

## **WORK SESSIONS**

City Council Members met for closed work sessions in City Hall, 123 South Lincoln Street, and at the Public Safety Building, 114 Second Avenue, SE, at 2:30 p.m. on May 1, 2020 and in City Hall, 123 South Lincoln Street, at 8:00 a.m. on May 2, 2020 to interview City Manager Finalists pursuant to SDCL §1-25-2(1). Present were City Council Members Mark Remily, Rob Ronayne, Dave Lunzman, Josh Rife, Alan Johnson, David Bunsness, Dennis "Mike" Olson, Clint Rux, and Mayor Travis Schaunaman. No action was taken.

## **MINUTES**

### **SPECIAL ABERDEEN CITY COUNCIL MEETING**

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, May 2, 2020, at 2:30 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, Rob Ronayne, Dave Lunzman, Josh Rife, Alan Johnson, David Bunsness, Dennis "Mike" Olson, Clint Rux, and Mayor Travis Schaunaman. City Staff present were Ron Wager and Jill Mohr.

Mayor Schaunaman led the Pledge of Allegiance.

### **NEW BUSINESS**

#### **EXECUTIVE SESSION**

Motion by Ronayne, second by Rux to move into executive session to discuss the qualifications, competence, performance, character or fitness of a prospective public officer or employee, consult with legal counsel to discuss contractual matters, and prepare for contract negotiations with prospective employee. (SDCL § 1-25-2(1), (3), and (4)). All present voting aye, motion carried. Motion by Bunsness, second by Rife to move out of executive session. All present voting aye, motion carried.

#### **SELECTION OF NEW CITY MANAGER**

Motion by Bunsness, second by Rux to offer Joseph A. Gaa, of Dickinson, North Dakota, the position of City Manager in coordination with the retirement of Lynn Lander, current City Manager, and instructing Dr. Richard Fursman to negotiate the contract terms with Mr. Gaa. All present voting aye, motion carried. Upon agreement of contract terms fixing his compensation and starting date, the Council, pursuant to Aberdeen City Charter, Sec. 3.01, shall formally appoint Mr. Gaa as the new City Manager.

#### **DISCUSSION AND PASSAGE OF RESOLUTION NO. 20-05-01R**

Motion by Bunsness, second by Ronayne to approve first reading and passage of Resolution No. 20-05-01R extending Emergency Ordinance No. 3 regarding the novel coronavirus COVID-19 Public Health Crisis. Upon roll call vote, all voting aye, motion carried.

**RESOLUTION NO. 20-05-01R**  
**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 2<sup>nd</sup> day of May, 2020. Number of AYES: 9; Number of NAYS: 0.

**ADJOURN**

There being no further business, motion by Bunsness, second by Johnson to adjourn the meeting. All voting aye, motion carried. Meeting adjourned at 3:55 p.m.

Prepared by Ronald Wager, as designee for the Finance Officer.



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City Attorney, as designee for Finance Officer

**MINUTES**

**ABERDEEN CITY COUNCIL MEETING**

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, May 4, 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 by teleconference, Josh Rife, 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, Tom Wanttie by teleconference, and Peggi Badten by teleconference.

Mayor Schaunaman led the Pledge of Allegiance.

**MINUTES**

Motion by Ronayne, second by Rife to approve the minutes of the City Council Meetings of April 27 and 29, 2020, as circulated. Upon roll call vote, all voting aye, motion carried.

**PROCLAMATION**

Mayor Schaunaman read and proclaimed May 3 – 9, 2020 as “Drinking Water Week”.

**OPEN FORUM** – No one was present.

**OLD BUSINESS****ORDINANCE NO. 20-04-03**

Motion by Johnson, second by Rux to approve second reading and final adoption of 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 5<sup>th</sup> P.M., Brown County, South Dakota (926 South Lincoln Street) from (C-3) Central Business District to (R-3) High Density Residential District. Upon roll call vote, all voting aye, motion carried.

**ORDINANCE NO. 20-04-04**

Motion by Ronayne, second by Rife to approve second reading and final adoption of Ordinance No. 20-04-04 to rezone the property described as Lot 1, NSU Athletic Field Addition in the SE ¼ of Section 24, T123N, R64W of the 5<sup>th</sup> 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. Upon roll call vote, all voting aye, motion carried.

**CONSENT CALENDAR**

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

2019 Unaudited Financial Report – for the City of Aberdeen, South Dakota – receive and place on file

REQUEST FOR STREET USE – City parking lot entrances to Lincoln Street and 5<sup>th</sup> Avenue for the First United Methodist Church’s Worship Service on May 10, 2020

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

**NEW BUSINESS****DISCUSSION AND PASSAGE OF RESOLUTION NO. 20-05-02R**

Motion by Rux, second by Johnson to approve first reading and passage of Resolution No. 20-05-02R extending Emergency Ordinance No. 3 regarding the novel coronavirus COVID-19 Public Health Crisis. Upon roll call vote, Remily, Ronayne, Lunzman, Rife, Johnson, Bunsness, Rux, and Mayor Schaunaman voting aye, Olson voting nay, motion carried.

RESOLUTION NO. 20-05-02R

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 regular meeting of the Aberdeen City Council on the 4<sup>th</sup> day of May, 2020. Number of AYES: 8; Number of NAYS: 1.

#### **SURPLUS DEFIBRILLATORS**

Police Chief Dave McNeil requested permission to surplus two automated external defibrillators (AEDS) for donation to the Zion Reform Church in Amherst, South Dakota and the Aberdeen Alliance Church. Motion by Bunsness, second by Rife to approve the request to surplus the two automated external defibrillators (AEDS) for donation to the churches. Upon roll call vote, all voting aye, motion carried.

#### **BID ON WATER RECLAMATION UTILITY WORK MACHINE**

Water Reclamation Superintendent Peggi Badten recommended awarding the bid for a 4 x 4 Bobcat utility work machine for the Water Reclamation Plant to Titan Machinery in the amount of \$49,578 less trade-in allowance of \$18,970, on a 2010 ToolCat 5600 machine, for a net bid of \$30,608. Motion by Rife, second by Ronayne to award the 4 x 4 utility work machine bid to Titan Machinery as recommended and authorize the City Manager and Finance Officer to sign all necessary documents after approval by the City Attorney. Upon roll call vote, all voting aye, motion carried.

#### **BID ON 2020 RODENT CONTROL SERVICES**

City Engineer Robin Bobzien recommended awarding the bid for Rodent Control Services, in the city areas of the levee, parks, vacant lots, and holding ponds, to Tim Reed of Bath, South Dakota at unit prices of \$25.00 for 50 striped gophers and \$50.00 for 100 pocket

gophers. Motion by Johnson, second by Rux to award the bid for Rodent Control Services to Tim Reed of Bath, South Dakota in the amount of \$6,250. Upon roll call vote, all voting aye, motion carried.

### **CHANGE ORDER/PAYMENT FOR ACCESSIBLE QUADRANT PROJECT**

City Engineer Robin Bobzien asked for approval of a Change Order in the amount of \$25,945.83 and Payment Request in the amount of \$54,502.64 to CWF Masonry & Construction for work on the Accessible Quadrant Project. Motion by Bunsness, second by Rux to approve Change Order #1 in the amount of \$25,945.83 and Payment #1 in the amount of \$54,502.64 to CWF Masonry & Construction for work on the project. Upon roll call vote, all voting aye, motion carried.

### **BILLS**

Motion by Rux, second by Rife to approve payment of the bills listed for May 4, 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: Great Western Bank 84,856.88; Homes Are Possible Inc. 94,809.27; Prairie Home Inspector 4,792.00; Brown County Treasurer 21.20; UPS 459.17; AT & T 2,811.06; US Bank 29,853.99; CWF Masonry & Construction 71,297.18; MIDCO Driving & Marine Services, Inc. 7,507.50; Clark Engineering Corp. 9,617.47; MARCO Technologies 58.66. Upon roll call vote, Remily, Lunzman, Rife, Johnson, Olson, and Rux, voting aye, Ronayne, Bunsness, and Mayor Schaunaman abstaining, motion carried.

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

Lynn Lander gave the City Manager's Report including information from Rich Krokkel on Essential Air Service (EAS) and the reduction to one flight per day. Lander also provided information on possible Aquatics Center opening.

### **OTHER**

Council Member Ronayne discussed possible changes to the City Charter amendments.

Council Member Remily thanked Jill Mohr, HR Director, for her work this past week regarding the selection of the new City Manager.

### **ADJOURN**

There being no further business, motion by Bunsness, second by Rux to adjourn the meeting. Upon roll call, all voting aye, motion carried. Meeting adjourned at 5:58 p.m.

Prepared by Mary Campton for the Finance Office.



Finance Officer