

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
AUGUST 22ND, 2022**

Board of City Commissioners of the City of Yankton was called to order by Mayor Moser.

Roll Call: Present: Commissioners Benson, Johnson, Maibaum, Miner, Schramm, Webber and Villanueva. City Attorney Den Herder and City Manager Leon were also present.

Quorum present. Absent: Commissioner Brunick

Mayor Moser thanked all those involved in Riverboat Days, including the Riverboat Days Committee, City Staff, and the hundreds of community volunteers.

Action 22-207

Moved by Commissioner Webber, seconded by Commissioner Villanueva, to approve Minutes of Budget Meeting August 8, 2022 and regular meeting of August 8, 2022.

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

Motion adopted.

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

A number of citizens including, Brian Hunhoff, Larry Wynia, Steve Kallhoff, Brian Birch, Finch Jennis, Gary Moore, David Messner and Judy Vanderhule, expressed concerns about the City Commission possibly closing the fitness portion of the Summit Activity Center at the end of 2022. After hearing Comments, Mayor Moser thanked those in attendance, saying she appreciated their thoughts. With this not being an agenda item, the City Commission took no official action on the matter at this meeting.

Commissioner Webber introduced and Mayor Moser read the title of Ordinance No.1064, AN ORDINANCE TO APPROPRIATE MONIES FOR DEFRAYING THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF YANKTON, SOUTH DAKOTA, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2023, AND ENDING DECEMBER 31, 2023, AND PROVIDING FOR THE LEVY OF ANNUAL TAXES FOR ALL FUNDS CREATED BY ORDINANCE WITHIN SAID CITY, and set the date of the second reading and public hearing as September 12, 2022.

Action 22-208

Moved by Villanueva seconded by Commissioner Benson, to adopt Resolution of Necessity #22-39.

**RESOLUTION OF NECESSITY #22-39
(Yankton Road Tax)**

WHEREAS, the Board of City Commissioners of the City of Yankton has deemed that the City streets, alleys and roadways must be properly reconstructed and repaired, and;

WHEREAS, the City of Yankton's streets are repaired by grading, crack filling, spall repair, patching and chip sealing, and;

WHEREAS, a yearly inventory of City streets is conducted in order to determine the streets in need of repair,

NOW, THEREFORE, BE IT RESOLVED, that for the purpose of maintaining and repairing the streets, and surfacing thereof, that an assessment of fifty cents per front foot be levied upon all parcels or portions of parcels fronted or abutting streets and fifty cents per front foot be levied upon parcels or portions of parcels fronted or abutting alleys within the City of Yankton.

The City Finance Officer is hereby directed to certify such assessments together with the regular assessments for 2022, collectable in 2023, to the County Auditor to be collected as municipal taxes for general purposes.

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

Action 22-209

This was the time and the place for the bid opening of the Consideration of Memorandum #22-157 regarding Bid Award for Water Main Replacement Project on Jacqueline Drive and Jo Lane. The following bids were received and opened on August 11th, 2022 at 3:00pm; Feimer Construction Inc., Yankton, SD, \$88,310.00. (Memorandum #22-157) Moved by Commissioner Johnson, seconded by Commissioner Webber, to award the bid to Feimer Construction, Inc. in the amount of \$88,310.00, as explained in Memorandum #22-157

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

Action 22-210

Moved by Commissioner Maibaum, seconded by Commissioner Weber to sign the State of South Dakota Department of Transportation Funding Agreement Amendment Number 1 to Agreement Number 716921 as outlined in Memorandum #22-156.

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

Action 22-211

Moved by Commissioner Webber, seconded by Commissioner Johnson, to approve Memorandum #22-153 including authorizing the City Manager to sign the James River Water Development District grant application, DANR Memorandum of Agreement, and other associated documents related to the stream gauge project through completion.

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

Action 22-212

Moved by Commissioner Maibaum, seconded by Commissioner Benson, to approve Change Order No. 2 - Final and Payment Estimate #3 - Final, authorize the City Manager to sign the Final Review and Acceptance form for the completed Taxiway A Rehabilitation Project, and authorize the Finance

Officer to issue a manual check to Screed Tech LLC in the amount of \$35,158.15, as detailed in Memorandum #22-154.

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

Action 22-213

Moved by Commissioner Webber seconded by Commissioner Johnson, to approve the Amendment to Agreement for Professional Services with KLJ Engineering and authorize the City Manager to sign and administer the project documents as explained in Memorandum #22-158.

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

Action 22-214

Moved by Commissioner Villanueva seconded by Commissioner Maibaum, to adjourn into Executive Session at 8:48 p.m. to discuss **contractual, litigation and personnel 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 Moser.

Roll Call: Present: Commissioners Benson, Johnson, Maibaum, Miner, Schramm, Webber and Villanueva. City Attorney Den Herder and City Manager Leon were also present.
Quorum present. Absent: Commissioner Brunick

Action 22-215

Moved by Commissioner Benson, seconded by Commissioner Villanueva, to adjourn at 9:59 p.m.

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

Stephanie Moser
Mayor

ATTEST:

Al Viereck
Finance Officer