 25.82 hr, Cole Kissner 25.82 hr; Fire 108,069.47, Matt Leidholdt 21.39 hr, Maxwell Stoltenburg 17.99 hr; Housing/Building 6,718.55; Street 32,065.68 Traffic 5,207.44; Solid Waste 22,369.44; Transportation/Ride Line 13,279.72, Library 26,711.30; Parks, Rec & Forestry 82,389.48, Logan Bell 11.00 hr, Jessica Bitz 11.25 hr, Henry Brassilio 11.00 hr, Seth Braun 10.75 hr, Madison Brink 10.75 hr, Donald Craft Jr 11.75 hr, Ross Criddle 11.50 hr, Jonah Dohrer 10.50 hr, Adam Heining 11.00 hr, Jordan Hilleshiem 11.50 hr, Lucas Howard 11.25 hr, Karlie Karst 10.75 hr, Stanis Malsom 12.25 hr, Lachelle Opp 12.25hr, Christopher Ray 10.75 hr, Jonah Stolp 11.00 hr, Justin Streit 11.00 hr, Bennie Swanson 11.50 hr, Amy Thompson 12.75 hr; Airport 16,582.04; Pipe 26,112.21, Grant Gunderson 13.50 hr; Water Treatment 20,127.65; Meter 1,654.40; Water Reclamation 21,018.32; Pump 8,866.67. Upon roll call vote, all voting aye, motion carried.

NO CITY MANAGER'S REPORT

CALL FOR SPECIAL COUNCIL MEETING

Mayor Schaunaman called for a special meeting of the City Council on May 2, 2020, at 2:00 p.m., in City Council Chambers, for possible appointment of new City Manager.

ADJOURN

There being no further business, motion by Ronayne, second by Rux to adjourn the meeting. Upon roll call vote, all voting aye, motion carried.

Prepared by Mary Campton for the Finance Office.



Finance Officer

MINUTES

SPECIAL ABERDEEN CITY COUNCIL MEETING

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen,

South Dakota, April 29, 2020 at 5:30 p.m., special meeting of the Board of City Council Members, Mayor Travis Schaunaman presiding. Present at roll call were City Council Members Mark Remily by teleconference, Rob Ronayne, Dave Lunzman by teleconference, Josh Rife by teleconference, Alan Johnson, David Bunsness, Dennis "Mike" Olson by teleconference, and Clint Rux. City Staff present were Lynn Lander by teleconference, Ron Wager by teleconference, Robin Bobzien by teleconference, Brett Bill by teleconference, Karl Alberts, Dave McNeil by teleconference, Mark Hoven by teleconference, and Rich Krokkel by teleconference. Dr. Michael Buttolph, Dr. David Wachs, David Novstrup, Michael Bockorny, Gail Ochs, Duane Sutton, and Ashley Erickson were present.

Mayor Schaunaman led the Pledge of Allegiance.

NEW BUSINESS

DISCUSSION AND PASSAGE OF RESOLUTION NO. 20-04-07R

Discussion was held on the possible first reading and passage of a resolution extending Emergency Ordinance No. 3 regarding the novel Coronavirus COVID-19 Public Health Crisis. The Task Force created to discuss the resolution regarding the COVID-19 Public Health Crisis included Dr. Michael Buttolph, Dr. David Wachs, David Novstrup, Michael Bockorny, Gail Ochs, Duane Sutton, Ashley Erickson, Council Member Rife, and Mayor Schaunaman. During the council discussion, three versions of the resolution and many amendments were offered for consideration.

Motion by Johnson, second by Rife to approve the Task Force Resolution. Motion by Johnson, second by Rife to replace the word "Develop" in 2(c) with "Implement". Upon roll call vote, all voting aye, motion carried. Motion by Ronayne, second by Rux to amend by replacing Task Force Resolution with Substitute Resolution. Motion by Bunsness, second by Ronayne, to replace 2(i) in Substitute Resolution with 2(e) from Task Force Resolution to read as follows: "Implement daily health screening protocol per CDC guidelines for all employees." Upon roll call vote, all voting aye, motion carried. Motion by Bunsness, second by Rux, to add "Employers should plan to respond in a flexible way to varying levels of disease transmission in the community and be prepared to refine their business response plans as needed." after the last sentence of Paragraph 3. of Substitute Resolution. Upon roll call vote, all voting aye, motion carried. Motion by Ronayne, second by Bunsness to amend 2(a) of Substitute Resolution by adding "of not more than 6 persons" after "dining party." Motion by Bunsness, second by Rux, to change "6" to "10." Upon roll call vote, Rux, Olson, Bunsness, Johnson, Rife, Lunzman, Remily, and Mayor Schaunaman voting aye, Ronayne voting nay, motion carried. Upon roll call vote on amendment as amended to add "of not more than 10 persons" after "dining party", all voting aye, motion carried. On the motion to replace the Task Force Resolution with the Substitute Resolution, as amended, upon roll call vote, Remily, Ronayne, Lunzman, Bunsness, Olson, Rux voting aye, Johnson, Rife, and Mayor Schaunaman voting nay, motion carried. Motion by Bunsness, second by Rife to

replace “CDC” in 2(i), as amended, with “South Dakota Department of Health”. Upon roll call vote, all voting aye, motion carried. Motion by Ronayne, second by Bunsness to add “7” to the paragraphs identified in the first line of Paragraph 2 of the Substitute Resolution and to delete “and 7” from Paragraph 7 of the Substitute Resolution. Upon roll call vote, all voting aye, motion carried. No further amendments being offered, Mayor Schaunaman called for the vote on the main motion to approve the Substitute Resolution No. 20-04-07R, as amended. Upon roll call vote, all voting aye, motion carried.

RESOLUTION NO. 20-04-07R

RESOLUTION EXTENDING ORDINANCE NO. 20-04-05

COVID-19 EMERGENCY ORDINANCE NO. 3

WHEREAS, the Aberdeen City Council adopted COVID-19 Emergency Ordinance No. 3 (Ordinance No. 20-04-05) (“emergency ordinance”) implementing certain measures which it deemed necessary to slow the community spread of the virus responsible for the COVID-19 disease; and

WHEREAS, aided by the voluntary compliance of most residents and businesses with the social distancing and hygiene practices recommended by the CDC, such measures have helped in slowing the community spread of the virus and providing a basis to begin reopening businesses and other public gathering places within the community; and

WHEREAS, the emergency ordinance shall be repealed, in part or in whole, on the day following each regular or special meeting of the City Council, *unless* the City Council at such regular or special meeting by resolution affirms (1) the continued existence of the public health emergency, and (2) the necessity of all or certain parts of the social distancing measures set forth in Section A, Paragraphs 1 - 7, and extends all or any part of the ordinance for the day following the next regular or special meeting of the City Council.

WHEREAS, based on the number of cases in Brown County, the almost complete lack of hospitalization in the City, and the available modeling, the City Council believes some of the social distancing restrictions can be modified to allow businesses to resume on-site services of customers without causing the number of cases in the city to rise to the level that it will overwhelm the hospitals’ capacity if proper procedures are put in place.

NOW, THEREFORE, BE IT RESOLVED:

1. The City Council affirms that some, but not all, of the social distancing measures set forth in Section A, Paragraphs 1, 2, 3, 4, 5, 6, and 7 of the emergency ordinance are necessary for the prevention and spread within the City of Aberdeen of the contagious virus.

2. The City Council hereby extends paragraphs 1, 2, 3, 4, 5, and 7 of Section A of the emergency ordinance for the day following the next regular or special meeting of the City Council, except that part of each paragraph that prohibits or closes on-site consumption, sales, or services *if* such business, facility, club, shop, organization, or other entity complies

with the following restrictions:

- (a) Maintains a minimum six-foot space between tables, chairs, and barstools if occupants are not members of the same household or dining party of not more than 10 persons;
- (b) Limits capacity in indoor recreational facilities and fitness businesses to a number of persons that can safely and reliably ensure social distancing;
- (c) Requires handwashing at regular intervals of at least once per hour for all restaurant, bar, and food service employees;
- (d) Cleans and disinfects video lottery machines between each customer and at the start of business;
- (e) Reduces seating to allow for social distancing by removing chairs or marking certain seats as “not available due to social distancing”;
- (f) Posts for customers the regular cleaning and disinfecting schedule;
- (g) Maintains a six-foot space between customers waiting for service or entry into the facility; and
- (h) Employees of beauty and hair salons, nail salons, tattoo parlors, spas, massage studios, and barber shops wear masks which cover their nose and mouth during customer contact times. Customer seating must be at least six (6) feet apart.
- (i) Implements daily health screening protocol per South Dakota Department of Health guidelines for all employees.
- (j) Employees shall wear a mask that covers the face and nose when social distancing guidelines cannot be met with, or a barrier to the public is not provided.
- (k) Equipment and mats in health, fitness, athletic, and weight training facilities must be cleaned and disinfected between each use.

3. In addition to the specific requirements listed above, businesses shall operate in a manner consistent with CDC guidelines and any applicable state regulation or executive orders. Employers should plan to respond in a flexible way to varying levels of disease transmission in the community and be prepared to refine their business response plans as needed.

4. The City encourages all individuals within the City to continue to follow the CDC guidelines and recommended hygiene practices.

5. The City encourages grocery and retail stores to limit customers to a number of persons that can safely and reliably ensure social distancing, and, where practicable, to clearly mark one-way shopping aisles and install a plexiglass or similar divider between the customer and the cashier.

6. The City encourages enhanced cleaning and disinfecting requirements for

motel and hotel rooms.

7. The City Council hereby extends paragraphs 6 of Section A and all of Section B of the emergency ordinance for the day following the next regular or special meeting of the City Council.

The foregoing Resolution was approved after first reading and passed at a special meeting of the Aberdeen City Council on the 29th day of April, 2020. Number of AYES: 9; Number of NAYS: 0.

OTHER BUSINESS

Mayor Schaunaman called for a special meeting of the City Council on May 2, 2020 at 2:30 p.m. instead of 2:00 p.m., in City Council Chambers, to appoint a New City Manager.

There being no further business, motion by Bunsness, second by Johnson to adjourn the meeting. Upon roll call vote, all voting aye, motion carried.

Prepared by Mary Campton for the Finance Office.



Finance Officer

