



2022_12_22

**CITY COMMISSION
MEETING**



Mission Statement
To provide exemplary experiences, services & spaces that create opportunities for everyone to learn, engage and thrive.

YANKTON BOARD OF CITY COMMISSIONERS

Regular City Commission Meeting beginning at 12:00 P.M.

Thursday, December 22, 2022

City of Yankton Community Meeting Room

Located at the Career Manufacturing Technical Education Academy formerly known as Technical Education Center • **1200 W. 21st Street • Room 114**

If you would like to watch the City Commission meeting you can do so by accessing the City of Yankton's YouTube Live Channel.

<https://www.youtube.com/channel/UCD1a1hf1dIkiLVSXnmDRQg/live>

Rebroadcast Schedule: Tuesday @ 7:30pm, on Channels 3 & 45

I. ROUTINE BUSINESS

1. Roll Call

2. Approve Minutes of Regular Meeting of December 12, 2022

Attachment I-2

3. Schedule of Bills

Attachment I-3

4. Public Appearances

Public appearances is a time for persons to address the City Commission on items not listed on the agenda. No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken. Each person has up to three minutes to speak. Comments made during the Public Appearance Comment period of the agenda may be on any subject. There shall be no personal attacks against the Mayor, members of the City Commission, City Staff, or any other individual.

II. CONSENT ITEMS

Matters appearing on the Consent Agenda are expected to be non-controversial and will be acted upon by the City Commission at one time, without discussion. Approval constitutes following the recommendation of the City Manager on each item.

1. Establish Public Hearing for sale of alcoholic beverages

Establish January 9, 2023 as the date for the public hearing on the request for a Special Events Retail (on-sale) Liquor License for 1 day, January 21, 2023, from Ben's Brewing Co. (Ben Hanten, Owner), 222 West 3rd Street, NFAA, 800 Archery Lane, Yankton, S.D.

Attachment II-1

III. OLD BUSINESS

Old business includes items that have previously appeared on the City Commission's agenda and require further consideration or action by the board.

NONE

Adoption of an ordinance is typically a two-meeting process. At the first meeting, an ordinance is introduced, and the first reading is held. During the second meeting, the ordinance is discussed by the commission and the public and then considered for adoption.

IV. NEW BUSINESS

New business items are those that have not been discussed by the Commission previously.

NONE

V. OTHER BUSINESS

Other business is a time for City Commissioners to address the commission regarding matters not on the agenda. These items will be deliberated by the governing body and will not be acted upon at this time. Items mentioned may be added to a future City Commission meeting or work session for deliberation or action.

VI. ADJOURN THE MEETING OF DECEMBER 22, 2022

The City of Yankton Community Meeting Room is accessible to everyone. If you have any additional accommodation requirements, please call 668-5221.

Should you have any reason to believe an open meetings law has been violated please contact the Open Meetings Commission at the South Dakota Office of the Attorney General at: 1302 E. Hwy 14, Suite 1, Pierre, SD 57501-8501 or by phone at 605-773-3215.

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
DECEMBER 12, 2022**

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

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

Action 22-312

Moved by Commissioner Johnson, seconded by Commissioner Schramm, to approve Minutes of regular meeting of November 28, 2022.

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

Action 22-313

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

1 Office - Chair Mats - \$501.66; AOX - Propane - \$214.75; Ab Bus Equip - Copier Lease - \$372.67; Active Net - Annual Subscript - \$19,609.05; Adobe - Adobe Sub - \$14.99; Afscme Council 65 - Employee Deduct - \$856.90; Airport Mgr's Assn - Dues - \$25.00; Am Heart Shop - Cpr Video - \$198.49; Am Planning - Renewals - \$616.00; Am Red Cross - Lifeguard Recertify - \$80.00; Am Water Works - Memp Dues - \$227.00; Amazon - Printer - \$819.00; Amazon - Office Supplies - \$79.82; Amazon - Chalk - \$15.23; Amazon - Chalk - \$15.23; Amazon - Aquatic Dumbbells - \$67.45; Amazon - Office Supplies - \$48.96; Amazon - Exercise Balls - \$35.90; Amazon - Book - \$16.55; Amazon - Stream light Batt - \$70.14; Amazon - Book - \$11.16; Amazon - Aquatic Balls - \$56.04; Amazon - Batteries - \$37.25; Amazon - Desk Riser - \$128.69; Amazon - Firewalls - \$9,433.64; Amazon - Gingerbread Cost - \$61.98; Amazon - Books - \$64.98; Amazon - Resist Bands - \$127.40; Amazon - Exercise Balls - \$31.98; Amazon - Supplies - \$4.99; Amazon - Book - \$10.95; Amazon - Stream light Batt - \$46.76; Amazon - Supplies - \$157.87; Amazon - Supplies - \$123.98; Amazon - Supplies - \$29.35; Amazon - Book - \$9.97; Amazon - Supplies - \$12.95; Amazon - Supplies - \$9.99; Amazon - Supplies - \$66.41; Amazon - Supplies - \$215.19; Amazon - Supplies - \$104.28; Amazon - Supplies - \$18.39; Amazon - Dvd - \$19.59; Amazon - Supplies - \$8.79; American Family Life - Cancer & Icu Prem - \$5,768.14; American Ramp Com - Skate Park Equip - \$8,354.64; Aox - Steel Saws - \$1,493.24; Ar500 - First Aid Bags - \$205.54; Assn Of Code Enforce - Dues - \$75.00; Att - Mobile - \$1,248.22; AutoZone - Rotor And Pads - \$2,122.19; Avera Health Plans - Premium - \$89,578.25; Avera Sacred Heart - Cdl Test - \$388.00; Axon - Tasers - \$7,056.60; Axvoice - Service - \$21.44; Banner Associates - Marne Creek Restore - \$12,517.18; Bbg Const - Legal Consult - \$10,000.00; Best Wstrn - Training - \$75.00; Bluepeak - Int Ser - \$3,541.66; Bomgaars - Impact Wrench - \$2,605.20; Brdway Chrys - Vehicle Purch - \$2,000.00; Brodart - Office Supplies - \$34.07; Buhls - Uniform Alter - \$74.00; Building Officials - Dues - \$55.00; Buyregisterrolls - Supplies - \$71.99; C & B - Parts - \$123.70; C Johnson Foundation - Mem Pathways - \$2,063.46; Canva - Pro Services -

\$119.40;Caseys - Travel Ex - \$97.96; Caseys - Conf - Fuel - \$49.13; Caseys - Planning - \$82.93; Ceco Indl Solut - Blower - \$11,106.00; Cedar Knox Pub Pwer - Electricity - \$1,110.40; Cengage Learning - Books - \$95.96; Centurylink - Phone - \$1,297.24; Chesterman - Concessions - \$96.00; Chick Fil A - Travel - \$39.74; Christ Radiator - Supplies - \$477.70; City Utilities - Park Water - \$46,831.66; Civicplus - Annual Subs - \$1,604.00; Cntr Point - Books - \$95.88; Coffee Cup - Fuel - \$72.99; Consol Electrical - Generator Maint - \$395.00; Core & Main - Manhole Rings - \$8,557.43; Cornwell - Polisher - \$385.55; Cov - Jt Power - \$61,002.46; Coy Parks - Landfill Charges - \$392.36; Coy Solid Waste - Compacgarbage - \$17,719.26; Coy Water - Cartridge Disposal - \$88.33; Creative Forms & Concepts - 1099 Forms - \$76.18; Credit Collections - Ut Collect - \$450.86; Cres Elec - Hetr Moun Kit - \$428.34; Cty Manage Assn Sd - Membership Dues - \$150.00; Dairy Queen - Travel - \$26.33; Dakota Environ - Cleaning - \$2,050.00; Danko Emer Equipt - Ladder Truck Repair - \$10,564.83; Demco - Supplies - \$395.89; Den Herder - Imla Travel - \$1,622.61; Dep Of Agri - Permit Fee - Marne Creek - \$512.50; Doc - Work Program - \$963.90; Doh - Water Samples - \$385.00; Dollar Tree - Supplies - \$65.00; Dominos - Prog - \$74.15; Dooley/Patrick - Refund - \$75.00; Dss - Child Supp - \$2,104.84; Dunham - Supplies - \$77.26; Echo Elect - Bulb, Ballast - \$725.96; Ehresmann Eng - Rebar - \$46.92; Esri - Software Renew - \$4,200.00; Facebk - Ads - \$73.62; Facebk - Ads - \$75.00; Fastenal - Bolts - \$10.19; Fedex - Shipping - \$15.68; Feimer Const - Const - \$77,732.50; Fejfar Plum - Supplies - \$22.80; Fejfar Plumb - Replace Breaker - \$304.09; Fin Officer Assn - Dues - \$70.00; Finance - Travel Expense - \$27.75; Fire Chief Assn - Mem Dues - \$125.00; First Dak Nat'l Bank - Hsa Cont - \$7,315.70; Flexible Pipe Tool Com - Cable - \$512.00; Fnb - Cafe Plan - \$1,450.00; Galls - Officer Ties - \$88.39; Geotek - Westside Park Pond - \$11,520.00; Gerstner - Fuel - \$61,165.94; Gerstner Oil - Oil - \$114.70; Gotomeeting - Software - \$192.00; Grainger - Ball Valves - \$946.66; Granicus - Website - \$9,473.11; Greatlife - Cust Pump Proj - \$93,554.37; H & L - Dot Inspection - \$578.92; Hach - Reagents - \$2,272.67; Had Harry & David - Program Supplies - \$71.33; Hansens - Lock Replace - \$718.00; Hanson Briggs - Evidence Inventory - \$39.48;Hard Drive Central - Printing - \$66.92; Harn Ro Systems - Filters - \$18,166.73; Hawkins - Chemicals - \$52,735.20; Hdr Engineer - Wwtp Eda Improvement - \$50,056.75; Healthworks - Cdl Testing - \$140.72; Heiman Fire Equipment - Fire Boots - \$2,249.80; Hhs - Pound Expans - \$20,000.00; Hite/George - Boot Reim - \$143.69;Hobby-Lobby - Program Supplies - \$66.88; Homedepot - Batteries - \$1,353.00; Hr Assn - Dues - \$50.00; Hults/Nathan - Holiday Prty - \$400.00; Hy-Vee - Supplies - \$283.98; Icma Retir Trust - Icma Cont - \$1,825.78; In Powers Port A Pot - Harvest Halloween - \$1,210.00; Interstate Power Systems - Parts - \$303.19; Intl Code Council - Certification - \$105.00; J & M Aircraft - Transformer - \$292.52;J&H - Supplies - \$4,100.00; Jack's - Badges - \$891.99; Jacks Unif - Shirt - \$335.34; Jel Solu - Supplies - \$698.00; Johnson Cont - Pool Repairs - \$735.30; Jones Constr - Ww Eda Const - \$529,383.43; Kaiser Ref - Repair - \$632.08; Keep Yankton Beautiful - Ad - \$300.00; Kleins - Tree Removal - \$1,950.00; Klj Engineering - Design Services - \$4,000.00; Knife River - Road Materials - \$1,186.66; Koletzky Imp - Filter - \$86.50; Kopetskys - Snow Shovels - \$470.18; Kulhavy/Kevin - Boot Reimburs - \$130.00; Lakeshore - Floor Seating - \$367.96; Lamb Motor - Explorer - \$35,995.00; Language Line - Interp Services - \$287.23; Larrys - Filters - \$298.20; Lewis Clark Ford - Seat Covers And Assembly - \$651.04; Locators & Supplies - Gloves - \$522.65; Lumacurve - Sign - \$3,747.50; Lumen - Fiber Int - \$347.36; Macqueen Emer - Annual Scba Flow Test - \$2,085.40; Malloy Electric - Motor - \$761.24; Masonry Components - 5th Street Const - \$78,406.84; Mead - Panel - \$74.24;Mead - Passes - \$150.00; Menards - Supplies - \$2,329.69; Metrofax - Service - \$11.95; Midam Energy - Fuel - \$1,571.74; Midamerican - Fuel - \$2,203.45; Midwest Alarm Comp - Alarm Monitoring - \$1,597.70; Midwest Lab - Month Test - \$209.84; Midwest Tape - Av - \$597.85; Millenium Recycling - Single Stream Recycling - \$2,477.65; Minn Life Ins - Life Group Ins - \$600.43; Miracle Recreation Equipt - Posts - \$1,324.69; Money Movers - Sac Maint - \$11.75; Morrow/Joseph C. - Design Work - \$2,160.00;

Motor Veh Dept - Title & Lic - \$48.40; Municipal League - Dues - \$8,835.81; Napa - Bearings - \$1,113.36; Naturescaping - Lighting - \$2,654.05; Nbs Cal - Balance Calib - \$450.00; Neb Dor - Ne Income Tax - \$775.45; Newsletter Pub - Employlaw Review - \$159.00; Nickles/Larry - Boot Reim - \$152.70; Northern Lights Display - Parts - \$245.00; Northern Truck Equipt - Parts - \$1,471.35; Northtown - Repair - \$237.40; Northwest Elect - Blower Diag - \$26.00; Northwestern - Elec - \$79,200.82; Observer - Ad - \$100.50; Oconnor Comp - Heating Elem - \$668.50; Olsons - Pest Contrl - \$278.00; Olson's - Pest Control - \$219.00; Oreilly - Parts - \$1,891.14; Overdrive Dist - E-Books - \$2,999.79; P&D - Comm Minutes - \$1,113.84; Paddock Pool Equipment - Valve - \$2.00; Photo By Jerry - Retirement Photo - \$122.50; Pitney Bowes - Postage - \$207.00; Planning & Development - Marne Creek Land - \$8,335.00; Platt/Shana - Reimburs - \$82.27; Principal Life Ins - Dental Ins - \$6,803.99; Pro Auto - Tow - \$100.00; Psn - Cc Merch - \$69.85; Push Pedal Pull - Equipt Repairs - \$250.00; Racom Corp - Radio Access - \$71.60; Ramkota - Confer - \$101.00; Rath Comm - Car Batt - \$75.25; Retirement - Sd Retire - \$88,003.13; Riverside Hydr - Motor & Fittings - \$1,190.09; Road King - Repairs - \$611.02; Rocs - Reimburse - \$150.00; Sam - Gps Data Collector - \$5,000.00; Sanitation Products - Broom - \$1,919.92; Schroeder/Roger - Boot Reimburs - \$130.00; Screed Tech - Taxiway Rehab - \$35,158.15; Sd 811 - Message Fee - \$221.55; Sd State His - Proservices - \$10.00; Sdmuncileag - Chief Assoc Dues - \$240.90; Sdpra - Dues - \$320.00; Sdsrp - Sd Supp Retire - \$31,164.76; Shurco - Tarp - \$1,320.77; Simonsen/Kole - Cdl Reimburs - \$50.00; Sioux Equipt Com - Tank Inspection - \$3,449.15; Sprinkler Warehouse - Supplies - \$43.12; Standard Insurance Company - Vision Ins - \$681.32; Stockwell Engineers - Westside Park Amend - \$39,400.00; Street Maintenance - Dues - \$35.00; Sturdevants - Filters - \$1,851.97; Supplyhouse - Thermostats - \$416.74; Tessman Comp - Supplies - \$262.26; Third Millennium - Trash Pickup & Recycling - \$3,020.58; Titan Mach - Filters - \$254.58; Tma - Loader Tires - \$20,119.41; Tomco Systems - Repairs - \$977.40; Toms Electric - Repairs - \$4,869.26; Tractor-Supply - Tools - \$390.90; Transport Dept - Bridge Inspections - \$7,107.06; Trk Hosting - Internet Access - \$7.95; Truck Trailer - Gaskets - \$2,119.68; Truck Trailer - Parts & Labor - \$1,990.45; Ukg - Software&Timeclock - \$3,385.42; Ulmer/Bruce - Reimburse Safety Glasses - \$60.00; United Way - Employee Contri - \$172.00; Ups - Utility Post - \$2,385.80; Ups - Selenium Shipping - \$307.62; Us Treas - Fed Tax Withhold - \$168,599.11; Usatoday - Subscript - \$407.51; Usps - Mail - \$201.09; Usps - Postage - \$719.43; Usps - Box Fee - \$212.00; Utility Equipment Co - Locate Box - \$467.16; Vermeer High Plains - Flashing Part - \$350.60; Viddler - Video - \$41.49; Vwr International - Lab Supplies - \$183.68; Vzwrlls - Internet - \$1,190.37; Walgreens - Photo - 1.60; Wall St Journal - Subscrip - \$634.88; Walmart - Storage Contain - \$305.24; Walmart - Supplies - \$71.58; Walmart - Ink - \$425.48; Webstaurant Store - Filter & Cleaner - \$100.59; White/Jennifer - Artist Stip - \$300.00; Wholesale Supply - Supplies - \$198.80; Winnelson - Park Repairs - \$442.98; Xerox - Copies - \$1,535.33; Yankton Basketball Inc - Ybi Basketball Prog - \$4,604.45; Yankton Cnty Auditor - 3rd Qtr Safety Center - \$9,368.40; Yankton Janitor Supply - Supplies - \$98.95; Yankton Nurseries - Playground - \$405.00; Yankton School Dist - Sac Equipment - \$90,640.80; Yankton Thrive - Sales Tax Reim - \$6,244.91; Yankton Vol Fire Dep - Premium - \$58,707.58; Yankton Vol Fire Depart - Fire Calls Oct/Nov - \$1,040.00; Ykt Janitorial - Supplies - \$815.14; Ymc - Services - \$524.00; Ymc - Ads - \$330.44; Ypd - Petty Cash - \$213.62;

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 Public appearance was made by Cullin Kohles, from the Vermillion office of Banner Associates, Inc., who spoke on the Bridge Inspection Reports. No official Commission action was taken on this item at this time.

Action 22-314

This was the time and place for the public hearing on the application for a Special Events (on-sale) Liquor License for 1 day, January 21, 2023, from Riverside Roadhouse, Inc. d/b/a/ Riverside Roadhouse, 44368 309th Street, Mission Hill, SD 57046 at The Meridian Venue, 101 E. 3rd Street, Yankton, SD. The above applicant is in compliance with the City Code of Ordinances, as checked by the Department of Finance. A police check on the applicant revealed no felony convictions or warrants. The applicant is in compliance with all building and fire codes. (Memorandum 22-238)

Moved by Commissioner Johnson, seconded by Commissioner Maibaum, to approve the license.

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

Motion adopted.

Action 22-315

Moved by Commissioner Johnson, seconded by Commissioner Brunick, to listen to the update from Heartland Humane Society, and direct staff to issue payment of the invoice submitted.

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

Motion adopted.

Action 22-316

This was the time and place for the second reading and public hearing for Ordinance No.1067 amending Ordinance #1055, AN ORDINANCE SUPPLEMENTING THE 2022 ANNUAL APPROPRIATION. No one spoke for or against the adoption of the ordinance.

Moved by Commissioner Maibaum, seconded by Commissioner Schramm, to adopt Ordinance 1067.

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

Motion adopted.

Action 22-317

This was the time and place for the bid opening of the 2022-2023 Annual Supply of Transport/ Tank Wagon Petroleum Products. The following bids were received and opened on November 22, 2022 at 3:00. Gerstner Oil 3004 E SD 50 Yankton SD, 57078 and Harms Oil 337 22nd Ave Brookings, SD 57006.

DESCRIPTION		GERSTNER OIL
Aviation Gas – 100 low lead:		
Transport		\$0.2269
Tankwagon		\$0.4489
Jet A fuel (with fuel system ice inhibitor):		
Transport		\$0.1369
Tankwagon		\$0.3499

Moved by Commissioner Schramm, seconded by Commissioner Brunick, to award the contract for fuel at Chan Gurney Municipal Airport to Gerstner Oil for the low bid amounts listed in (Memorandum #22-221).

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

Action 22-318

Moved by Commissioner Schramm, seconded by Commissioner Johnson, to authorize the City Manager to execute the attached contract for professional services with HDR in an amount not to exceed \$5,822,372.00 contingent upon the Owner’s Representative and Legal review. (Memorandum 22-239)

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

Action 22-319

Moved by Commissioner Brunick, seconded by Commissioner Webber, to approve the purchase of one 2023 Ford F250 in the amount of \$42,972.00 for the Environmental Services Department from Lamb Motors of Onida, South Dakota from the State bid contract. (Memorandum 22-241).

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

Action 22-320

Moved by Commissioner Schramm, seconded by Commissioner Benson, to approve the Change Order No. 1 Wastewater EDA Project in the amount of \$60,574.00 increasing the project cost to total of \$9,954,574.00. (Memorandum 22-243).

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

Action 22-321

Moved by Commissioner Webber, seconded by Commissioner Brunick, to approve the renewal of the 2023 Mobile Home Park Licenses. (Memorandum 22-237).

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

Action 22-322

Moved by Commissioner Johnson seconded by Commissioner Brunick, to approve Resolution 22-62. (Memorandum 22-244).

RESOLUTION #22-62
Conditional Use Permit

WHEREAS, Barney Edwards LLC is the applicant for a project on property legally described as the south 10' of the north 1/2 of Lot 9, except lots C and D, and the south half of Lot 9 except the south 20' and except Lot H1, Block 1 Airport Acres Addition in the City of Yankton, South Dakota, and

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

WHEREAS, this Conditional Use Permit request is necessary for the construction and operation of self-storage facilities and the associated plans have 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 a self-storage facility as depicted in the associated documentation, on the above described property.

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

Action 22-323

Moved by Commissioner Schramm, seconded by Commissioner Brunick, to approve Resolution 22-63. (Memorandum 22-245).

RESOLUTION #22-63

WHEREAS, it appears from an examination of the plat of Tract 1, Little Addition, in the SW 1/4 of the SE 1/4 of Section 2, T93N, R56 W of the 5th P.M., Yankton County South Dakota, prepared by John L. Brandt, a registered land surveyor in the State of South Dakota, and

WHEREAS, such plat has been prepared according to law and is consistent with the City's overall Comprehensive Development Plan and is subject to County review.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the plat for the above described property is hereby approved.

Roll Call: Commissioners voting "Aye;" were Benson, Brunick, Johnson, Schramm, Webber, Villanueva and Mayor Moser; voting "Nay:" None; Abstain: Commissioner Maibaum.
Motion adopted.

Action 22-324

Moved by Commissioner Benson, seconded by Commissioner Webber to approve Resolution 22-64. (Memorandum 22-246).

RESOLUTION #22-64

WHEREAS, it appears from an examination of the plat of Kuchta 3rd Addition in the NE 1/4 of the NE 1/4 of Section 6, Township 93 North, Range 55 West of the 5th P.M., City and County of Yankton, South Dakota, prepared by Brett R. Kennedy, a registered land surveyor in the State of South Dakota, and

WHEREAS, such plat has been prepared according to law and is consistent with the City's overall Comprehensive Development Plan and is subject to County review.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the plat for the above described property is hereby approved.

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

Action 22-325

Moved by Commissioner Johnson, seconded by Commissioner Schramm, to approve Resolution 22-66. (Memorandum 22-248)

RESOLUTION NO. 22-66

WHEREAS, Kirby Hofer Construction Company Inc is the owner of land adjacent to the City of Yankton's Municipal Corporate Limits, and have requested the City, pursuant to SDCL 9-4-1, to annex certain real property into the corporate limits of the City of Yankton, and

WHEREAS, there are no registered voters residing on said property.

NOW, THEREFORE, BE IT RESOLVED by The Board of City Commissioners of the City of Yankton, South Dakota, that the following described real property is hereby annexed into the corporate limits of the City of Yankton, South Dakota:

DESCRIPTION OF LAND TO BE ANNEXED

Kuchta 3rd Addition in the NE 1/4 of the NE 1/4 of Section 6, Township 93 North, Range 55 West of the 5th P.M., City and County of Yankton, South Dakota containing 16.78 acres.

As shown on the attached Annexation Location Map.

Adopted this 12th day of December, 2022.

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

Action 22-326

Moved by Commissioner Benson, seconded by Commissioner Schramm, to approve Resolution 22-65. (Memorandum 22-247).

RESOLUTION #22-65

WHEREAS, it appears from an examination of the plat of School Tract 1 of Ridgeway North Subdivision to the City of Yankton, South Dakota, prepared by Brett R. Kennedy, a registered land surveyor in the State of South Dakota, and

WHEREAS, such plat has been prepared according to law and is consistent with the City's overall Comprehensive Development Plan.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the plat for the above described property is hereby approved.

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

While the City Commission was acting as the Zoning Board of Adjustment, Commissioner Benson introduced and Mayor Moser read the title of Memorandum 22-249, a request to consider a variance from the City's maximum front yard fence height in a residential district on Lot 16, Block 2, Mayer's Addition to the City of Yankton, SD. Address 203 W 25th St., owners Travis Arens and Kelly Arens, and set a date of January 9, 2023 as the date for a public hearing.

Action 22-327

Moved by Commissioner Brunick, seconded by Commissioner Schramm, to approve Change Order No. 1, accept the completed Airport Acres Site Grading and Storm Sewer project, and authorize the Finance Officer to issue a manual check to Feimer Construction, Inc. in the amount of \$126,756.75. (Memorandum #22-251).

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

Action 22-328

Moved by Commissioner Schramm, seconded by Commissioner Villanueva, to approve the purchase of four (4) Rifle Rated, Ballistic Shields for the Yankton Police Department, Patrol Division, from TAG Firearms LLC. (Memorandum 22-252).

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

Action 22-329

Moved by Commissioner Benson, seconded by Commissioner Villanueva, to approve and authorize the City Manager to sign the revised agreement between the City of Yankton and the American

Federation of State, County, and Municipal Employees, AFL-CIO Local 3968 effective January 1, 2023 through-December 31, 2025.

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

Action 22-330

Moved by Commissioner Webber, seconded by Commissioner Johnson, to adjourn into Executive Session at 7:57 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, Brunick, Johnson, Maibaum, Schramm, Webber and Villanueva. City Manager Leon was also present. Absent: Commissioner Miner and City Attorney Den Herder. Quorum present.

Action 22-331

Moved by Commissioner Villanueva, seconded by Commissioner Benson, to adjourn at 8:42 p.m.

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

Stephanie Moser
Mayor

ATTEST:

Al Viereck
Finance Officer

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
A-OX WELDING SUPPLY CO I	PROPANE	79.42	CHEMICALS & GASES	801.801.240		276309	023713	P	933	00003
	PROPANE	88.95	CHEMICALS & GASES	801.801.240		88061619	023714	P	933	00002
		168.37	*VENDOR TOTAL							
ACUITY BRANDS LIGHTING I	LIGHTS	6,580.00	EQUIPMENT	101.126.350		29587264	023727	P	934	00001
ANDERSON REALTY LLC	FACADE GRANT	20,977.08	HISTORIC DOWNTOWN YANKTO	211.231.549		12.5.22	021128	P	933	00001
ARGUS LEADER	SURPLUS AUCTION NOTICE	52.01	PUBLISHING	101.104.211		5475415	023064	P	933	00004
BINDER/TIM	OFFICER STIPEND	300.00	PROFESSIONAL SERV.-VOLUN	101.114.202		12.14.22	225603	P	934	00002
CEDAR KNOX PUBLIC POWER	ELECTRICITY	719.71	ELECTRICITY	601.601.272		350022554	005176	P	933	00012
	ELECTRICITY	496.47	ELECTRICITY	201.201.272		350035355	005243	P	933	00013
		1,216.18	*VENDOR TOTAL							
CENTRAL SALT	DEICING SALT	1,657.90	CHEMICALS	101.124.240		PS119-63904	023552	P	933	00018
	DEICING SALT	1,733.38	CHEMICALS	101.124.240		P5119-64070	023552	P	934	00003
	DEICING SALT	1,687.69	CHEMICALS	101.124.240		12.15.22	023552	P	934	00004
	DEICING SALT	1,762.51	CHEMICALS	101.124.240		12.15.22	023552	P	934	00005
		6,841.48	*VENDOR TOTAL							
CENTURYLINK	PHONE	581.26	TELEPHONE	101.111.271		12.12.22	002829	P	933	00006
	PHONE	168.48	TELEPHONE	101.123.271		12.12.22	002829	P	933	00007
	PHONE	83.20	TELEPHONE	601.601.271		12.12.22	002828	P	933	00008
	PHONE	166.40	TELEPHONE	611.611.271		12.12.22	002828	P	933	00009
	PHONE	83.20	TELEPHONE	601.601.271		12.12.22	003059	P	933	00010
	PHONE	83.20	TELEPHONE	611.611.271		12.12.22	003059	P	933	00011
		1,165.74	*VENDOR TOTAL							
CHS	GREASE	204.00	GARAGE GASOLINE & LUBRIC	801.801.238		126506	080016	P	934	00006
	FUEL	180.00	GARAGE GASOLINE & LUBRIC	801.801.238		126506	080016	P	934	00007
		384.00	*VENDOR TOTAL							
CITY OF YANKTON-PARKS	LANDFILL CHARGES	68.88	LANDFILL	201.201.276		12.6.22	003889	P	934	00008
COLLECTIVE DATA	SOFTWARE	2,527.20	PROFESSIONAL SERVICES	801.801.202		17844	023715	P	933	00017

Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
CORE & MAIN	TRAFFIC REPAIR KIT	2,830.00	REP. & MAINT. - DISTRIBU	601.601.226		SO29705	220222	P	933	00015
	CABLE	22,770.00	REP. & MAINT. - DISTRIBU	601.601.226		29219	220221	P	933	00016
		25,600.00	*VENDOR TOTAL							
COUNTERFEIT CATERING	PROFESSIONAL SERVICES	5,517.09	EMPLOYEE COMMITTEE	101.107.141		2920	202216	P	933	00014
CREDIT COLLECTION SERVIC	UT COLLECTION	51.66	PROFESSIONAL SERVICES	601.601.202		12.16.22	001858	P	934	00025
	UT COLLECTION	16.60	PROFESSIONAL SERVICES	611.611.202		12.16.22	001858	P	934	00026
	UT COLLECTION	12.09	PROFESSIONAL SERVICES	631.631.202		12.16.22	001858	P	934	00027
		80.35	*VENDOR TOTAL							
DIRECT AUTOMATION	REPLACE HVAC CONTROLS	26,196.46	REP. & MAINT. - BUILDING	101.125.223		DA22623	220020	P	934	00028
ELECTRIC PUMP INC	PARTS	477.09	REP. & MAINT. - PLANT	601.601.221		43073-IN	220224	P	933	00019
EMERGENCY SERVICES MARKE	SOFTWARE	300.00	SUBSCRIPTIONS & PUBLICAT	101.114.235		10120231AM	225600	P	933	00020
EQUIPMENT BLADES	CUTTING EDGES	21,251.40	GARAGE PARTS	801.801.249		INV362	023716	P	933	00021
FASTENAL COMPANY	PARTS	964.13	GARAGE PARTS	801.801.249		180618	023718	P	933	00022
FRICK/ADAM	OFFICER STIPEND	330.00	PROFESSIONAL SERV.-VOLUN	101.114.202		12.14.22	225604	P	934	00009
FRICK/BRIAN	OFFICER STIPEND	680.00	PROFESSIONAL SERV.-VOLUN	101.114.202		10120231	225601	P	934	00010
GERSTNER OIL CO	FUEL	29,911.88	GARAGE GASOLINE & LUBRIC	801.801.238		190104	023720	P	933	00023
	FUEL	3,296.09	GARAGE GASOLINE & LUBRIC	801.801.238		45393	023711	P	933	00024
		33,207.97	*VENDOR TOTAL							
HAWKINS INC	CHEMICALS	3,496.78	CHEMICALS & GASES	611.611.240		6349723	221026	P	933	00025
	CHEMICALS	1,337.18	CHEMICALS & GASES	203.203.240		6352388	080788	P	934	00011
		4,833.96	*VENDOR TOTAL							
HEIMAN FIRE EQUIPMENT IN	FIRE EXTINGUISHERS	328.11	SMALL TOOLS & HARDWARE	101.114.247		915433	225594	P	933	00026
INTERSTATE POWER SYSTEMS	PARTS	303.19	REP. & MAINT. - PLANT	601.601.221		27828	220223	P	933	00027

Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
IVANS BORING LLC	LABOR	1,460.00	REP. & MAINT. - BUILDING	201.201.223		22099	080841	P	934	00012
JJ BENJI'S	WINTER HATS	45.00	UNIFORMS	101.111.244		20907	221547	P	933	00028
	UNIFORMS	134.00	UNIFORMS & DRY GOODS	101.114.244		20955	225598	P	933	00005
		179.00	*VENDOR TOTAL							
JOHNSON/JODY	OFFICER STIPEND	250.00	PROFESSIONAL SERV.-VOLUN	101.114.202		12.14.22	225606	P	934	00013
KAVANAUGH/JOHN	OVER PAY/UTILITIES	455.80	METERED SALES	601.3810		12.16.22	023636	P	934	00029
KRAFT/JOHN	OFFICER STIPEND	325.00	PROFESSIONAL SERV.-VOLUN	101.114.202		12.14.22	225608	P	934	00014
LOCALITY MEDIA INC	SOFTWARE	1,586.50	SUBSCRIPTIONS & PUBLICAT	101.114.235		2681	225599	P	933	00029
MASTALIR/BRANDON	BOOT REIMBURSEMENT	116.24	PROFESSIONAL SERVICES	101.125.202		12.12.22	202216	P	933	00034
MERIDIAN VENUE	PROFESSIONAL SERVICES	250.00	EMPLOYEE COMMITTEE	101.107.141		12.6.22	202216	P	933	00030
MIDWEST ALARM COMPANY IN	ALARM TESTING	85.50	PROFESSIONAL SERVICES	801.801.202		328584	023725	P	934	00015
	ALARM TESTING	85.50	PROFESSIONAL SERVICES &	637.637.202		328585	023726	P	934	00016
		171.00	*VENDOR TOTAL							
MOJOS 3RD STREET PIZZA	PROFESSIONAL SERVICES	200.00	EMPLOYEE COMMITTEE	101.107.141		12.6.22	202216	P	933	00031
MOSER/BRAD	OFFICER STIPEND	380.00	PROFESSIONAL SERV.-VOLUN	101.114.202		12.14.22	225602	P	934	00017
MOTOROLA	CAMERA CLIPS	114.00	REP. & MAINT. - EQUIPMEN	101.111.221		8281523987	221546	P	933	00032
MOUNT MARTY COLLEGE	UTILITY REFUND	2,375.94	ACCOUNTS RECEIVABLE	601.1311		14-132-50-3	023633	P	933	00033
NATURESCAPING DESIGNS LL	LABOR	127.50	REP. & MAINT. - BUILDING	201.201.223		3405	080840	P	934	00018
NICKLES/MARK	OFFICER STIPEND	250.00	PROFESSIONAL SERV.-VOLUN	101.114.202		12.14.22	225607	P	934	00019

Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
OBSERVER	AD	48.00	ADVERTISING	203.203.211		12.6.22	080842	P	934	00020
OLSON'S PEST TECHNICIANS	PEST CONTROL	94.00	REP. & MAINT. - BUILDING	101.114.223		279968	225596	P	933	00036
	PEST CONTROL	125.00	REP. & MAINT. - BUILDING	101.114.223		279979	225597	P	933	00035
	PEST CONTROL	290.00	REP. & MAINT. - BUILDING	101.125.223		409-064	021124	P	933	00037
		509.00	*VENDOR TOTAL							
PRESS DAKOTA MSTAR SOLUT	NOTICE	14.08	PUBLISHING	101.122.211		137284	023553	P	933	00046
	NOTICE TO BIDDERS	77.76	PUBLISHING	101.122.211		137289	023554	P	933	00044
	SURPLUS AUCTION NOTICE	41.44	PUBLISHING	101.104.211		137519	023063	P	933	00041
	NOTICE TO BIDDERS	35.70	PROFESSIONAL SERVICES -	101.127.202		137569	023613	P	933	00043
	NOTICE	8.00	PUBLISHING	101.106.211		137735	021119	P	933	00042
	COMMISSION MINUTES	285.92	PUBLISHING	101.101.211		2504	023629	P	933	00038
	NOTICE	30.08	PUBLISHING	101.101.211		2504	023607	P	933	00040
	COMMISSION MINUTES	247.20	PUBLISHING	101.101.211		2504	023611	P	933	00045
	HFAC AD	440.00	ADVERTISING	202.202.211		2504	080843	P	934	00021
	NOTICE	22.72	PUBLISHING	101.106.211		341/342	021121	P	933	00039
		1,202.90	*VENDOR TOTAL							
REGISTER OF DEEDS	COPY FEES	59.50	COPIES	101.106.234		12.2.22	021127	P	933	00048
	COPY FEES	40.50	COPIES	101.122.234		12.2.22	021127	P	933	00049
		100.00	*VENDOR TOTAL							
RIVERSIDE TECHNOLOGIES I	HP PRINTER	499.00	EQUIPMENT	101.105.350		369144-IN	220034	P	934	00022
	MICROSOFT SERVER CAL	2,085.00	EQUIPMENT	101.105.350		369311	220031	P	934	00023
		2,584.00	*VENDOR TOTAL							
RON'S AUTO GLASS REPAIR	ROCK CHIP REPAIR	50.00	REP. & MAINT. -VEHICLES	101.111.222		101888	221545	P	933	00047
SIGN SOLUTIONS	SIGNS	608.15	ROAD MATERIALS	101.123.239		404343	023721	P	933	00055
	SIGNS	193.87	ROAD MATERIALS	101.123.239		404396	023722	P	933	00054
		802.02	*VENDOR TOTAL							
SOUTH DAKOTA FIREFIGHTER	SD FIREFIGHTERS DUES	1,100.00	MEMBERSHIP DUES	101.114.261		4883	225595	P	933	00053
STEVENS CONSTRUCTION INC	WESTSIDE PARK PLAY AREAS	21,500.00	EQUIPMENT	201.201.350		447465	022549	P	933	00051
STOCKWELL ENGINEERS INC	PLAT SURVEY	900.00	PROFESSIONAL SERVICES -	101.127.202		14487	021131	P	933	00052

Schedule of Bills

VENDOR NAME	DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID	LINE
THE DRAIN DOCTOR	DRAIN REPAIRS	370.62	REP. & MAINT. - BUILDING	801.801.223		890528	023719	P	933	00057
TRE ENVIRONMENTAL STRATE	4TH QTR TESTING	650.00	PROFESSIONAL SERVICES	611.611.202		4098	221028	P	933	00056
VOIGT/CAMERON	BOOT REIMBURSEMENT	150.00	UNIFORMS	101.111.244		12.12.22	202216	P	933	00058
WOEHL/TOBY	OFFICER STIPEND	380.00	PROFESSIONAL SERV.-VOLUN	101.114.202		12.14.22	225605	P	934	00024
YANKTON BASEBALL ASSN	FIELD IMPROVEMENT STIPEN	87,000.00	YANKTON BASEBALL ASSOCIA	211.231.547		12.8.22	005659	P	933	00060
YANKTON COUNTY AUDITOR	COST COMPONENT	15,740.81	RENT FOR SAFETY CENTER	101.111.212		12.14.22	021336	P	933	00059
YANKTON MEDICAL CLINIC	FIREFIGHTER MED EXAMS	4,770.00	EXAMINATIONS	101.114.205		12.5.22	225593	P	933	00062
YANKTON THRIVE	PROPERTY TAX	250.32	PUBLIC BUILDING IMPROVEM	501.501.391		199	021130	P	933	00061

Schedule of Bills

VENDOR NAME								
DESCRIPTION	AMOUNT	ACCOUNT NAME	FUND & ACCOUNT	CLAIM	INVOICE	PO#	F/P	ID LINE
REPORT TOTALS:	306,699.34							

RECORDS PRINTED - 000090

Schedule of Bills

FUND RECAP:

FUND	DESCRIPTION	DISBURSEMENTS
101	GENERAL FUND	79,374.36
201	PARKS AND RECREATION	23,652.85
202	HUETHER FAMILY AQUATICS CTR	440.00
203	SUMMIT ACTIVITY CENTER	1,385.18
211	LODGING SALES TAX	107,977.08
501	PUBLIC IMPROVEMENT	250.32
601	WATER OPERATION	30,149.79
611	WASTE WATER OPERATION	4,412.98
631	SOLID WASTE	12.09
637	JOINT POWER	85.50
801	CENTRAL GARAGE	58,959.19
TOTAL ALL FUNDS		306,699.34

BANK RECAP:

BANK	NAME	DISBURSEMENTS
1DAK	FIRST DAKOTA NAT'L BANK CORP	306,699.34
TOTAL ALL BANKS		306,699.34

THE PRECEDING LIST OF BILLS PAYABLE WAS REVIEWED AND APPROVED FOR PAYMENT.

DATE APPROVED BY

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NOTICE OF HEARING UPON APPLICATION
FOR SALE OF ALCOHOLIC BEVERAGES

NOTICE IS HEREBY GIVEN that an application has been received by the Board of City Commissioners of the City of Yankton, South Dakota, for a Special Events Retail (on-sale) Liquor License for 1 day, January 21, 2023, from Ben's Brewing Co. (Ben Hanten, Owner), 222 West 3rd Street, NFAA, 800 Archery Lane, Yankton, S.D.

NOTICE IS FURTHER GIVEN that a Public Hearing upon the application will be held on January 9th, 2023 at 7:00 p.m. in the City of Yankton Community Meeting Room at the Career Manufacturing Technical Education Academy, 1200 West 21st Street, Yankton, South Dakota, where any person or persons interested in the approval or rejection of the above application may appear and be heard.

Dated at Yankton, South Dakota,
This 22nd day of December, 2022.



Al Viereck
FINANCE OFFICER

____ Voice Vote