

MINUTES

ABERDEEN CITY COUNCIL MEETING

City Council Chambers, 123 South Lincoln Street, Municipal Building, Aberdeen, South Dakota, November 6, 2023 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, Erin Fouberg, Charlotte Liebelt, Josh Rife, Alan Johnson, Justin Reinbold, David Novstrup, and Mayor Travis Schaunaman. City Council Member Tiffany Langer was absent.

City Staff present were Robin Bobzien, Ron Wager, Stuart Nelson, Ken Hubbart, Joel Weig, Dave McNeil, Steven Thithavong and Jordan McQuillen.

PLEDGE OF ALLEGIANCE

Mayor Schaunaman led the Pledge of Allegiance.

APPROVAL OF AGENDA

Motion by Reinbold, second by Johnson to approve the agenda. Voice vote to approve, all present voting aye, motion carried.

MINUTES

Motion by Ronayne, second by Liebelt to approve the minutes of the October 23, 2023 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 Rife, second by Reinbold to approve the following items on the consent calendar:

SET HEARING DATE – of November 20, 2023 at 5:30 P.M. – (1) Transfer of Retail On-Sale Liquor License from Steven Lust, 1514 Sixth Avenue SW to Legend's Aberdeen LLC dba Legend's Casino, 1812 Sixth Avenue SE, Ste 1; (2) Transfer of Retail On-Off Sale Malt Beverage and SD Farm Wine License from Lafayette Casino Corporation dba Lafayette Casino #23, 3015 Sixth Avenue SE #2 to Mark Johnson dba Lafayette Casino, 1923 Sixth Avenue SE

2024 LICENSE RENEWALS FOR RETAIL LIQUOR, PACKAGE LIQUOR, AND RETAIL WINE – Retail On-Sale Liquor (RL): BPO Elks Lodge No. 1046 dba BPO Elks Lodge, 705 Circle Drive; W&P of Aberdeen, LLC dba Buffalo Wild Wings, 3401 6th Avenue, SE; Ocho, Inc dba Casino Korner 2, 707 N 2nd St Suite B; The Circus, LLC dba Circus Suite B, 14 3rd Avenue, SE Ste B; The Circus, LLC dba Circus Sports Bar & Grill, 14 3rd Avenue, SE; Aberdeen Catering Company, LLC dba Engels Event Company, 209 S Main St; Loyal Order of Moose #590 dba Loyal Order of Moose #590, 410 9th Avenue,

SW; Aberdeen Mavericks, LLC dba Maverick's, 720 Lamont St; Huasteca, LLC dba Mazatlan Mexican Restaurant, 1 S First St; D.O.M., Inc dba Moccasin Creek Casino, 1711 4th Avenue, SE; P & M Enterprises Inc dba R & A Bar, 5 S Main St; Regency Midwest Ventures, LP dba Ramkota Inn, 1400 8th Avenue, NW; Rolling Hills Golf Club, LLC dba Rolling Hills Golf Club, 546 Palmer Circle; Refik R. Ismaili dba Roma Ristorante Italiano, 104 S Main St; Two Cs, Inc dba Schwan's Recreation, 714 1st Avenue, NE; 5-Star Management, LLC dba Silver Dollar Bar, 119 S Main St; Veterans of Foreign Wars dba VFW Clubroom, 802 S Main St; Skyline Recreation, Inc dba Village Bowl, 1314 8th Avenue, NW; Package Off-Sale Liquor (PL): 6th Avenue Pit Stop, Inc. dba 6th Avenue Pit Stop, 802 6th Avenue SW; Aberdeen Pit Stop Inc. dba Aberdeen Pit Stop, 2323 8th Avenue, NE; Airport Fuel, L LC dba Airport Fuel-Holiday, 4707 E Hwy #12; Nueve, Inc dba C-Express 8th Ave, 1202 8th Avenue, NE; Ocho, Inc dba C-Express North Second, 711 N 2nd St; Ochenta, Inc dba C-Express State, 524 6th Avenue, SE; Treinta, Inc dba C-Express Suite #1, 2303 6th Avenue, SE; Eddie's Northside Sinclair, LLC dba Eddie's Northside Sinclair, 208 N 2nd St; EZ Stop, LLC dba E-Z Stop Food Marts, 421 S Roosevelt St; Kessler Fuel, Inc. dba Kessler's Holiday, 702 6th Avenue, SE; Kesslers, Inc dba Kessler's Liquor, 621 6th Avenue, SE; Aberdeen Mavericks, LLC dba Maverick's, 720 Lamont St; Two Cs, Inc dba Schwan's Recreation, 714 1st Avenue, NE; Eagle River, LLC dba Mulligan's/Street Corner Urban Market, 715 N 10th St; South C Store, Inc dba South C Store, 1020 S Main St; The 322, LLC dba Three 22 Kitchen/Cocktails, 322 S Main St; Wal-Mart, Inc dba Wal-Mart Supercenter, 3820 7th Avenue, SE; Retail On-Off Sale Wine and Cider (RW): Act 2, Inc. dba Aberdeen Community Theatre, 417 S Main St; Ocho, Inc dba Casino Korner, 707 N 2nd St; Treinta, Inc. dba C-Express Suite #2, 2303 6th Avenue, SE; The Crown, LLC dba Danger Van Dempsey's Pizza, 1023 S Main St; Aberdeen Catering Company, LLC dba Engels Event Company, 209 S Main St; Family Dollar Stores of SD, LLC dba Family Dollar, 412 6th Avenue, SE; Heartland Casino, LLC dba Heartland Players Club, 1923 6th Avenue, SE #102; Kesslers, Inc dba Kessler's Liquor, 621 6th Avenue, SE; Regency Midwest Ventures, LP dba Ramkota Inn, 1400 8th Avenue, NW; Profiling Beauty, LLC dba Profiling Beauty, 224 First Avenue, SE; Wal-Mart, Inc dba Wal-Mart Supercenter, 3820 7th Avenue, SE; Retail On-Sale Liquor Restaurant (RR): AK & K, LLC dba Buffalo Wings & Rings, 2411 6th Avenue, SE; Eagle River, LLC dba Mulligan's/Street Corner Urban Market, 715 N 10th St; The 322, LLC dba Three22 Kitchen and Cocktails, 322 S Main St;

LICENSE – Residential Building Contractor – Tim Engelhardt dba J&K Reif Construction

LOTTERY NOTICE – 4J Foundation – receive and place on file

PROCLAMATION – Family Caregivers Month – November 2023

Voice vote to approve, all present voting aye, motion carried.

OLD BUSINESS

SECOND READING AND FINAL ADOPTION OF ORDINANCE NO. 23-10-02
REPEALING PROVISIONS OF THE CITY CODE REGARDING SPECIAL SECURITY
GUARDS

City Attorney Ron Wager requested approval of second reading and final adoption of Ordinance No. 23-10-02 repealing provisions of the City Code regarding special security guards. Motion by Johnson, second by Novstrup to approve Ordinance No. 23-10-02 repealing provisions of the City Code Regarding special security guards as presented. Roll call vote to approve, all present voting aye, motion carried.

NEW BUSINESS

PUBLIC HEARING AND APPROVAL OF FIRST READING OF ORDINANCE NO. 23-10-01 TO REZONE PROPERTY DESCRIBED AS LOTS 466 & 467, MORNING HEIGHTS SUBDIVISION IN THE NE¼ OF SECTION 19, T123N, R63W OF THE 5TH P.M., BROWN COUNTY, SOUTH DAKOTA (616 ROCK STREET SOUTH) FROM (C-2 AND R-3) HIGHWAY COMMERCIAL DISTRICT AND HIGH DENSITY RESIDENTIAL DISTRICT TO (R-3) HIGH DENSITY RESIDENTIAL DISTRICT

Mayor Schaunaman opened a hearing on a petition from TAC Rental Properties, LLC to rezone the property described as Lots 466 & 467, Morning Heights Subdivision in the NE¼ of Section 19, T123N, R63W of the 5th P.M., Brown County, South Dakota (616 Rock Street South) from (C-2 and R-3) Highway Commercial District and High Density Residential District to (R-3) High Density Residential District. Community Development Director Ken Hubbart stated the Petitioner is requesting this rezone in order to eliminate split zoning and requests approval. Discussion was held. There being no further comments from the public, Mayor Schaunaman closed the hearing and called for a vote on first reading of Ordinance No. 23-10-01. Motion by Ronayne, second by Novstrup to approve first reading of Ordinance No. 23-10-01 as presented. Roll call vote to approve, all present voting aye, motion carried.

PUBLIC HEARING AND APPROVAL OF NEW RETAIL ON-OFF SALE MALT BEVERAGE AND SD FARM WINE LICENSE TO MARIA SANTANA DBA ALBERTANO'S ABERDEEN, 3311 SIXTH AVENUE SE

Mayor Schaunaman opened a hearing on an application for new Retail On-Off Sale Malt Beverage and SD Farm Wine License for Maria Santana dba Albertano's Aberdeen, 3311 Sixth Avenue SE. No public comments were received. Mayor Schaunaman closed the hearing and called for a vote. Motion by Rife, second by Reinbold to approve the new Retail On-Off Sale Malt Beverage and SD Farm Wine License to Maria Santana dba Albertano's Aberdeen, 3311 Sixth Avenue SE as presented. Voice vote to approve, all present voting aye, motion carried.

PUBLIC HEARING AND POSSIBLE APPROVAL OF NEW RETAIL ON-OFF SALE MALT BEVERAGE AND SD FARM WINE LICENSE TO HENDRICK PETRUS VAN

VUUREN DBA BARBEQUE TWIST, 410 MAIN STREET SOUTH

Mayor Schaunaman opened a hearing on an application for new Retail On-Off Sale Malt Beverage and SD Farm Wine License for Hendrick Petrus Van Vuuren dba Barbeque Twist, 410 South Main Street. No public comments were received. Mayor Schaunaman closed the hearing and called for a vote. Motion by Reinbold, second by Ronayne to approve the new Retail On-Off Sale Malt Beverage and SD Farm Wine License to Hendrick Petrus Van Vuuren dba Barbeque Twist, 410 South Main Street as presented. Voice vote to approve, all present voting aye, motion carried.

APPROVAL OF A LEASE OF CERTAIN LAND FORMERLY OCCUPIED BY PRESENTATION COLLEGE

City Attorney Ron Wager explained and requested approval of the lease agreement regarding the recreational facilities with Presentation College. Discussion was held. Motion by Foubert, second by Ronayne to approve a lease of certain land formerly occupied by Presentation College as presented. Roll call vote to approve, all present voting aye, motion carried.

APPROVAL OF CHANGE ORDER IN THE AMOUNT OF \$4,274.42 AND FINAL PAYMENT IN THE AMOUNT OF \$25,373.76 TO MACQUEEN EMERGENCY FOR PIERCE ENFORCER RESCUE/PUMPER FIRE APPARATUS

Fire Chief Joel Weig requested approval of a Change Order, an increase in the amount of \$4,274.42, and Final Payment in the amount of \$25,373.76 to MacQueen Emergency for Pierce Enforcer Rescue/Pumper Fire Apparatus. Discussion was held. Motion by Ronayne, second by Rife to approve a Change Order in the amount of \$4,274.42 and Final Payment in the amount of \$25,373.76 to MacQueen Emergency as presented. Roll call vote to approve, all present voting aye, motion carried

APPROVAL OF FUNDING AGREEMENT WITH SOUTH DAKOTA DEPARTMENT OF TRANSPORTATION FOR RAILROAD CROSSING SIGNALS AND ROADWAY UPGRADES

City Engineer Stuart Nelson explained the current railroad crossing signals and requested approval of funding agreement with South Dakota Department of Transportation for railroad crossing signals and roadway upgrades. Discussion was held. Motion by Johnson, second by Ronayne to approve Funding Agreement with South Dakota Department of Transportation for railroad crossing signals and roadway upgrades as presented. Roll call vote to approve, all present voting aye, motion carried.

APPROVAL OF CHANGE ORDER IN THE AMOUNT OF \$7,020.00 AND FINAL PAYMENT IN THE AMOUNT OF \$25,041.88 TO CWF MASONRY & CONSTRUCTION FOR ACCESSIBLE QUADRANT IMPROVEMENTS.

City Engineer Stuart Nelson requested approval of Change Order No. 2, an increase in the amount of \$7,020.00 and Final Payment No. 3 in the amount of \$25,041.88 to CWF

Masonry & Construction for Accessible Quadrant Improvements. Discussion was held. Motion by Ronayne, second by Reinbold to approve Change Order No. 3 in the amount \$7,020.00 and Final Payment No. 3 in the amount of \$25,041.88 to CWF Masonry & Construction for work on the project. Roll call vote to approve, all present voting aye, motion carried.

APPROVAL OF CHANGE ORDER IN THE AMOUNT OF \$8,636.48 AND FINAL PAYMENT IN THE AMOUNT OF \$8,636.48 TO JENSEN ROCK & SAND FOR MILL & OVERLAY IMPROVEMENTS

City Engineer Stuart Nelson requested approval of Change Order No. 2, an increase in the amount of \$8,636.48 and Final Payment No. 2 in the amount of \$8,636.48 to Jensen Rock & Sand for Mill and Overlay Improvements. Discussion was held. Motion by Johnson, second by Reinbold to approve Change Order No. 2 in the amount of \$8,636.48 and Final Payment No. 2 in the amount of \$8,636.48 to Jensen Rock & Sand for work on the project. Roll call vote to approve, all present voting aye, motion carried.

APPOINTMENT OF TARA MOERKE TO THE BUSINESS IMPROVEMENT DISTRICT II BOARD

Motion by Reinbold, second by Johnson to approve the appointment of Tara Moerke to the Business Improvement District II Board as presented. Voice vote to approve, all present voting aye, motion carried.

REVIEW AND APPROVAL OF CLAIMS AND PAYROLL

Motion by Ronayne, second by Rife to approve payment of the bills listed for November 6, 2023 and payroll for the period from October 22, 2023 through November 4, 2023.

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: Groundworks Of Mn 50.00, Aberdeen Chamber Of Comme 28,000.00, Marco Technologies LLC 521.18, RDO Equipment Co 980.58, Brown County Landfill 4.80, IDEXX Distribution Inc 535.13, Linde Inc 6,974.50, Dakota Doors Incorporated 148.98, Dahme Construction 2,609.85, Hawkins Inc 6,676.80, Dakota Electronics 1,082.15, Dakota Pump & Control 22,815.19, Eddie's Northside Sinclairv108.82, Quality Welding Inc 64.10, Performance Oil 3,655.52, Flexible Pipe Tools & Equipment 320.70, Jensen Rock & Sand Inc-Mo 49,100.10, Grote Body Shop 174.00, Hach Co 3,120.00, Auto Value Parts/Hedahls 1,448.90, HKG Architects Inc 105,895.00, House Of Glass Inc 14.73, Inman Irrigation 389.48, Ken's Alignment Auto 491.64, Kesslers Inc 13.59, Black Knight Pools, Spas & Games 49.03, Lawson Products Inc 1,249.88, Mac's Inc 25.43, Sewer Duck Inc 225.00, Safety Benefits Inc 75.00, Dakota Supply Group 483.56, Graymont (Wi) LLC 9,165.24, Midstates Group 1,497.30, Share Corp 708.27, Crawford Trucks & Equip 780.95, Sd Dept Of Transportation 212.24, Harms

Oil Company 27,977.46, Macqueen Emergency Group 25,373.76, M & T Fire & Safety Inc 143.00, Sd Department Health Lab 1,267.00, Titan Access Productivity 106.00, Electrical Engineer & Equipment 5,332.80, Eric Miller 34.00, Ken Hubbart 34.00, McMaster-Carr Supply Co 1,269.23, Asl Foundation 599.42, Towing Plus 125.00, Sd Secretary Of State 90.00, Century Business Products 123.06, Sanford Health 8,669.00, Menards Inc 2,384.31, Dakota Fluid Power Inc 1,194.50, Jeromy Thorstenson 494.04, Killoran Trucking & Broke 14,197.16, Impact Janitorial 814.14, At & T Cell 1,858.51, Ferguson Waterworks 11,127.02, Schmidt Construction Inc 23,469.20, Matheson Tri-Gas Inc 287.19, Emergency Technical Decon 181.65, Pomp's Tire Service 1,067.94, L&T Lawn Care LLC 175.00, General Traffic Controls 2,390.00, Aberdeen Christian School 135.00, Galls Inc 125.12, MSA Safety Sales LLC 1,707.93, Dakota Oil 954.46, John Weaver 14.74, Vessco Inc 1,099.75, Robin Hornseth 506.48, Vollan Oil Co 22,938.44, Aramark Uniform Svc 254.29, Morrison Const 43,636.72, Us Bank Corp St Paul 1,320.00, Butler Machinery Co 298.86, Sanitation Products Inc 7,501.03, Geffdog Designs 3,639.10, Jefferson Partners LP 864.20, Crescent Electric Supply 732.00, Midwest Pump & Tank 155.27, Stantec Consulting Serviec 4,309.75, A-1 Sanitation 7,216.46, Stryker Sales Corp 406.30, Kei 2,848.68, G & R Controls Inc 2,750.00, Guardian Life Ins Co 1,375.66, Kiesler Police Supply Inc 3,894.31, Teleflex 426.20, Cody Dvorak 544.76, Napa Central 47.67, Sansio Inc 956.00, CWF Masonry & Construction 25,041.88, Jebro Inc 31,752.65, Kent Warrey 102.00, Core & Main LP 645.48, Agtegra Cooperative 1,260.27, Runnings Supply Inc #14 701.80, Interstate Battery Arling 579.80, HR Green Inc 2,670.50, Crouch Irrigation 320.00, IMEG 13,491.48, Wolf Bronze LLC 880.00, Connections Inc Eap 397.30, Robert Talmage 45.25, Gary's Engine & Repair 1,965.55, Canine Country Club 174.00, Aberdeen Lions Club 80.38, M-R Sign Co Inc 650.04, New Pig Corporation 223.45, Isaac Fromm 45.25, Jordan Rohrbach 161.85, Dynapro Equipment Ltd 3,096.26, Infrastructure Repair Sys 23,768.00, Benjamin Phillips 46.00, Joseph E Johnson & Sons C 23,545.00, NorthWestern Energy 150,000.00, Northern Electric 10,000.00, US Bank 57,223.42, US Bank Trust 17,334.95, Wellmark BCBS 212,000.00, 3M 7,500.00, Hammrich, Sydney 54.23, Embury, Joseph 80.11, Pease, Jerrad 5.66, Johnson, Jeremy 17.48, Herther, Derrick 103.37, Marshall, Skyler 23.12, Gehrts, Linda 62.53

Payroll for the period from October 22, 2023 through November 4, 2023 and city share of social security, old age & survivor's insurance, retirement, health and life insurance: EFTPS 138,124.91; SD Retirement 85,814.44; Governing Body 3,435.71; City Manager 8,304.95; City Attorney 7,793.58; Finance 14,894.32, Thithavong, Steven 25.18/hr.; HR 8,143.07; Building 1,933.76; Computer 5,236.49; Planning/Zoning 13,331.20, Hubbart, Ken 41.27/hr.; Engineering 9,279.65, Spellman, Destin 37.39/hr.; Police 146,729.44, Russell, Austin 26.19/hr.; Fire 135,951.63; Housing/Building 6,752.00; Street 33,470.87; Traffic 8,297.97; Solid Waste 23,068.51; Transportation/Ride Line 22,725.96, DeRouchey, Ryan 23.97/hr.;

Library 30,567.33; Parks, Rec & Forestry 112,519.75, Bierschenk, Reagan 13.00/hr., Stoltenburg, Alli 13.50/hr., Bryant, Tevan 1.25/hr., Poppen, Kailyn 13.50/hr., Russell, Kade 13.50/hr., Rux, Abigail 13.00/hr., Grieben, Jordan 13.50/hr., Ellyson, Ella 13.25/hr., Rerick, Easton 13.00/hr., Weidner, Jackson 13.00/hr., Mackie, Drew 13.00/hr.; Airport 19,095.91, Green, Kevin 18.00/hr.; Pipe 27,465.93; Water Treatment 20,435.25; Meter 1,825.60; Water Reclamation 19,184.72, Langlie, Madison 20.00/hr.; Pump 8,566.34. Roll call vote to approve, all present voting aye, motion carried.

CITY MANAGER'S REPORT

City Manager Robin Bobzien stated on Wednesday, November 8, 2023 the City will request to be put on the State Water Plan for funding on the transmission line and new water tower. Bobzien acknowledged the November years of service employees: 5 years – Jordan Busche/APD; 25 years – Scott Schlosser/Street

EXECUTIVE SESSION

Motion by Reinbold, second by Rife to move into executive session at 6:00 p.m. to discuss contractual matters and preparing for contract negotiations (pursuant to SDCL §1-25-2(3) and (4)). Voice vote to approve, all present voting aye, motion carried.

Motion by Reibold, second by Ronayne to move out of executive session at 6:48 p.m. Voice vote to approve, all present voting aye, motion carried.

ADJOURNMENT

There being no further business, motion by Johnson, second by Rife to adjourn the meeting. Voice vote to adjourn, all present voting aye, motion carried. The meeting adjourned at 6:48 p.m.

Prepared by Amanda Kamphuis for the Finance Office. /s/ Jordan McQuillen, Finance Officer