

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
MARCH 27TH, 2023**

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

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

Action 23-071

Moved by Commissioner Schramm, seconded by Commissioner Benson, to approve Minutes of regular City Commission meeting of March 13, 2023.

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

Motion adopted.

Commissioner Webber arrived at 7:05 p.m.

Mayor Moser proclaimed March as National March for Meals Month.

Mayor Moser recognized the Yankton Bucks Basketball State Champions. Yankton High School basketball coach, Chris Haynes, and the Yankton High School basketball team were present to accept the proclamation.

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

There were no public appearances at that time.

Action 23-072

Moved by Commissioner Webber, seconded by Commissioner Miner, to approve the following consent agenda items:

1. Notice to Call for City of Yankton Election

Establish 12:00 PM on Friday, April 14, 2023, as the time and date of a “Notice to Call” a Special City Commission meeting to canvass the election returns of the City of Yankton Election to be held on Tuesday, April 11, 2023.

2. Budget Meeting Date

Setting date of June 12, 2023 with a second date of June 13, 2023 (to be used if necessary) at 5:30 PM in CMTEA Room #114 for Budget Meetings to discuss the Capital Improvement Plan.

3. Establishing public hearing for sale of alcoholic beverages

Establish April 10, 2023 as the date for the public hearing on the request for a Special Events Retail (on-sale) Malt Beverage and a Special Retail (on-sale) Wine dealers License for 1 day, April 19th, 2023, from Mount Marty University-Aladdin, Mount Marty University Campus, 1105 W. 8th Street, Yankton, S.D.

4. Establishing public hearing for transfer of alcoholic beverages license

Establish April 10, 2023 as the date for the public hearing on the request for the transfer of

ownership of a Retail (on-off sale) Malt Beverage & SD Farm Wine License for June 30, 2022, to July 1, 2023, from B-Rad, LLC d/b/a Bro Burger Bar (Lauren Soukup, Owner), to DBC, LLC d/b/a Bro Burger Bar (Lauren Soukup, Owner), 304 W. 3rd Street, Yankton, S.D.

5. Establishing public hearing for sale of alcoholic beverages

Establish April 10, 2023 as the date for the public hearing on the request for a Special Malt Beverage (on-sale) Retailers License for 1 day, August 19, 2023, from Yankton Rodeo Association (Douglas O. Hevle, President), Rodeo Grounds, 404 Paddle Wheel Drive, Yankton, S.D.

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

Action 23-073

This was the time and place for the public hearing on the application regarding the request for a Special Events retail (on-sale) Liquor License for 1 day, April 1, 2023, from Ben’s Brewing Co. (Ben Hanten, Owner), 222 West 3rd Street, Sacred Heart Gala, St. Benedict Church Dining Room, 1500 Saint Benedict Drive, Yankton, SD 57078. (Memorandum 23-48) No one was present to speak for or against the application.

Moved by Commissioner Brunick, seconded by Commissioner Webber, to approve the license.

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

Action 23-074

This was the time and place for the public hearing on the request for the transfer of ownership and location for a Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2022, to June 30, 2023, from Zaccon, Inc. (Robert A Zacher, President), d/b/a Roadrunner Convenience Mart, 300 West 23rd Street, Suite II, to Diggers, Inc. (Larry Olson, Partner) d/b/a Diggers 2.0, 511 West 4th Street, Suite B, Yankton, SD 57078. (Memorandum 23-49) No one was present to speak for or against the application.

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

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

Commissioner Webber introduced and Mayor Moser read the title of Ordinance No. 1071, AN ORDINANCE REPEALING SECTION 423.4 OF THE 2015 INTERNATIONAL BUILDING CODE, (ORDINANCE 996) AND ENACTING THE ADOPTION OF SECTION 423.5 OF THE 2021 INTERNATIONAL BUILDING CODE, and set the date of the second reading and public hearing as April 10th, 2023.

Action 23-075

Moved by Commissioner Maibaum, seconded by Commissioner Webber, to approve funding three projects for the downtown façade grant program in 2023 and offering grant agreements to the projects selected by the committee. (Memorandum (23-50).

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

Action 23-076

This was the time and place for the bid opening for the annual supply of liquid asphalt. The only bid received is outlined below and was received and opened on March 16, 2023 at 3:00 p.m. (Memorandum 23-51)

	<i>AC PG 58-28 Grade Asphalt Cement</i>	<i>MC 70 Grade Asphalt</i>	<i>RC 800 Grade Asphalt</i>	<i>Demurrage Cost Per Hour Over 1.5 Hours</i>
<i>Jebro, Inc. 2302 Bridgeport Drive Sioux City, IA 51111</i>	\$725.35 Ton	\$4.84 Gal.	\$4.01 Gal.	\$160.00

Moved by Commissioner Schramm, seconded by Commissioner Brunick, to award the bid for the annual supply of liquid asphalt be awarded to Jebro, Inc. of Sioux City, Iowa as detailed above.

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

Action 23-077

This was the time and place for the bid opening for the annual supply of bituminous mix. The only bid received is outlined below and was received and opened on March 16, 2023 at 3:00 p.m. (Memorandum 23-52)

NAME	BID AMOUNT
<i>Knife River – South Dakota 1500 N. Sweetman Place Sioux Falls, SD 57107</i>	\$86.00 per ton

Moved by Commissioner Villanueva, seconded by Commissioner Johnson, to award the bid for the annual supply of bituminous mix to Knife River – South Dakota of Sioux Falls, South Dakota at the price of \$86.00 per ton.

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

Action 23-078

This was the time and place for the bid opening of the Douglas Avenue reconstruction project. The following bids were received and opened on March 16, 2023 at 3:00 p.m. (Memorandum 23-53)

- | | |
|---|--------------|
| 1. Masonry Components, Inc., Yankton, SD | \$592,255.30 |
| 2. Feimer Construction, Inc., Yankton, SD | \$790,265.00 |

Moved by Commissioner Webber, seconded by Commissioner Miner, to award the bid for the Douglas Avenue reconstruction project to Masonry Components, Inc. in the amount of \$592,255.30.

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

Action 23-079

Community Development Director Dave Mingo gave a brief explanation of this agenda item. Dave Hosmer, Attorney for Corner Kick, LLC, was present to answer Commission questions. After discussion, Commissioner Maibaum moved, and Commissioner Webber seconded, to approve Resolution 23-09 (Memorandum 23-47)

RESOLUTION #23-09

WHEREAS, the City of Yankton owns an approximate 6.01 acre parcel known as Lot 3 except the +- 2.39 Acre Drainage Easement in Block 1 of Mead’s Addition to the City of Yankton, and

WHEREAS, Corner Kick, LLC. Desires to acquire an Option including a right of first refusal to purchase the property for \$50,000 per acre, and

WHEREAS, the Yankton Board of City Commissioners desires to provide the Option to Purchase the described land for the long term goal of community and economic development and all processes associated with said action shall be through Yankton Thrive, the Local economic development corporation.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that they hereby agree to accept the Option to Purchase the described property and authorize the City Manager to execute all associated documents including subsequent transfer documents associated with the sale of the property to Corner Kick, LLC., via Yankton Thrive, as described in the associated Option to Purchase and Purchase Agreement.

BE IT FURTHER RESOLVED that the City Manager is authorized to execute all documents associated with the above described actions as defined in the Option to Purchase and Purchase Agreement.

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

Action 23-080

Moved by Commissioner Villanueva, seconded by Commissioner Benson, to adjourn at 7:48 p.m.

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

Motion adopted.

Stephanie Moser
Mayor

ATTEST:

Al Viereck
Finance Officer

Published on April 7, 2023