

**MINUTES**

**ABERDEEN CITY COUNCIL MEETING**

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, March 28, 2022 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 by teleconference, Mark Remily, Dave Lunzman, Alan Johnson, Justin Reinbold, Tiffany Langer, Clint Rux, and Mayor Travis Schaunaman. City Council Member Josh Rife was absent.

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

**PLEDGE OF ALLEGIANCE**

Mayor Schaunaman led the Pledge of Allegiance.

**APPROVAL OF AGENDA**

Mayor Schaunaman made a request to remove Item 6A, an ordinance regarding nuisances, from the agenda to allow a discussion of this item for a work session at a later date. Motion by Johnson, second by Reinbold to approve the agenda as amended. Voice vote to approve, all present voting aye, motion carried.

**MINUTES**

Motion by Lunzman, second by Rux to approve the minutes of the March 21, 2022 City Council Meeting, as circulated. Voice 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 Reinbold, second by Rux to approve the following items on the consent calendar:

NOMINATING PETITION – Mark Remily for City Council Member – NE District, a five-year term – receive and place on file

LICENSE – Residential Building Contractor – James Torbert dba MJ Salem Corporation

REQUEST TO SERVE AND PERMIT – the consumption of alcoholic beverages at the Wylie Park Pavilion on June 18, 2022 for a Thurston/Hepper Wedding

LOTTERY NOTICE – Presentation College – receive and place on file

REPORTS AND MINUTES FROM CITY BOARDS – Aberdeen City Planning Commission Meeting Minutes; Board of Zoning Adjustment Meeting Minutes; K.O. Lee Public Library Board of Trustees Meeting Minutes – receive and place on file

PROCLAMATION – “Exchange Club of Aberdeen Day” – March 29, 2022

Roll call vote to approve, Ronayne, Lunzman, Johnson, Reinbold, Langer, Rux, and

Mayor Schaunaman voting aye, Remily abstaining, motion carried.

Mayor Schaunaman read and proclaimed March 29, 2022 as “Exchange Club of Aberdeen Day”.

**NEW BUSINESS**

HEARING ON PETITION TO REZONE PROPERTY AND FIRST READING OF ORDINANCE NO. 22-03-03

Mayor Schaunaman opened a hearing on a petition from Joshua Meyer to rezone property described as Lots 5 – 6, Block 41, Thomas Addition to Aberdeen in the NW ¼ of Sec. 24, T123N, R64W of the 5<sup>th</sup> P.M., Brown County, South Dakota (920 South Main Street) from (C-3) Central Business District to (R-3) High Density Residential District. City Planning/Zoning Director Brett Bill explained that the petitioner is requesting to rezone the property to bring it into a district that is consistent with its multi-family residential use. No public comments were received so Mayor Schaunaman closed the hearing. Motion by Rux, second by Johnson to approve first reading of Ordinance No. 22-03-03 to rezone the property as requested. Roll call vote to approve, all present voting aye, motion carried.

HEARING ON PETITION TO REZONE PROPERTY AND FIRST READING OF ORDINANCE NO. 22-03-04

Mayor Schaunaman opened a hearing on a petition from Corey Sauerwein of BSW, LLC to rezone property described as Lot 1, Cambridge Addition to the City of Aberdeen in the SW ¼ of Sec. 7, T123N, R63W of the 5<sup>th</sup> P.M., Brown County, South Dakota (1501 – 8<sup>th</sup> Avenue, NE) from (C-2) Highway Commercial District to (R-3) High Density Residential District. City Planning/Zoning Director Brett Bill explained that the petitioner is requesting to rezone the property to bring it into a district that will allow for future residential development. No public comments were received so Mayor Schaunaman closed the hearing. Motion by Johnson, second by Reinbold to approve first reading of Ordinance No. 22-03-04 to rezone the property as requested. Roll call vote to approve, all present voting aye, motion carried.

PERMIT FOR CANNABIS DISPENSARY AT 428 NORTH HIGHWAY 281, SUITE #1

City Manager Joe Gaa presented an application for a permit for a cannabis dispensary at 428 North Highway 281, Suite #1 for Genesis Farms, LLC. Motion by Langer, second by Rux to approve, pursuant to Sec. 60-360 of the Aberdeen City Code, issuance of a permit to Genesis Farms, LLC, to operate a cannabis dispensary at 428 North Highway 281, Suite #1 in compliance with applicable state and local laws and regulation. Roll call vote to approve, all present voting aye, motion carried.

PERMIT FOR CANNABIS DISPENSARY AT 1812 – 6<sup>TH</sup> AVENUE, SE

City Manager Joe Gaa presented an application for a permit for a cannabis dispensary at 1812 – 6<sup>th</sup> Avenue, SE for Genesis Farms, LLC. Motion by Remily, second by Rux to approve, pursuant to Sec. 60-360 of the Aberdeen City Code, issuance of a permit to Genesis

Farms, LLC, to operate a cannabis dispensary at 1812 – 6<sup>th</sup> Avenue, SE in compliance with applicable state and local laws and regulations. Roll call vote to approve, all present voting aye, motion carried.

**PERMIT FOR CANNABIS DISPENSARY AT 10 RAILROAD AVENUE, SW**

City Manager Joe Gaa presented an application for a permit for a cannabis dispensary at 10 Railroad Avenue, SW for Genesis Farms, LLC. Motion by Remily, second by Ronayne to approve, pursuant to Sec. 60-360 of the Aberdeen City Code, issuance of a permit to Genesis Farms, LLC, to operate a cannabis dispensary at 10 Railroad Avenue, SW in compliance with applicable state and local laws and regulations. Roll call vote to approve, all present voting aye, motion carried.

**PERMIT FOR CANNABIS DISPENSARY AT 3307 – 7<sup>TH</sup> AVENUE, SE, SUITE #110**

City Manager Joe Gaa presented an application for a permit for a cannabis dispensary at 3307 – 7<sup>th</sup> Avenue, SE, Suite #110 for Dakota Herb, LLC. Motion by Rux, second by Langer to approve, pursuant to Sec. 60-360 of the Aberdeen City Code, issuance of a permit to Dakota Herb, LLC to operate a cannabis dispensary at 3307 – 7<sup>th</sup> Avenue, SE, Suite #110 in compliance with applicable state and local laws and regulations. Roll call vote to approve, all present voting aye, motion carried.

**BID FOR NORTH DAKOTA STREET ROADWAY IMPROVEMENTS**

City Engineer Robin Bobzien requested approval to award the bid for the North Dakota Street Roadway Improvements to Reede Construction Inc. in the amount of \$2,629,565.40. Motion by Johnson, second by Rux to award the bid to Reede Construction Inc. in the amount of \$2,629,565.40 for the North Dakota Street Roadway Improvements Project. Roll call vote to approve, all present voting aye, motion carried.

**BID FOR KLINE STREET RECONSTRUCTION PROJECT**

City Engineer Robin Bobzien explained the bids received for the Kline Street Reconstruction Project which included sections of work on South Dakota Street and the other on North Kline Street. Bobzien recommended awarding the Bid – Alternate “B” – South Dakota Street to B & B Contracting, Inc. in the amount of \$1,808,680.18 and rejecting the Bid – Alternate “A” – North Kline Street in the amount of \$2,667,831.99 also submitted by B & B Contracting, Inc. Motion by Rux, second by Johnson to award the Bid – Alternate “B” for the Kline Street Reconstruction Project to B & B Contracting, Inc. in the amount of \$1,808,680.18 and reject the Bid – Alternate “A” submitted by B & B Contracting, Inc. Roll call vote to approve, all present voting aye, motion carried.

**PRESENTATION OF ACTIVITIES REPORT FOR ABERDEEN AREA CONVENTION & VISITORS BUREAU**

Casey Weismantel, Executive Director of the Aberdeen Area Convention & Visitors Bureau, presented the CVB’s quarterly activities report.

**REVIEW AND APPROVAL OF CLAIMS AND PAYROLL**

Motion by Lunzman, second by Remily to approve payment of the bills listed for March 28, 2022 and payroll for the period from March 13, 2022 through March 26, 2022.

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: Aberdeen Chamber of Commerce 66.00; Salvation Army 19.00; Rhodes Anderson Agency 10,865.00; MARCO Technologies LLC 71.20; RBL Designs 2,475.00; RDO Equipment Co. 95.84; Aberdeen News 1,102.80; Dakota Doors Inc. 289.77; Don's Builders Hardware 338.00; Cole Papers Inc. 890.25; Auto Value Parts/Hedahls 50.00; Dakota Supply Group 256.96; Midstates Group 137.00; Mark Miller 186.00; Safety Service Inc. 612.00; Lynn Peavey Company 137.58; Schwan Welding & Boiler 612.00; SHARE Corp. 2,828.44; Sherwin-Williams Co. 14.94; SD Municipal League 24.00; Dependable Sanitation 54.00; Tanner Jondahl 186.00; SD Dept. Health Lab 352.00; Climate Control 2,181.08; Jarman's Water Systems 120.00; NVC 79.88; SD One Call 31.36; Century Business Products 70.00; Brick Markers USA 976.79; Menards Inc. 714.25; Aqua Pure Inc. 650.00; CVB 18,484.76; Commtech Inc. 6,189.81; POMP's Tire Service 26.50; Business Improvement Dist. 3,990.80; ARAMARK Uniform Service 36.46; Brad Jung 186.00; LexisNexis Risk Solutions 150.00; Harlow's Bus Sales Inc. 93.51; Aberdeen Area Humane Society 5,400.00; G & R Controls Inc. 656.16; Legacy Design Group LLC 212.50; United Parcel Service 36.00; Duven Polygraph Services 325.00; Jeremiah Maxfield 104.00; James Valley Coop 32.05; Office Depot 87.46; AGTEGRA Cooperative 125.95; Cummin Inc. 2,038.74; Interstate Battery 326.90; Dacotah Paper Co. 404.70; Kenneth Ham 60.00. Blue Cross/Blue Shield 215,000.00.

Payroll for the period from March 13, 2022 through March 26, 2022 and city share of social security, old age & survivor's insurance, retirement, health and life insurance: EFTPS 143,585.84; SD Retirement 84,210.37; Governing Body 3,351.93; City Manager 8,364.06; City Attorney 7,105.86; Finance 31,461.18, Jordan McQuillen 40.64 hr; HR 8,005.61, Building 1,887.36; Computer 5,096.93; Planning/Zoning 16,499.36; Engineering 14,526.20; Police 146,061.38; Fire 118,273.32, Housing/Building 7,233.75; Street 32,955.30, Traffic 6,774.23; Solid Waste 20,369.32; Transportation/Ride Line 20,098.25; Library 30,197.12; Parks, Rec & Forestry 95,951.74, Gerald Bitz 12.75 hr, Donald Craft 13.75 hr, Rodney Eisenbeisz 13.25 hr, David Gackle 13.25 hr, Carter Hogg 12.25 hr, Lucus Howard 13.25 hr, Keith Johnson 14.25 hr, Nathaniel Johnson 11.00 hr, Stanis Malsom 14.25 hr, Michael Opp 13.00 hr, David Rice 12.00 hr, Scott Sueltz 14.00 hr; Airport 19,488.61; Pipe 27,191.14; Water Treatment 22,031.97; Meter 1,786.37; Water Reclamation 21,683.52; Pump 8,207.63. Roll call vote to approve, all present voting aye, motion carried.

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

City Manager Joe Gaa gave a traffic study update.

### **ADJOURNMENT**

18118

There being no further business, motion by Rux, second by Lunzman to adjourn the meeting. Voice vote to adjourn, all present voting aye, motion carried. The meeting adjourned at 6:06 p.m.

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