

MINUTES

ABERDEEN CITY COUNCIL MEETING

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, June 7, 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, Rob Ronayne, Dave Lunzman, Josh Rife, Alan Johnson, Justin Reinbold, Clint Rux, and Mayor Travis Schaunaman. Council Member Tiffany Langer was absent.

City Staff present were Joe Gaa, Ron Wager, Robin Bobzien, Brett Bill, Jordan McQuillen, Dave McNeil, Joel Weig, and Shirley Arment.

PLEDGE OF ALLEGIANCE

Mayor Schaunaman led the Pledge of Allegiance.

APPROVAL OF AGENDA

Motion by Rux, second by Remily to approve the agenda. Roll call vote to approve, all present voting aye, motion carried.

MINUTES

Motion by Johnson, second by Rife to approve the minutes of the May 24, 2021 City Council Meeting, as circulated. Roll call 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 Rux, second by Ronayne to approve the following items on the consent calendar:

SET HEARING DATE - of June 21, 2021 at 5:30 p.m. for transfers of Retail On-Sale Liquor and Package Off-Sale Liquor Licenses from ZBC, Inc. dba Lucky's Drinkery, 420 South Main Street to AUD Rentals, LLC dba 420 South Main Street.

SET HEARING DATE – of June 28, 2021 at 5:30 p.m. for the following petitions to rezone:

- 1) Rezone property described as Lot 6, Gages First Replat of Lots 1 to 12, Block 43, Bennett & Thomas Addition (507 North 2nd Street) from (C-2) Highway Commercial District to (R-3) High Density Residential District;
- 2) Rezone property described as proposed Lot 1, Sixth and Washington SW Addition (120 and 124 – 6th Avenue, SE and 610 South Washington Street) from (C-3) Central Business District/(R-4) Special Density Residential District and (R-3) High Density Residential District to (C-3) Central Business District/(R-4) Special Density Residential District.

LICENSES – Master/Journeyman Plumber – Commercial Plumbing & Heating; Residential Building Contractor – Jeffrey Deuel; Sidewalk Contractor – Pro Contracting Inc.; Taxi Cab

Driver – Shawn Schaunaman

REQUEST TO SERVE AND PERMIT – the consumption of alcoholic beverages at the Wylie Park Pavilion on July 10, 2021 for a Christenson-Mahaffie Wedding

REQUESTS FOR STREET USE – 1) 10 Block of 5th Avenue, SW or 500 Block of Railroad Avenue, SE for Crossfit Rails’ “Crossfit Competition” on June 12, 2021; 2) 5th Avenue, SE between South Lincoln Street and South Washington Street for First United Methodist Church’s “Car Show” on June 27, 2021

LOTTERY NOTICES – Brown County Pet Rescue; Camp Dreammakers; Crossfit Rails

FINANCIAL CLOSE-OUT REPORT – for AIP #3-46-0001-39-2018 Airport Master Plan and Airport Layout Plan

Voice vote to approve, motion carried.

OLD BUSINESS

ORDINANCE NO. 21-04-01

Motion by Johnson, second by Reinbold to approve second reading and final adoption of Ordinance No. 21-04-01 to rezone property described as Erdmann 1st Subdivision to the City of Aberdeen in the SW ¼ of Section 13, T123N, R64W of the 5th P.M., Brown County, South Dakota (302 South 4th Street) from (I-2) Unrestricted Industrial District and (C-3) Central Business District/(R-4) Special Density Residential District to (I-2) Unrestricted Industrial District for Ronald and Karen Erdmann. Roll call vote to approve, all present voting aye, motion carried.

ORDINANCE NO. 21-05-02

Motion by Remily, second by Ronayne to approve second reading and final adoption of Ordinance No. 21-05-02 regarding the issuance of local medical cannabis establishment permits and/or licenses. Roll call vote to approve, all present voting aye, motion carried.

NEW BUSINESS

PUBLIC HEARING AND PASSAGE OF RESOLUTION APPROVING LEASE OF MUNICIPAL AIRCRAFT HANGAR TO A PRIVATE PERSON

Mayor Schaunaman opened a public hearing for the discussion of a proposed resolution approving a lease of a municipal hangar to Darrell Hillestad, a private person, for terms exceeding 120 days and for amounts exceeding \$500 annually. Mayor Schaunaman requested that the discussion be limited to new content only. At this hearing and for the record, City Attorney Ron Wager stated that the Council should incorporate prior comments offered at various other meetings and also incorporate information contained in the agenda packets regarding the municipal hangar matter. Pursuant to SDCL §9-12-5.2 and following this hearing, Wager informed the Council that City staff would be recommending moving forward with approving Resolution No. 21-06-01R and the lease of the municipal hangar to Darrell Hillestad. Discussion followed with comments from Adam Altman, representing Quest Aviation, Darrell Hillestad, and Hillestad’s attorney Drew Johnson. Mayor

Schaunaman closed the hearing and called for a motion on the possible approval of Resolution No. 21-06-01R to lease the municipal hangar to Darrell Hillestad. Motion by Lunzman, second by Remily to approve first reading and passage of Resolution No. 21-06-01R leasing a 60' x 90' steel, aircraft storage hangar at the Aberdeen Regional Airport for a period of five (5) years, with an addition five-year renewal option, to Darrell Hillestad (to be organized as 4436½, LLC), a private person, for an annual rental of \$14,100, upon terms and conditions to be set forth in a "Municipal Hangar Lease Agreement" and authorizing the City Manager to execute the same. Roll call vote to approve, Remily, Ronayne, Lunzman, Rife, Johnson, Rux, and Mayor Schaunaman voting aye, Reinbold abstaining, motion carried.

RESOLUTION NO. 21-06-01R

RESOLUTION APPROVING LEASE OF

MUNICIPAL HANGAR TO DARRELL HILLESTAD

WHEREAS, the City Council adopted Resolution No. 21-05-02R stating its intent to lease municipally-owned property to a private person for a term exceeding 120 days and for a rental amount exceeding \$500.00 annual value; to wit, an aircraft storage hangar to Darrell Hillestad (to be organized as 4436½, LLC), a private person, for an annual rental of \$14,100, upon terms and conditions set forth in a lease agreement which permits use of the hangar for non-commercial aviation activities, such term and rental amount invoking the requirements of SDCL §9-12-5.2; and

WHEREAS, the notice of hearing was published as required by law and the public hearing on the proposed lease was held by the City Council in City Council Chambers, 123 South Lincoln Street, Municipal Building, in the City of Aberdeen, South Dakota, on the 7th day of June, 2021, at 5:30 p.m., when and where any persons interested in the lease had an opportunity to appear and be heard prior to any action on such lease.

NOW, THEREFORE, BE IT RESOLVED that, after public hearing and due consideration of any comments of persons interested in such lease, the Council hereby approves the lease of the property owned by the City of Aberdeen described as a 60' x 90' steel, aircraft storage hangar at the Aberdeen Regional Airport, at 4740 6th Ave., SE, Aberdeen, South Dakota, for a period of five (5) years, with an additional five-year renewal option, to Darrell Hillestad (to be organized as 4436½, LLC), a private person, for an annual rental of \$14,100, upon terms and conditions to be set forth in a "Municipal Hangar Lease Agreement" which permits use of the hangar for non-commercial aviation activities.

BE IT FURTHER RESOLVED that the City Manager is authorized to execute all documents necessary to finalize such lease, as approved by the City Attorney.

The foregoing Resolution was approved after first reading and passed at a regular meeting of the Aberdeen City Council on the 7th day of June, 2021. Number of AYES: 7; Number of NAYS: 0; Members abstaining: 1 - Reinbold.

HEARING ON SPECIAL LIQUOR LICENSE

Mayor Schaunaman opened a hearing on a request for a Special One-Day Liquor License on June 17, 2021 for the Aberdeen Area Chamber of Commerce's Business After Hours on 5th Avenue, SW between the alley and South Main Street. No public comments in opposition to the license request were received so Mayor Schaunaman closed the hearing. Motion by Rife, second by Ronayne to approve the Special One-Day Liquor License for Aberdeen Area Chamber of Commerce on June 17, 2021 including a Community Event Permit for the same. Voice vote to approve, all present voting aye, motion carried.

COMMUNITY EVENT PERMIT FOR ABERDEEN DOWNTOWN ASSOCIATION AND SPECIAL MALT BEVERAGE LICENSE FOR ABERDEEN STORE, LLC

Motion by Remily, second by Reinbold to approve a Community Event Permit for Aberdeen Downtown Association's Summer Concert Series on June 17, 2021 at the Malchow Plaza, intersection of South Main Street and 5th Avenue, and a Special One-Day Malt Beverage License on June 17, 2021 for the Aberdeen Store, LLC for the same event. Voice vote to approve, all present voting aye, motion carried.

COMMUNITY EVENT PERMIT FOR YELDUZ SHRINERS

Motion by Johnson, second by Rux to approve of a Community Event Permit for the Yelduz Shriners' Circus on June 10 -12, 2021 at the Aberdeen Civic Arena, 203 South Washington Street. Voice vote to approve, all present voting aye, motion carried.

COMMUNITY EVENT PERMIT FOR FALLOUT CREATIVE COMMUNITY

Motion by Ronayne, second by Lunzman to approve of a Community Event Permit for the Fallout Creative Community's Red Rooster Concerts on June 11, 12, 16, 18, 24, and 25, 2021 at the 200 Block of South Main Street. Voice vote to approve, all present voting aye, motion carried.

REQUEST FOR PROPERTY TAX AND SPECIAL ASSESSMENT ABATEMENTS

Deputy Finance Officer Jordan McQuillen requested approval of property tax and special assessment abatements to allow for the County's completion of tax deed sales for 317 - 4th Avenue, SW in the amount of \$10,654.36 and for 13 - 9th Avenue, SE in the amount of \$31,320.12 of which the City's total share of the abatements would be \$28,565.73. Motion by Ronayne, second by Rux to approve of the property tax and special assessment abatements as requested. Roll call vote to approve, all present voting aye, motion carried.

REAPPOINTMENTS TO BOARD OF ETHICS

Motion by Rife, second by Remily to ratify the Mayor's reappointments of Scott Kuck and Cynthia Walsh to the Board of Ethics for 4-year terms beginning July 1, 2021 and expiring July 1, 2025. Voice vote to approve, all present voting aye, motion carried.

APPOINTMENT TO K.O. LEE ABERDEEN PUBLIC LIBRARY BOARD OF TRUSTEES

Motion by Ronayne, second by Rux to approve the appointment of Don Briscoe to the K.O. Lee Aberdeen Public Library Board of Trustees for a 3-year term effective July 1, 2021. Voice vote to approve, 7 voting aye, 1 voting nay (Remily), motion carried.

UPDATED COUNCIL GOALS AND PRIORITIES

City Manager Joe Gaa presented an update on Council goals and priorities to help guide planning efforts over the next few years and asked for approval of these goals and priorities. Gaa explained two categories: City Operational Goals and Priorities focusing on Water and Wastewater Improvements, Parks and Recreation Plans, Administrative Planning, and Infrastructure Projects and Community Enhancement Goals focusing on Business and Resident Recruitments. Motion by Ronayne, second by Reinbold to approve of the updated Council goals and priorities as presented. Voice vote to approve, all present voting aye, motion carried.

JOINT POWERS AGREEMENT WITH SD DEPT. OF PUBLIC SAFETY, OFFICE OF HOMELAND SECURITY

Fire Chief Joel Weig requested approval of a Joint Powers Agreement between the Aberdeen Fire/Rescue Department and the SD Department of Public Safety, Office of Homeland Security. Weig stated that the purpose of this agreement is for the State of SD and the Aberdeen Fire/Rescue Department to cooperate in establishing and maintaining technical response capabilities within the State of SD enabling all counties to receive emergency assistance of an on-site response team. Motion by Ronayne, second by Rux to approve and authorize the Mayor, Fire Chief, and Finance Officer to sign the Joint Powers Agreement with the SD Department of Public Safety, Office of Homeland Security. Roll call vote to approve, all present voting aye, motion carried.

REQUEST TO PURCHASE 2021-2022 FUELS

City Engineer Robin Bobzien requested to purchase 2021-2022 fuels off State Contracts from Harms Oil for the transport quantity and from Vollan Oil Co. for the tankwagon quantity. Motion by Rux, second by Johnson to approve the purchase of fuels off State Contracts as requested for the Public Works Department. Roll call vote to approve, all present voting aye, motion carried.

CHANGE ORDER/PAYMENT FOR WATER TREATMENT FACILITY SHEET PILE DAM REPAIRS

City Engineer Robin Bobzien requested approval of a change order, a decrease in contract amount of -\$560.00, and a payment request in the amount of \$20,000.00 to B & B Contracting, Inc. for work on the Water Treatment Facility Sheet Pile Dam Repairs on the Elm River. Motion by Johnson, second by Ronayne to approve of the change order in the amount of -\$560.00 and a payment in the amount of \$20,000.00 to B & B Contracting, Inc. for work on the project. Roll call vote to approve, all present voting aye, motion carried.

PAYMENT REQUESTS FOR AIRPORT IMPROVEMENT PROJECTS

City Manager Joe Gaa requested approval of the following payments for work on Airport Improvement Projects: Payment #19 – #3-46-0001-43-2021 Taxiway Geometry – Helms & Associates, in the amount of \$15,850.90; Payment #1 – AIP #3-46-0001-43-2021

Taxiway Geometry – Sharpe Enterprises, in the amount of \$140,761.80; Payment #7 – AIP #3-46-0001-43-2021 GA Apron Project – Helms & Associates, in the amount of \$883.01; Payment #30 – AIP #3-46-0001-40-2019 Airport Taxiway ‘C’ – Helms & Associates, in the amount of \$4,195.62. Motion by Remily, second by Johnson to approve and authorize the City Manager to sign the payment requests for work on the Airport Improvement Projects. Roll call vote to approve, all present voting aye, motion carried.

PROPOSAL FOR TEST ON AIRPORT TAXIWAY GEOMETRY PROJECT

City Manager Joe Gaa requested approval of a proposal from American Engineering Testing (AET) to conduct P401 (Plant Mix Bituminous Pavements) testing on the Taxiway Geometry Improvements Project at a cost of \$18,249.00. Motion by Reinbold, second by Lunzman to accept the proposal and authorize the City Manager to sign the proposal from American Engineering Testing to conduct a P401 testing on the Airport Taxiway Geometry Project. Roll call vote to approve, all present voting aye, motion carried.

REVIEW AND APPROVAL OF CLAIMS AND PAYROLL

Motion by Lunzman, second by Rife to approve payment of the bills listed for June 7, 2021 and payroll for the period from May 23, 2021 through June 5, 2021.

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 49,284.32; Stripe Inc. 500.00; Aberdeen Chamber of Commerce 40.00; Aberdeen Development Corp. 14,166.67; Praxair Distribution Inc. 272.54; Helms & Associates 21,469.53; MARCO Technologies LLC 1,070.74; RDO Equipment Co. 62.42; Linde Inc. 3,925.70; City Treasurer 7,464.00; NDSU Soil Testing Laboratory 30.00; Dahme Construction 3,267.83; Hawkins Inc. 1,420.00; Dakota Electronics 49.50; Dakota Pump & Control 1,805.69; SD Gov. Human Resource Assn. 25.00; Cole Papers Inc. 156.55; Jensen Rock & Sand Inc. 74,457.14; Auto Value Part Stores/Hedahls 740.75; Heiman Inc. 1,183.60; Rhomar Industries Inc. 793.42; House of Glass, Inc. 1,835.66; Nelson Sales & Service, LLC 28.34; NTOA 239.00; Ken’s Alignment Auto Service 168.54; Kesslers Inc. 104.32; Lawson Products Inc. 266.95; MAC’s Inc. 57.97; Michael Todd & Co. Inc. 3,537.95; Sanford Health Occupational Medicine Clinic 600.00; Witmer Public Safety Group 51.95; B & B Contracting 20,000.00; Farnams Genuine Parts 669.81; Dakota Supply Group 1,989.44; Midstates Group 2,819.07; Cross Country Freight Solutions, Inc. 101.22; Safety Service Inc. 89.99; Schwan Electric Inc. 72.75; SHARE Corp. 669.62; Crawford Trucks & Equipment 2,108.82; SD Dept. of Transportation 363.55; Town & Country Lumber Inc. 47.81; Wright & Sudlow 862.25; GALE/Cengage Learning 111.16; Gaylord Brothers Inc. 101.06; Fastenal Company 47.40; Banner Associates Inc. 11,626.23; Civil Air Patrol Magazine 145.00; Metering & Technology Solutions 3,444.63; Dependable Sanitation, Inc. 54.00; Dakota Ink & Toner 89.98; IACP 875.00; Dash Medical Gloves Inc. 3,614.40; M & T Fire & Safety Inc. 690.57; Cartney Bearing Co. 454.07; Energy Laboratories Inc. 48.00; SD Dept. Health Lab

564.00; Titan Access Acct/Productivity Plus Acct 1,556.72; Hub City Radio 400.00; Automationdirect.com Inc. 1,113.50; Pierson Ford-Lincoln-Mercury 20.68; SD Electrical Commission 115.00; Traffic Control Corp. 1,200.00; UNIVAR Solutions USA Inc. 5,796.68; Mariah Mougey 450.38; Jarman's Water System 382.50; AFFINIS 6,485.70; McMaster-Carr Supply Co. 58.97; Midland Lease Division 250.91; Fire Safety First 1,652.46; Quill Corp. 58.64; Century Business Products 240.08; Joshua Ochsner 392.00; Menards 970.14; Aberdeen Community Concert 2,000.00; Overdrive Inc. 1,093.95; Allegiant Emergency Services, Inc. 348.32; Convention Visitors Bureau 24,233.44; Dakota Fluid Power Inc. 447.36; Borns Group 1,368.57; FP Mailing Solutions 135.00; OCLC, Inc. 955.25; AT & T Cell 4,713.46; Asphalt Zipper 1,365.78; Swede's Body Shop 433.00; David's Lawn & Snow 707.50; ATCO International 713.85; Matheson Tri-Gas Inc. 321.46; Boys & Girls Club of Aberdeen Area 100,000.00; Aberdeen Shuttle 99.00; Gardner Locksmith 96.43; SDN Communications 1,270.00; Emergency Technical Decon 1,024.54; POMP's Tire Service, Inc. 326.39; Mike Mielke 37.26; ARFF Specialists, LLC 4,950.00; L & T Lawn Care, LLC 75.00; Lamont Development II, LLC 18,495.50; Stu Campbell 121.28; Konica Minolta Premier Finance 126.85; Crouch Irrigation 193.50; Sharpe Enterprises, Inc. 140,761.80; Vessco Inc. 6,125.00; Hase Plumbing & Heating 1,440.01; Dave Schumaker 16,596.65; MVTL Laboratories Inc. 465.25; Ingram Library Services 2,969.75; Midwest Tape 221.83; ARAMARK 811.74; Brad Jung 134.00; Area IV Senior Nutrition 11,000.00; GRAINGER 247.08; Sanitation Products Inc. 221,779.82; Geffdog Designs 1,641.99; Jefferson Partners LP 451.85; Cooper Animal Clinic PC 84.50; Crescent Electric Supply 250.78; Country Concrete/Landscaping 2,051.75; J Gross Equipment 1,732.41; G & R Controls Inc. 877.69; Legacy Design Group, LLC 2,537.86; United Parcel Service 259.71; Jarrod Zaruba 94.00; MAC Tools/D & D Distributing LLC 50.00; Machining Services, Inc. 360.85; Office Depot 40.69; Haar Plumbing & Heating, Inc. 13,748.64; Atlas Carbon, LLC 20,803.20; Binder Lift LLC 35.00; AGTEGRA Cooperative 1,506.56; Cummins Sales & Service 2,253.46; Runnings Supply Inc. 1,078.02; Interstate Battery 69.90; MES Companies 3,224.00; HR Green, Inc. 14,251.68; Gary's Engine & Repair Inc. 136.27; Jim Von Tesmar 118.45.

Payroll for the period from May 23, 2021 through June 5, 2021 and city share of social security, old age & survivor's insurance, retirement, health and life insurance: EFTPS 157,566.71; SD Retirement 83,607.52; Governing Body 3,192.28; City Manager 7,832.80; City Attorney 6,985.39; Finance 15,218.66; HR 8,145.60, Building 1,797.78; Computer 5,042.11; Planning/Zoning 15,752.95; Engineering 15,424.91; Police 151,838.07, Jarrod Zaruba 27.80 hr; Fire 118,505.18; Housing/Building 6,886.55; Street 33,120.47; Traffic 6,750.50; Solid Waste 28,262.53, Truman Allam 16.00 hr; Transportation/Ride Line 17,275.18, Library 28,081.24, Christopher Hayden 9.45 hr, Kristen Ottenbacher 10.70 hr; Parks, Rec & Forestry 186,194.25, Sawyer Bahr 10.00 hr, Ashlyn Beyer 10.25 hr, Elias Biegler 10.00 hr, Andrew Bierman 10.25 hr, Jamison Bjur 10.00 hr, Stewart Bohle 105.00

day, Haven Brunes 11.75 hr, Daniel Carrico 11.00 hr, Nickolas Clemens 10.00 hr, Dylan Gabriel 10.75 hr, Isabell Gauer 10.25 hr, Presley Girdeen 10.00 hr, Clayton Grueneich 10.00 hr, Joshua Hadler 10.00 hr, Kylee Hoffmann 10.00 hr, Alexia Hoven 10.50 hr, Wesley Jones 10.75 hr, Sydney Kamin 10.00 hr, Nathan Kornmann 10.75 hr, Aaron Malsbury 12.00 hr, Jackson McCafferty 10.00 hr, Taryn Nieman 10.00 hr, Anissa Poor 12.00 hr, Roberta Rernleitner 11.50 hr, Hunter Ringgenberg 10.00 hr, Eian Risager 10.00 hr, John D Rohrbach 74.00 day, Grace Schwan 10.00 hr, Austin Sprinkel 10.25 hr, Karli Stubbe 18.73 hr, Mallory Tollefson 12.00 hr, Alice Vogel 10.00 hr, Madison Weig 10.00 hr, Lily Williams 10.00 hr, Airport 18,621.12; Pipe 32,804.55; Water Treatment 20,361.23; Meter 1,695.20; Water Reclamation 23,572.73; Pump 9,954.03. Roll call vote to approve, all present voting aye, with abstentions as follows: Rux abstaining on a payroll payment to Mitchell Rux and Mayor Schaunaman abstaining on the bill list, motion carried.

CITY MANAGER'S REPORT

City Manager Joe Gaa gave employee recognition to Jackie Whitlock and Doug Roethler for their 5-years of service working for the City of Aberdeen.

NO EXECUTIVE SESSION HELD

ADJOURNMENT

There being no further business, motion by Remily, second by Johnson to adjourn the meeting. Voice vote to adjourn, all present voting aye, motion carried. The meeting adjourned at 6:14 p.m.

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