

MINUTES**ABERDEEN CITY COUNCIL MEETING**

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, November 2, 2020 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, Justin Reinbold, Tiffany Langer, Clint Rux, and Mayor Travis Schaunaman. City Council Member Alan Johnson was absent.

City Staff present were Joe Gaa, Ron Wager, Robin Bobzien, Brett Bill, Jordan McQuillen, Jay Tobin, Tanner Jondahl, Tom Wanttie by teleconference, Rich Krokkel by teleconference, and Shirley Arment by teleconference.

PLEDGE OF ALLEGIANCE

Mayor Schaunaman led the Pledge of Allegiance.

Council Member Johnson joined the meeting by teleconference at 5:34 p.m.

MINUTES

Motion by Lunzman, second by Rux to approve the minutes of the October 26, 2020 City Council Meeting, as circulated. Upon roll call vote, all voting aye, motion carried.

OPEN FORUM

No one appeared in open forum to address the Council.

OLD BUSINESS**ORDINANCE NO. 20-10-03**

Motion by Ronayne, second by Rux to approve second reading and final adoption of Ordinance No. 20-10-03 authorizing the issuance and sale of bonds for Tax Increment Financing (TIF) District No. 32 with a maximum allowable issuance amount of \$4,333,678.00. Upon roll call vote, all voting aye, motion carried.

CONSENT CALENDAR

Motion by Reinbold, second by Ronayne to approve the following items on the consent calendar:

SET HEARING DATE – of November 16, 2020 at 5:30 p.m. for a new Retail On-Off Sale Malt Beverage & SD Farm Wine License for Hub City Axe Throwing LLC dba 3315 – 6th Avenue, SE, Suite #10

SET HEARING DATE – of November 23, 2020 at 5:30 p.m. for a petition to rezone property described as Lots 1 and 2, Block 16, Original Plat in the SW ¼ of Section 13, T123N, R64W of the 5th P.M., Aberdeen, Brown County, South Dakota (6 South First Street) from (I-2) Unrestricted Industrial District to (C-3) Central Business District/(R-4) Special Density Residential District.

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

NEW BUSINESS**RESOLUTION NO. 20-11-02R**

Discussion was held on Resolution No. 20-11-02R presented by City Manager Joe Gaa and City Attorney Ron Wager to address a public health crisis by implementing certain measures which have been deemed necessary to slow the community spread of the virus responsible for the COVID-19 disease. Motion by Ronayne, second by Langer to approve of Resolution No. 20-11-02R. Upon roll call vote, Rux, Langer, Lunzman, Ronayne, Remily voting aye, Reinbold, Johnson, Rife, and Mayor Schaunaman voting nay, motion carried.

RESOLUTION NO. 20-11-02R

**RESOLUTION OF THE ABERDEEN CITY COUNCIL
TO ADDRESS A PUBLIC HEALTH CRISIS BY
IMPLEMENTING CERTAIN MEASURES WHICH HAVE
BEEN DEEMED NECESSARY TO SLOW THE COMMUNITY SPREAD OF THE
VIRUS RESPONSIBLE FOR THE COVID-19 DISEASE**

WHEREAS, in December 2019, medical professionals detected a novel coronavirus, now designated as “SARS-CoV-2” which causes a severe respiratory disease known as “coronavirus disease 2019”, abbreviated and popularly known as “COVID-19”; and

WHEREAS, COVID-19 is caused by the person to person spread of the novel coronavirus through direct or close proximate contact and presents an imminent threat of widespread illness; and

WHEREAS, on March 11, 2020 the World Health Organization Director General characterized COVID-19 as a pandemic; and

WHEREAS, on March 13, 2020 the President of the United States declared the COVID-19 outbreak a national emergency; and

WHEREAS, Governor Noem on March 13, 2020 issued Executive Order 2020-04 declaring that a state of public health emergency exists within the State of South Dakota due to COVID-19, and that such emergency poses a danger to the public health and safety in all of South Dakota and impacts the daily lives of our citizens, health care systems, businesses, and the function of state and local governments; and

WHEREAS, Governor Noem on July 7, 2020, issued Executive Order 2020-30 declaring the continued state of the public health emergency in the State of South Dakota, which Order shall remain in effect until expiration on December 30, 2020, unless sooner terminated or extended; and

WHEREAS, since the Governor’s original declaration of the public health emergency on March 13, 2020, Brown County has reported consistently increasing numbers of positive COVID-19 tests and hospitalized persons; and

WHEREAS, on October 16, 2020, Mayor Travis Schaunaman joined 15 other mayors from the state’s most populous cities in a letter encouraging all citizens to do their

part in preventing the virus by: wearing a mask when physical distancing cannot be maintained, keeping social interactions to small groups, washing hands frequently, cleaning frequently touched surfaces, and staying home when feeling sick as recommended by the CDC and the SD Department of Health; and

WHEREAS, on October 27, 2020, representatives from the state's largest medical providers, including Avera and Sanford, launched the "Mask Up South Dakota" campaign encouraging residents to practice good hygiene, social distancing and wearing a mask; and

WHEREAS, while mask use may protect the wearer from some airborne corona virus, the more significant protection is that mask wearing reduces the transmission of the disease from the wearer to healthy bystanders; and

WHEREAS, the recently released study by Vanderbilt University Medical Center and Vanderbilt School of Medicine determined that areas in which masking requirements have remained in place have seen much lower growth in COVID-19 hospitalizations than those areas with no masking requirements; and

WHEREAS, the City Council finds, due to a high rate of growth of COVID-19 cases in South Dakota and the north-central South Dakota region, the present public health emergency requires a response by the City to protect human life; and

WHEREAS, the City Council desires to create a strong community response that could slow the rate of COVID-19 and protect public health and safety; and

WHEREAS, the City Council, in partnership with Brown County Emergency Management and local media outlets, plan to continue to communicate to the community the importance of "doing your part" to prevent COVID-19; and

WHEREAS, the City Council will continue to work with local businesses to ensure continued operation by keeping employees and customers healthy and safe; and

WHEREAS, it is the judgment of the City Council that a continued strong community response could slow the rate of spread of COVID-19 in the City and would protect public health and safety and that the community cannot afford to throttle back its efforts to slow the spread of COVID-19; and

WHEREAS, the use of face coverings, while not the only solution, is a non-intrusive way to reduce the spread of COVID-19. Masking, combined with physical distancing, limits on the number of persons engaging in certain enhanced risk activities together or gathered in higher risk locations, and frequent hand washing, is crucial to reducing illnesses, hospitalization, and deaths associated with the coronavirus pandemic.

NOW, THEREFORE, BE IT HEREBY RESOLVED THAT THE CITY OF ABERDEEN SETS FORTH THE FOLLOWING MEASURES FOR WEARING OF MASKS WITHIN THE CITY LIMITS:

1. Definitions. For purposes of this resolution, the following definitions shall apply:

“*Face covering*” means a paper or two-layered cloth face mask that covers the nose and mouth completely, and includes a paper or disposable face mask or a religious face covering.

“*Business*” and “*businesses*” are broadly defined to include entities that employ or engage workers, including private-sector entities, public-sector entities, non-profit entities, and state, county, and local governments.

“*Social distancing*” means individuals keeping at least six feet (6') of distance from other individuals who are not members of their household.

“*Household*” means a group of individuals who share the same living unit.

2. Face Coverings to be worn in the City.

(a) Every person within the city of Aberdeen should wear a face covering over the mouth and nose:

- (1) In all *indoor* environments where they are exposed to non-household members and where social distancing of six feet (6') or more cannot be assured; and
- (2) In all *outdoor* settings where there is exposure to non-household members, unless ample space of six feet (6') or more exists to permit social distancing.

(b) *Exemptions.* The following are exempt from wearing a face covering:

- (1) Persons younger than school age, although parents and guardians are encouraged to have such younger children wear face coverings when and where appropriate;
- (2) Persons with a medical condition or disability that prevents wearing a face covering;
- (3) Persons performing job duties where a six feet (6') distance is not achievable, but a mask is inhibitory to the ability to safely and effectively perform the job duty;
- (4) Persons participating in athletic activities where a six feet (6') distance is not achievable, but a mask is inhibitory to the activity;
- (5) Persons actively consuming food or drink;
- (6) Persons driving a motor vehicle alone or with passengers from the driver’s household;
- (7) Persons receiving services that require access to the face for security, surveillance, or other purposes may temporarily remove a face covering while receiving those services.
- (8) Persons engaged in religious worship activities; however, face coverings are strongly encouraged;
- (9) Persons giving a speech or performance for broadcast or to an

audience; however, those persons should safely distance from nearby individuals.

3. Assistance to businesses. Law enforcement officers or local officials are directed to assist businesses and property managers and owners in enforcing trespassing laws or other applicable laws in removing persons who refuse to wear a face covering when requested to do so by the business or property manager or owner.

4. No penalty. Although these measures are set forth with the strongest possible recommendation, there is no penalty imposed by the City for non-compliance with these measures.

5. Immediate effect. This resolution shall take effect immediately and it shall remain in effect until the underlying South Dakota public health emergency has ended unless it is sooner modified or terminated by the City Council.

The foregoing Resolution No. 20-11-02R was adopted at a regular meeting of the Aberdeen City Council on the 2nd day of November, 2020. Number of AYES: 5; Number of NAYS: 4; Members abstaining: None.

HEARING ON TRANSFER OF LIQUOR LICENSE

A hearing was held on a transfer of Retail On-Sale Liquor License from RONCO Foods Inc. dba Jersey's Sports Bar and Grill, 2020 – 8th Avenue, NE, Suites #1-4 to DOM, Inc. dba Moccasin Creek Casino, 1711 – 4th Avenue, SE. No one was in opposition to the transfer of the liquor license so Mayor Schaunaman closed the hearing. Motion by Ronayne, second by Rux to approve the transfer of the Retail On-Sale Liquor License from RONCO Foods, Inc. at 2020 – 8th Avenue, NE, Suites #1-4 to DOM, Inc. at 1711 – 4th Avenue, SE. Upon roll call vote, all voting aye, motion carried.

DECLARE THREE RIDE LINE VEHICLES SURPLUS PROPERTY

Aberdeen Ride Line Manager Tom Wanttie requested declaring a 2007 Dodge Sprinter, a 2001 Chevy E3500 Cutaway Bus, and a 2005 Dodge Caravan surplus property and to allow the disposal of the vehicles. Motion by Rux, second by Reinbold to approval declaring the three vehicles surplus property and allow the disposal of the vehicles as requested. Upon roll call vote, all voting aye, motion carried.

AIRPORT FAA GRANT APPLICATION FOR SNOW REMOVAL EQUIPMENT

Transportation Director Rich Krokkel requested approval and authorization for the City Manager to sign a FAA grant application to acquire a snow blower and deicing truck for the Airport. Motion by Johnson, second by Remily to approve and authorize the City Manager to sign the application for the FY2021 FAA grant for the Airport snow removal equipment purchase. Upon roll call vote, all voting aye, motion carried.

PAYMENT FOR WATER RECLAMATION EQUALIZATION BASIN ASPHALT LINER REPAIR PROJECT

City Engineer Robin Bobzien requested approval for a payment in the amount of

\$87,549.00 to Lien Transportation for work on the Water Reclamation Equalization Basin Asphalt Liner Repair Project. Motion by Rux, second by Remily to approve Payment #1 in the amount of \$87,549.00 to Lien Transportation for work on the project. Upon roll call vote, all voting aye, motion carried.

PAID ADMINISTRATIVE HOLIDAY FOR NON-UNION PERSONNEL

City Manager Joe Gaa requested approval of a paid administrative holiday for non-union personnel on Friday, November 27, 2020. Motion by Ronayne, second by Rux to approve of the administrative holiday request. Upon roll call vote, all voting aye, motion carried.

BILLS

Motion by Reinbold, second by Rux to approve payment of the bills listed for November 2, 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: Municipal Code Corp. 1,066.90; SD Water & Wastewater 30.00; Skyview Construction Co. LLC 130.56; Harms Oil Company 15,951.14; Tom Wanttie 376.48; Dependable Sanitation, Inc. 54.00; Superior Printing, Inc. 93.45; Cornerstones Career Learning 2,750.00; NVC 59.98; Lien Transportation 87,549.00; Quill Co. 205.92; Convention Visitors Bureau 29,025.64; AT & T 2,406.28; Double D Body Shop 342.00; Business Improvement District 50.00; Jefferson Partners LP 126.25; AGTEGRA Coop 4,174.68; Dietzel Enterprises 41.28; US Bank Corp Trust 1,794,298.75; SD Dept. of Revenue 30,000.00; Northwestern Energy 150,000.00; Wellmark Blue Cross/Blue Shield 164,000.00; Dougherty & Company 40,625.00. Upon roll call vote, all voting aye, motion carried.

CITY MANAGER'S REPORT

City Manager Joe Gaa mentioned the General Election on November 3rd and a Special City Council meeting scheduled for November 6th at 2:00 p.m., Brown County Courthouse Community Room, to canvas the election results for the City's Home Rule Charter amendment that was on the ballot.

ADJOURN

There being no further business, motion by Ronayne, second by Lunzman to adjourn the meeting. Upon roll call vote, all voting aye, motion carried. Meeting adjourned at 6:27 p.m.

Prepared by Mary Campton for the Finance Office.



 Deputy Finance Officer