

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
NOVEMBER 9, 2015**

Regular meeting of the Board of City Commissioners of the City of Yankton was called to order by Mayor Carda.

**Roll Call:** Present: Commissioners Ferdig, Gross, Hoffner, Johnson, Knoff, Miner, Sommer, and Woerner. City Attorney Den Herder and City Manager Nelson were also present. Absent: None. Quorum present.

Action 15-355

Moved by Commissioner Gross, seconded by Commissioner Woerner, to approve the Minutes of the regular meeting of October 26, 2015, and the Special Study Session meeting of October 26, 2015.

**Roll Call:** All members present voting "Aye;" voting "Nay:" None.

Motion adopted.

Action 15-356

Moved by Commissioner Sommer, seconded by Commissioner Johnson, that the Schedule of Bills be approved and warrants be issued.

A T & T-Cell Phone Bill-\$387.50; ABM Equipment Supply LLC-Repair Truck-\$4,390.34; ACE Hardware-Hardware-\$8.98; ACS Government Inf Service-Maint Program Support-\$1,814.52; Allegiant Emergency Svs Inc-Test Cylinders-\$2,235.00; American Public Works Assn-Membership Dues-\$179.00; AMG Occupational Medicine CDL-DOT Drug Tests-\$63.00; Avera Sacred Heart Hospital CDL-DOT DRUG TESTS-\$50.00; Bartlett & West Inc-Lift Station Design-\$129,279.56; Bierschbach Equip & Supply Construction-Tubes-\$253.40; Big Friend Little Friend-1/2 SP Appropriation-\$2,250.00; Bomgaars Inc-Winter Gloves-\$359.70; Brock White Company LLC-Mastic-\$15,708.00; Brosz Engineering Inc-Engineering Services-\$9,657.50; Brown & Saenger-Paper-\$734.22; Buhl's Laundry Cleaners Inc-Uniforms-\$27.79; Cedar Knox Public Power Dist-Elect-Oct-\$1,352.42; Centurylink-Phone-Oct-\$1,651.62; Chesterman Company-Pop-\$213.31; City Of Vermillion-Jt Power Cash Trans-\$38,097.18; City Of Yankton-Central Garage Rubbish-\$35.00; City Of Yankton-Parks Landfill Charges-\$171.90; City Of Yankton-Solid Waste Compacted Garbage-\$10,441.35; City Utilities Water-WW Charges-\$12,006.39; Concrete Material-Concrete-\$459.75; Conkling Dist-Beer-\$653.90; Cornhusker Intl Truck Inc-Air Filter-Washer Fluid-\$283.44; Cox Auto Inc-Fuse-\$4.95; Credit Collection Service Inc-UT Collection-Sept-\$251.68; Crofton Elevator Inc-Pest Control-\$470.00; CSI Software-Computer Program-\$599.00; Dakota Beverage Co Inc-Beer-\$193.75; Dangel/Jeff-Refund-\$76.04; Danko Emergency Equipment-Wrench Set-\$182.70; Dept of Corrections-DOC Work Progm-\$1,712.33; Dept of Enviromental-2005I-RLA-106-\$9,705.57; Dept of Environment-2005L-RLA-106-2-\$2,304.82; DETCO-Supplies-\$2,132.51; DEX Media East-Phone Book-\$30.28; Diane's Greenhouse-Plants-\$290.66; Downtown Screenprinting-Apparel-\$324.00; Drug Education Press-Ad-\$155.00; Ethanol Products LLC-Carbon Dioxide-\$578.83; Fedex-Postage-\$11.88; Feimer Construction-Watermain-\$124,170.68; Ferdig/Chris-SDML Reimbursement-\$508.85; First Dakota Nat'l Bank Corp-Fire Station Dept Serv-\$142,040.00; First National Bank-Sales Tax Revenue Bonds-\$151,382.50; First National Bank-Ww Refunding Bonds-\$482,193.75; Five Star Tadoo-Deposit Refund-\$148.05; Flannery/Kirt-Officer Stipend-\$25.00; Flint Trading Inc-Supplies-\$2,567.52; Freedom Valu Center Inc-Car Washes-\$91.00; Frick/Adam-Officer Stipend-\$25.00; Frick/Brian-Officer Stipend-\$50.00; Gary's Repair-Tow Vehicle-\$160.00; Geotek Eng & Testing Serv Inc-Earthwork Tests-\$225.00; Gerstner Oil Co-Jet Fuel-\$18,516.50; Graymont Capital Inc-Lime-

\$13,268.31; Haar Co Inc-Riding Mower W/Bagger-\$2,797.00; Hanson Briggs Advertising Inc-Stickers-\$364.40; Hawkins Inc-Chemicals-\$4,913.57; HD Supply Waterworks LTD-Parts-\$1,038.21; HDR Engineering Inc-Collector Well-\$50,273.24; Hedahl's Parts Plus-Filters-\$618.70; Herrboldt Construction-Modify Fire Station Door-\$13,940.84; Ingersoll Rand Company-Air Compressor-\$13,571.80; J&H Care & Cleaning Company-Janitorial Supplies-\$2,795.00; Johnson Electric-Repairs-\$229.59; Johnson Eng Co Inc-Design-15th To Dakota-\$25,000.00; K-Mart Store-Batteries-\$107.72; Kaiser Heating & Cooling Inc- Filters-\$391.74; Kellen & Streit Inc-Sand-\$177.85; Kiesler's Police Supply Inc-Equipment-\$1,212.00; Kimball-Midwest-Supplies-\$102.58; Klein's Tree Service-Tree Stump Removal-\$650.00; L & L Motors Inc- Parts-\$70.00; Language Line Services-Interpretation Fee-\$31.58; Larry's Plumbing Service-Roof Top Furnace-\$4,472.19; Lewis & Clark Bhs-1/2 Sp Approp-\$10,000.00; Lewis & Clark Theatre Co-1/2 Sp Approp-\$1,250.00; Locators & Supplies Inc-Signs-\$1,712.95; Long's Propane Inc-Propane-\$65.00; Luken Memorials Inc-Monument-\$625.00; Mailfinance-Postage-\$576.00; Mayer Signs-Signs-\$1,040.00; Mcgrath North Mullin & Kratz-Professional Services-\$5,507.35; Mclaury Flannery Eng Inc-Hwy 50 Utility Reconst-\$10,610.75; Menards-Lumber-\$357.33; Meyer Inc-Wood Fiber-\$7,045.00 Midamerican Energy-Fuel-Oct-\$1,524.69; Midamerican Energy-Water/WW Fuel-\$725.31; Midwest Striping-Vehicle Lights-\$274.82; Midwest Tape-Audio Books-\$565.85; Minerva's-Refund-\$5.00; Moser/Brad-Officer Stipend-October-\$25.00; Motor Vehicle Dept SD-Title/Registration-\$55.00; Mr Golf Car Inc-Tournament Carts-\$150.00; MW Automotive Services-Vehicle Tow-\$160.00; NB Golf Cars Inc-Golf Car Repairs-\$461.08; Nelson/Amy-Travel Reimbursement-\$25.00; Northwestern Energy Elect-Oct-\$47,171.80; Observer-Advertisement-\$144.00; Olson's Pest Technicians Inc-Pest Control-\$198.00; Petroleum Traders Corp-Diesel Fuel-\$7,499.90; Police Chiefs' Assn-Sgt Testing-\$625.00; Postmaster-Box Fee-\$88.00; Postmaster-Postage Permit Fee-\$225.00; Press Dakota Mstar Solutions-Classified Ad-\$2,433.32; Printing Specialists-Time Cards-\$148.11; Pro Auto-Vehicle Tow-\$45.00; Racom Corporation-EDACS Access-\$1,475.46; Rasmussen Mechanical Service-Boiler Pump Repairs-\$1,667.20; Reinhart Foods Inc-Entrees-\$871.59; Ricoh Usa-Printer-\$361.96; Rileighs Outdoor Décor-Christmas Decorations-\$30,339.20; Riverfront Holdings LLC-Reimburse-Sidewalk-\$126.26; Rose Equipment-Parts-\$419.16; Sanitation Products Inc-Chain/Bearings-\$902.50; SD State Poetry Society-Subscription-\$35.00; SDML Workers Compensation Fund-Work Comp Renewal-\$150,992.00; SDSA Systems MS-Open License-\$6,416.04; Slowey Construction Inc-Watermain-\$1,841.25; South Dakota One Call-Message Fees-\$221.55; Stern Oil Co Inc-Fuel-\$17,285.12; Superior Tech Products-Fertilizer-\$2,718.00; T & R Contracting Inc-Douglas/Wilson Rd-\$314,215.82; Terry's Repair-Packer Repairs-\$590.81; Thomson Reuters-West-Local Govt Law-\$487.00; Tippman Industrial Products-Part-\$14.63; TMA-Tires-\$1,025.18; Tom's Electric-Motion Detector Repairs-\$114.75; Total Maintenance Systems Inc-Floor Coatings-\$4,255.11; Traffic Control Corp-Battery Backup-\$6,145.00; Truck Trailer Sales Inc-Trailer-\$4,200.00; Turfwerks-Parts-\$42.04; US Post Office-Util-Utility Postage-Oct-2015-\$1,500.00; United Parcel Service, Inc-Postage-Oct-\$176.35; United States Postal Service-Postage Meter-October-\$925.00; Vision Technology Solutions-Project Payment-\$5,295.00; Wage Works-Flex Serv Fee-Sept-\$85.00; Walt's Homestyle Foods Inc-Entrees-\$99.00; Water & Env Eng Research Ctr-TOC Testing-\$122.00; Welfl Construction Corp-Collector Well-\$243,155.10; Wholesale Supply Inc-Soft Drinks-\$1,126.85; Woehl/Toby-Officer Stipend-October-\$25.00; Woods Fuller Shultz & Smith PC-Professional Services-\$180.00; Xerox Corporation-Copier Lease-\$409.20; Xerox Corporation-Copier Lease-\$1,785.54; Yaggie's Inc- Fertilizer/Grass Seed-\$1,617.00; Yankton Area Arts Assn-1/2 SP Approp-\$2,500.00; Yankton Area Convention-\$1/4 Sp Appropriation-\$96,332.50; Yankton Medical Clinic-Employment Exam-\$340.50; Yankton Police Department-Petty Cash-\$28.54; Yankton Vol Fire Department-Sept/Oct Calls-\$3,000.00; Zep Manufacturing Co-Cleaning Supplies-\$873.32; Ziegler/William-Officer Stipend-Oct-\$50.00; A & B Business Inc-Copier/Printer Maintenanc-\$365.40;

Accucut-Office Supplies-\$17.50; ACE Hardware-Shop Supplies-\$773.94; Acushnet Company-Merchandise-\$9,219.97; Alice Training Inst-Training-\$595.00; Amazon Mktplace Pmts-Floor Repairs-\$1,313.71; Amazon.Com-Boots-\$138.48; Amazon.Com-Boots-\$116.44; Animal Health Clinic-Shelter Supplies-\$26.18; Apl Itunes.Com-Supplies-\$10.59; Appeara-Towels-\$395.87; Arbor Day Foundation-Membership Dues-\$40.00; Arbys-Travel Expense-\$6.84; AT&T Bill Payment-AT&T Mobility-\$314.32; AWWA.Org-Tour Booklets-\$161.50; Baker-Taylor-Books-\$5,735.96; Best Western Hotels-Conference-Lodging-\$1,231.40; Blarney Stone Pub-Travel Expense-\$31.98; Boller Printing-Office Supplies-\$89.50; Bomgaars- Yankton Wheel Charger-\$1,485.94; Bow Creek Metal Inc-Parts-\$90.00; Brownells Inc-Weapon Parts-\$164.27; Burger King-DOC Work Program-\$34.73; Bushnell Optics-Merchandise-\$1,884.68; Cambria Suites-Travel-Lodging-\$165.10; Cambria Suites Restaurant-Travel Expense-\$15.98; Center Point-Books-\$257.64; Clark-Travel Fuel-\$51.58; Clarks Rentals-Custom Rental-\$309.64; Cleveland Golf-Golf Equipment-\$1,004.91; Coffee Cup-Travel Expense-\$52.00; Cox Auto Supply-Equipment Repair-\$207.07; Consumer Reports-Magazine Subscription-\$26.00; Crescent Electric-Lamps/Photo Eyes-\$1,852.69; Davidson Titles Inc-Books-\$1,988.48; Dayhuff Enterprises-Janitorial Supplies-\$296.17; Demco Inc-Office Supplies-\$271.81; Detco Industries-Janitorial-\$868.17; Displays2gocom-Literature Stand-\$222.42; Doltree-Program Supplies-\$9.00; Dunhams-Rec Supplies-\$21.99; DX Service-Salt-\$1,806.29; Echo Electric-Supply Power Supply-\$230.41; Efactor Inc-GBT Sensor-\$309.29; Ehresmann Engineering-Pipe-\$54.00; Embroidery & Screen Works-Uniform Shirts-\$260.50; Envision Ware-Software-\$2,827.05; F+WP-Old Cars Price Guide-Magazine Subscription-\$28.98; Fastenal Company-Bolts-\$74.57; Good Housekeeping-Magazine Subscription-\$7.97; Graham Tire-Tires-\$868.92; Grey House Publishing-Professional Book-\$228.50; Grill Concepts-Meeting-\$25.43; Hampton Inn And Suites-Municipal League-\$707.00; Hard Drive Central-Printer Contract-\$77.13; Hardee's Travel Meal-\$20.08; Hardscapes-Mulch-\$348.05; Aviation Week-Magazine Subscription-\$103.00; Hedahls-Batteries-\$1,024.38; Hy-Vee-Gatorade-\$735.85; Kinetico Of Siouxland-Repairs-\$356.40; Nursery Wholesaler-Plants-\$359.65; Independence Waste-Rentals-\$381.57; Industrialairpower-Drains-\$357.91; Battery Exchange-Batteries-\$29.95; Jack's Uniforms-Uniforms-\$892.62; JCL Solutions-Cleaning Supplies-\$1,223.24; Jimmy Johns-Travel Meals-\$17.70; Jimmy Johns-Meeting-\$18.41; Kaiser Refrigeration-Floor Repairs-\$314.41; KMart-Supplies-\$24.98; Lakeshore Learning Mat-Program Supplies-\$301.93; Larry's Plumbing Serv-Park Supplies-\$14.00; Learning Opportunities-Books-\$2,052.56; Lee Newspaper Subscrip-Newspaper Subscription-\$402.62; Library Journals Magazine-Subscription-\$81.99; Mark's Machinery Inc-Mower Repair-\$521.89; Mcdonald's-Travel Expense-\$6.41; Mcdonald's-DOC Work Program-\$22.06; Mead Lumber-Park Repair-\$160.77; Medtox Diagnostic Inc-Part-\$542.82; Menards-Cabinet/Counter Top-\$606.01; Menards-Door-\$560.17; Minervas Grill And Bar-Professional Services-\$160.81; Msft-Software-\$66.25; Msft-Software-\$66.25; NBS Calibrations-A&D Balance Repair-\$642.00; Nexbelt LLC-Postage-\$17.90; Natrl History Mag-Magazine Subscriptoin-\$28.00; Northtown Automotive-Garage Parts-\$447.58; NPI/RAM-Mounts/Base Plate Tablet Mount-\$154.59; Office Elements Group-Office Supplies-\$140.50; Olive Garden-Travel Expense-\$35.49; Omaha World Herald-Newspaper Subscription-\$311.48; One Stop QPS-Municipal League Travel-\$29.13; Oreilly Auto-Alternator-\$467.50; Oriental Trading Co-Program Supplies-\$260.24; Overdrive Dist-Downloadable Books-\$729.06; Paypal-Office Supply-\$145.00; Paypal-Gym Floor Tape-\$337.40; Paypal Officedepot-Cabinets-\$286.18; PBI-Leased Equipment Mailstation Rental-\$136.00; Postage Refill-Mailstation Postage Refi-\$100.00; Prairie Stop-Fuel-\$35.88; Printco Graphics-Promotional-\$310.00; Provantage LLC-Computer Monitor-\$197.50; Push Pedal Pull Corp-Equipment Maintenance-\$275.00; Quill Corporation-Office Supplies-\$221.42; Radco Sioux Falls-Topper And Installation-\$2,666.70; Booksontape.Com-Audio Books-\$276.75; Rhombus Guys-Travel Expense-\$13.40; Riverside Hydraulics-Rebuild Cyclinder-\$972.35; Royal Sport Shop-Office Supplies-\$49.00; Sanitation

Products-Broom Link Assy-\$1,041.57; Severn Trent-Water Pure/Generator Parts-\$679.51; Sf Regional Airport-Meeting-\$40.00; Sharp Automotive-Vehicle Repairs-\$96.79; Sheraton Seattle Hotel-Meeting-\$1,151.19; Sherwin Williams-Paint-\$288.51; Shur-Co Outlet Service-Garage Parts-\$79.62; Sioux City Newspapers-Advertising-\$816.50; Sprint Aquatics-Merchandise-\$114.00; Signs By Design-Signs-\$381.96; Twist Of Pine-Professional Services-\$59.30; Willa B's Bistro-Staff Appreciation-\$30.00; St Lukes Cafeteria-Travel Expense-\$12.25; Stan Houston Equip Co-Calibration Gas-\$331.42; Sturdevants-Seal-\$31.42; Subway-Doc Work Program-\$33.01; Syds Eastside Auto Salv-Sway Bar-\$99.83; Syntron Material-Equipment-\$65.27; The Progressive Magazine-Subscription-\$13.97; TMA-Battery-\$804.00; Tractor Supply Co-Supplies-\$82.81; Truck Trailer Sales-Air Tanks-\$1,182.10; U Of M-Minitex Scanner-\$164.00; Ultra Max-Ammunition-\$1,596.00; UPS-Postage-\$42.54; Upstart/Edupress-Office Supplies-\$20.95; USA Blue Book-Equipment-\$91.53; Viddler Inc-Office Supplies-\$29.96; Vistaprint.Com-Printing-\$14.98; VWR International Inc-Sulfuric Acid-\$343.10; Vzwrllss-Prepaid Pymnt-Phone Expense-\$37.80; Wal-Mart-Prizes/Open House-\$576.13; Walmart.Com-Office Supplies-\$159.81; Western Office Product-Toner-\$829.58; Wholesale Supply Co-Gatorade-\$74.70; WM Supercenter-Office Supplies-\$299.43; Wilson Sptg Gds-Golf Equipment-\$2,876.50; WW Grainger-Office Supplies-\$222.63; WWW.Industrialstores.C-Motor-\$406.04; WWW.NewEgg.Com-Computer-\$199.99; Yankton Medical Clinic-Firefighter Physicals-\$1,234.50; Yankton Winnelson Co-Shop Supplies-\$258.05; AFSCME Council 65-Employee Deductions-\$1,369.18; American Family Life Corp-Cancer & ICU Premiums-\$6,324.46; Ankeny Construction-Hwy 81-31st/Wilson-\$5,164.50; Assurant Employee Benefits-Vision Ins-November-\$1,102.90; Connections Inc-EAP Insurance - October-\$274.82; D & G Concrete Const- 5th Street Recon-\$12,361.37; Delta Dental-Dental Insurance-Nov-\$7,084.52; Dept of Social Services-Employee Deductions-\$1,835.00; First Natl Bank South Dakota-Employee Deductions-\$2,589.44; Heine/Tyler-Conference-\$240.00; ICMA Retirement Trust #457-Employee Deductions-\$2,783.86; Masonry Components Inc-Park-3rd to 4th-\$43,703.35; Miller/Alcinda-Reimburse-Assessment-\$69.30; Minnesota Life Insurance Co-Life Ins-November-\$693.27; Murguia/Javier-Conference-\$195.00; Nelson/Amy-Travel Expense-\$400.00; Northtown Automotive-Pickup-\$33,580.42; Postmaster-Tree Trimming Postage-\$1,670.23; Retirement SD-SD Retirement-Oct-\$64,134.42; SD Public Assurance Alliance-Pro/Liability Insurance-\$516.60; SDSRP-Employee Deductions-\$4,480.00; Summit Activity Center-Employee Deductions-\$844.60; United Way-Employee Deductions-\$70.00; Vast Broadband-Internet Services-\$3,517.17; Wellmark Blue Cross-Health Ins-November-\$88,530.94; Yankton Area Prog Growth-Sales Tax Reimburse-\$4,192.88; Yankton Harvest Halloween-Halloween Festival-\$3,310.00.

**Roll Call:** All members present voting "Aye;" voting "Nay:" None.

Motion adopted.

#### SALARIES-OCTOBER 2015:

Administration-\$28,372.33; Finance-\$29,886.63; Community Development-\$18,336.61; Police-\$142,532.42; Fire-\$10,821.46; Engineering-\$41,669.40; Street-\$41,936.18; Snow & Ice-\$43.12; Traffic Control-\$1,760.31; Library-\$28,790.08; Parks/SAC-\$50,257.34; Marne Creek-\$3,484.95; Water-\$36,405.26; Wastewater-\$33,000.89; Cemetery-\$3,349.26; Solid Waste-\$19,112.59; Landfill-\$15,303.26; Golf Course-\$17,296.85; Central Garage-\$6,603.09.

#### PERSONNEL CHANGES & NEW HIRES:

New Hires: Harley Alvarez-\$8.50 hr.-Rec. Division; Amy Miner-\$424.44 mo.-Commission; Roy Reichle-\$11.50 hr.-Rec. Division; Paige Schuurmans-\$8.50 hr.-Rec. Division.

Status Change: Benjamin Jensen-\$9.25 hr.-from Parks Division to Rec Division.

City Manager Nelson submitted a written report giving an update on community projects and items of interest.

Andy Bernato, from Sertoma Baseball, was present to pass out a handout on a proposed Sertoma North Fields Synthetic Turf Project.

Action 15-357

Moved by Commissioner Woerner, seconded by Commissioner Sommer, that the following items on the consent agenda be approved.

1. Establishing public hearing for sale of alcoholic beverages  
Establish November 23, 2015, as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers for one day, December 26, 2015, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.
2. Establishing public hearing for sale of alcoholic beverages  
Establish November 23, 2015 as the date for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, December 31, 2015, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.
3. Establishing public hearing for sale of alcoholic beverages  
Establish November 23, 2015, as the date for the public hearing on the request for a Special Events RETAIL (on-sale) Liquor License for one day, December 4, 2015, from Minerva's Grill & Bar (Janelle Wieseler, Sales and Catering Director) dba Minerva's Grill & Bar, NFAA, 800 Archery Lane, Yankton, South Dakota.
4. Establishing public hearing for sale of alcoholic beverages  
Establish November 23, 2015, as the date for the public hearing on the request for a Special Events RETAIL (on-sale) Liquor License for one day, December 1, 2015, from Minerva's Grill & Bar (Janelle Wieseler, Sales and Catering Director) dba Minerva's Grill & Bar, Dakota Territorial Museum, Mead Building, Yankton, South Dakota.

**Roll Call:** All members present voting "Aye;" voting "Nay:" None.  
Motion adopted.

Action 15-358

This was the time and place for the public hearing on Resolution 15-62 approving the special assessment roll for removal of noxious vegetation and abatement. No one present to speak for against adoption of Resolution 15-62. Moved by Commissioner Gross, seconded by Commissioner Woerner, to adopt Resolution 15-62. (Memorandum 15-283)

**RESOLUTION 15-62**

**A RESOLUTION APPROVING THE 2015 SPECIAL ASSESSMENT ROLL FOR THE DESTRUCTION OF NOXIOUS VEGETATION AND NUISANCE ABATEMENT**

BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota:

SECTION 1. That the special assessment roll for the assessment of the property assessable for the destruction of noxious vegetation in the City of Yankton, South Dakota, is hereby approved and

the assessments as set out in said special assessment roll approved this date are hereby levied against such property upon filing of said special assessment roll in the office of the City Finance Officer.

SECTION 2. The assessments set forth in the assessment role will become due and payable in one (1) annual installment together with interest at a rate prescribed by the Board of City Commissioners, by resolution, per annum, in accordance with SDCL 9-43.

The above assessments may be paid without interest to the City Finance Officer on or before December 14, 2015, thereafter, the entire assessment may be paid with interest from the date of filing with the City Finance Officer at the rate established by resolution of the Board of City Commissioners.

**Roll Call:** All members present voting "Aye;" voting "Nay:" None.  
Motion adopted.

Action 15-359

This was the time and place for the public hearing on the application for transfer of location of a Package (off-sale) Liquor License for January 1, 2015, to December 31, 2015, from Annis Properties, Inc. dba Patriot Express, (Kevin Annis, President) 2217 Broadway to Annis Properties, Inc. dba Patriot Express 02, (Kevin Annis, President) 100 E 4<sup>th</sup> Street, Yankton, South Dakota. No one was present to speak for or against approval of the license application. (Memorandum 15-277) Moved by Commissioner Johnson, seconded by Commissioner Gross, to approve the license application.

**Roll Call:** All members present voting "Aye;" voting "Nay:" None.  
Motion adopted.

Action 15-360

This was the time and place for the public hearing on the application for a New Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Coraima's LLC., dba Coraima's Mexican Store, (Edras Chua, Partner) 401 Picotte Street, Yankton, South Dakota. (Memorandum 15-278) No one was present to speak for or against approval of the license application. Moved by Commissioner Woerner, seconded by Commissioner Sommer, to approve the license.

**Roll Call:** All members present voting "Aye;" voting "Nay:" None.  
Motion adopted.

Action 15-361

This was the time and place for the public hearing on the application for transfer of ownership and location of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from CCC II dba Custom Computer II, (Michael Kabeiseman, Treasurer) 2217 Broadway to Diggers, Inc., dba Smokey Hollow, (Larry Olson, President) 2020 Elm Street, Suite C, Yankton, South Dakota. (Memorandum 15-280) No one was present to speak for or against approval of the license application. Moved by Commissioner Gross, seconded by Commissioner Johnson, to approve the license.

**Roll Call:** All members present voting "Aye;" voting "Nay:" None.  
Motion adopted.

Action 15-362

This was the time and place for the public hearing on the application for a Special (on-sale) Wine Retailers License for one day, November 16, 2015, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota. (Memorandum 15-281) No one was present to

Speak for or against approval of the license application. Moved by Commissioner Johnson, seconded by Commissioner Sommer, to approve the license.

**Roll Call:** All members present voting "Aye;" voting "Nay:" None.

Motion adopted.

Action 15-363

This was the time and place for the second reading and public hearing for Ordinance No. 983, AN ORDINANCE AMENDING ANIMAL CONTROL REGULATIONS WITHIN THE CITY OF YANKTON. No one was present to speak for or against adoption of the ordinance. Moved by Commissioner Johnson, seconded by Commissioner Ferdig, to adopt Ordinance No. 983.

**Roll Call:** All members present voting "Aye;" voting "Nay:" None.

Motion adopted.

Action 15-364

Moved by Commissioner Gross, seconded by Commissioner Woerner, to approve Change Order No. 1, an increase of \$6,352.15 for a new contract total of \$35,558.80, from Dakota Traffic Services, LLC, for the 2015 Durable Pavement Marking Installation Project; to accept the project as complete; and to authorize the City Finance Officer to issue a manual check in the amount of \$35,558.80 to Dakota Traffic, LLC, Tea, South Dakota, as final payment for the project.

**Roll Call:** All members present voting "Aye;" voting "Nay:" None.

Motion adopted.

Action 15-365

Moved by Commissioner Woerner, seconded by Commissioner Johnson, to approve the purchase of a 2016 Elgin Pelican Street Sweeper from Sanitation Products, Inc., Sioux Falls, South Dakota, for the Department of Public Works, for a cost of \$180,184.00 under the Joint Powers National Alliance bid contract. (Memorandum 15-284)

**Roll Call:** All members present voting "Aye;" voting "Nay:" None.

Motion adopted.

Action 15-366

Moved by Commissioner Gross, seconded by Commissioner Johnson, to adopt Resolution 15-74. (Memorandum 15-286)

**RESOLUTION 15-74**

Conditional Use

WHEREAS, Hacecky Rentals, LLC, is the owner of the North 124 feet of Outlot D, Moderegger's Outlots, City and County of Yankton, South Dakota, located at 813 Ferdig Avenue, and

WHEREAS, the above described property is zoned B-2 Highway Business in the City of Yankton's zoning jurisdiction which allows conditional uses under the City of Yankton's Zoning Ordinance No. 711 as amended, and

WHEREAS, this conditional use request is necessary for the owner to construct and operate a self-storage facility in the manner depicted on the attached site plan and has been reviewed and recommended for approval by a vote of the City Planning Commission.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves a Conditional Use Permit for the construction and operation of a self-storage facility in accordance with all applicable ordinances and regulations on the above described property.

**Roll Call:** Members present voting “Aye:” Commissioners Ferdig, Gross, Hoffner, Johnson, Knoff, Miner, Sommer, and Mayor Carda; voting “Nay:” None; Abstaining: Commissioner Woerner. Motion adopted.

Action 15-367

Moved by Commissioner Gross, seconded by Commissioner Woerner, to adopt Resolution 15-75. (Memorandum 15-287)

**RESOLUTION 15-75**  
Permissive Use of Right-of-Way

WHEREAS, Spady Real Estate LLC (Lewis & Clark Ford) owns property adjacent to the Capital Street Right-of-Way (ROW) at 316 Capital Street, and

WHEREAS, Mr. Phil Spady, Managing Owner of Spady Real Estate LLC has requested permission to occupy the public ROW for the purpose of constructing an accessibility ramp with an access point as described by the attached drawing, and

WHEREAS, the applicant understands that the described accessibility ramp will occupy the ROW at the applicant’s risk and the City or other approved occupants of the ROW are not responsible for maintenance, adjustments or repairs to the ramp resulting from use of the ROW for public purposes and,

WHEREAS, the owner, their heirs, assignees or successors shall not modify said ramp in any manner without first having the written approval of the Yankton City Commission.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves the permissive use of ROW at the described location in the manner shown on the attachments to this resolution.

**Roll Call:** All members present voting “Aye;” voting “Nay:” None. Motion adopted.

Action 15-368

Moved by Commissioner Woerner, seconded by Commissioner Sommer, to approve the 2016 Lease Agreement between the City of Yankton and the Yankton Area Senior Citizens Center, Inc. (Memorandum 15-285)

**Roll Call:** All members present voting “Aye;” voting “Nay:” None. Motion adopted.

Action 15-369

Moved by Commissioner Woerner, seconded by Commissioner Sommer, to adjourn into Executive Session at 7:31 p.m., to discuss Proposed Contractual Matters under SDCL 1-25-2.

**Roll Call:** All members present voting "Aye;" voting "Nay:" None.

Motion adopted.

Regular meeting of the Board of City Commissioners of the City of Yankton was reconvened by Mayor Carda.

**Roll Call:** Present: Commissioners Ferdig, Gross, Hoffner, Johnson, Knoff, Miner, Sommer, and Woerner. City Attorney Den Herder and City Manager Nelson were also present. Absent: None. Quorum present.

Action 15-370

Moved by Commissioner Woerner, seconded by Commissioner Ferdig, to adjourn at 8:10 p.m.

**Roll Call:** All members present voting "Aye;" voting "Nay:" None.

Motion adopted.

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David Carda  
Mayor

ATTEST:

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Al Viereck  
Finance Officer

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