

MINUTES**SPECIAL ABERDEEN CITY COUNCIL MEETING**

Brown County Courthouse Community Room, 25 Market Street, Aberdeen, South Dakota, June 5, 2020 at 9:00 a.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, Josh Rife, Alan Johnson, David Bunsness by teleconference, Dennis “Mike” Olson, and Clint Rux. City Council Member Dave Lunzman was absent. City Staff present were Ron Wager and Karl Alberts.

CANVASS MUNICIPAL ELECTION RESULTS

County Auditor Cathy McNickle reported the June 2, 2020 Municipal Election vote results electing Tiffany Langer as the City Council Member – SE District. Motion by Ronayne, second by Olson to approve the returns of the City Election canvassed by the City Council and passage of Resolution No. 20-06-03R as follows:

RESOLUTION NO. 20-06-03R**RESOLUTION DECLARING THE RESULTS OF THE MUNICIPAL ELECTION**

HELD IN THE CITY OF ABERDEEN, SD, ON JUNE 2, 2020

WHEREAS, on the 6th day of January, 2020, the City Council of the City of Aberdeen set the time and date of the Annual Municipal Election to be held in the City on the 2nd day of June, 2020 in conjunction with the School and Primary Elections for the purpose of electing a City Council Member – SE District and a City Council Member – SW District.

WHEREAS, Justin Reinbold was duly nominated to the Office of City Council Member – SW District and, having no opposition at the election, is hereby declared elected to the Office of City Council Member – SW District for a term of five-years; and

WHEREAS, at the Annual Municipal Election held in three voting centers in the City of Aberdeen, South Dakota on Tuesday, the 2nd day of June, 2020, there were cast the following votes for Office of City Council Member – SE District, to wit: David Welling received 345 votes, Tiffany Langer received 422 votes, and Dennis “Mike” Olson received 384 votes, there being a total of 1,151 legal votes cast; and

WHEREAS, the returns of said election have been delivered and canvassed by the City Council, and

WHEREAS, Tiffany Langer received a plurality of the legal votes cast for City Council Member,

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 Tiffany Langer elected City Council Member – SE District for a term of five-years beginning July 1, 2020 and to Justin Reinbold elected City Council Member – SW District for a term of five-years beginning July 1, 2020.

The foregoing Resolution was adopted at a special meeting of the Council on the 5th day

of June, 2020. Upon roll call vote, all present voting aye, motion carried. Number of AYES: 8; Number of NAYS: 0.

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

Motion by Bunsness, second by Ronayne to approve first reading and passage of Resolution No. 20-06-04R extending Ordinance No. 20-04-05 (COVID-19 Emergency Ordinance No. 3). Upon roll call vote, Rux, Olson, Bunsness, Ronayne, and Remily voting aye, Johnson, Rife, and Mayor Schaunaman voting nay, motion carried.

RESOLUTION NO. 20-06-04R

RESOLUTION EXTENDING ORDINANCE NO. 20-04-05

COVID-19 EMERGENCY ORDINANCE NO. 3

AND EASING CERTAIN RESTRICTIONS OF THE ORDINANCE

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 paragraph 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 5th day of June, 2020. Number of AYES: 5; Number of NAYS: 3.

DISCUSSION AND FIRST READING OF EMERGENCY ORDINANCE NO. 4

City Attorney Ron Wager presented four options of proposed Ordinance No. 20-06-02, also known as COVID-19 Emergency Ordinance No. 4, for the Council's consideration. Motion by Bunsness, second by Ronayne to approve first reading of the fourth option of Ordinance No. 20-06-02, offered by Council Member Ronayne. Discussion followed on the motion. Todd Forkel of Avera St. Luke's Hospital and Ashley Erickson of Sanford Medical Center both spoke reassuring the Council that the hospitals are able to meet the needs of the community during the coronavirus pandemic. Motion by Bunsness, second by Ronayne to call the question to vote on the ordinance. Upon roll call vote, Remily, Ronayne, Bunsness, Olson voting aye, Rife, Johnson, Rux, and Mayor Schaunaman voting nay, motion failed. Discussion continued. Mayor Schaunaman called for the vote on the main motion to approve first reading of Ordinance No. 20-06-02, COVID-19 Emergency Ordinance No. 4, pursuant to Aberdeen City Charter, Sec. 2.14. Upon roll call vote, Rux, Olson, Bunsness, Ronayne, and Remily voting aye, Johnson, Rife, and Mayor Schaunaman voting nay, motion carried.

OTHER BUSINESS

City Attorney Ron Wager discussed the timeline for second reading of Ordinance No. 20-06-02. Bunsness and Ronayne called for a special meeting of the Council on June 11, 2020 at 5:00 p.m. in City Council Chambers.

ADJOURN

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

Prepared by Mary Campton for the Finance Office.



 City Finance Officer