

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
MARCH 28, 2016**

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 was also present. Absent: City Manager Nelson.

Quorum present.

Action 16-98

Moved by Commissioner Sommer, seconded by Commissioner Johnson, to approve the Minutes of the regular meeting of March 14, 2016.

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

Motion adopted.

Mayor Carda read a proclamation declaring April 5 2016, as *National Service Recognition Day*, and read and presented a proclamation declaring April 9, 2016, as *Keep Yankton Beautiful Great American Cleanup Day* to Chery Sommer from Keep Yankton Beautiful.

Finance Officer Viereck reviewed City Manager Nelson’s written report giving an update on community projects and items of interest.

Action 16-99

Moved by Commissioner Johnson, seconded by Commissioner Ferdig, that the following items on the consent agenda be approved.

1. Possible Quorum Event
May 9, 2016, after City Commission Meeting at Ben’s, no official commission action
2. Transient Merchant License
Consideration of Memorandum 16-90 recommending approval of the application from the Big Red Bed Truck for a transient merchant license for March 31, 2016-April 3, 2016.
3. Establish public hearing for a Transfer of Ownership
Establish April 11, 2016, as the date for the public hearing for a transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Torid, LLC dba 5 O’Clock Somewhere – Parrots Cove (Richard Dolejsi, Member), to YASS Inc. dba 5 O’Clock Somewhere – Parrots Cove (Vikash Patel, President), 2007 Broadway, Suite M-A, Yankton, South Dakota.
4. Establish public hearing for a Transfer of Ownership
Establish April 11, 2016, as the date for the public hearing for a transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Torid, LLC dba 5 O’Clock Somewhere (Richard Dolejsi, Member), to YASS Inc. dba 5 O’Clock Somewhere (Vikash Patel, President), 2007 Broadway, Suite M, Yankton, South Dakota.

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

Motion adopted.

Action 16-100

This was the time and place for the public hearing on the application for transfer of ownership of a Package (off-sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Freedom Valu

Center, Inc. (Joseph V. Topper, Jr., CEO) dba Freedom Valu Center to JAY AMBE-8, LLC (Kamleshkumar Patel, Owner) dba Freedom Valu Center, 301 Broadway Avenue, Yankton, South Dakota. (Memorandum 16-84) No one was present to speak for or against approval of the license. Moved by Commissioner Knoff, seconded by Commissioner Gross, to approve the license application.
Roll Call: All members present voting "Aye;" voting "Nay:" None.
Motion adopted.

Action 16-101

This was the time and place for the public hearing on the application for transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Freedom Valu Center, Inc. (Joseph V. Topper, Jr., CEO) dba Goldmine to JAY AMBE-8, LLC (Kamleshkumar Patel, Owner) dba Freedom Valu Center, 301 Broadway Avenue, Yankton, South Dakota. (Memorandum 16-85) No one was present to speak for or against approval of the license. Moved by Commissioner Knoff, seconded by Commissioner Gross, to approve the license application.
Roll Call: All members present voting "Aye;" voting "Nay:" None.
Motion adopted.

Action 16-102

This was the time and place for the public hearing on the application for transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2015, to June 30, 2016, from Charlies Pizza House, Inc. (Steve Slowey, President) dba Charlie's Pizza House to Chuck Stop, LLC (Robert Rezac, President), dba Charlie's Pizza, 804 Summit Street, Yankton, South Dakota. (Memorandum 16-86) No one was present to speak for or against approval of the license. Moved by Commissioner Johnson, seconded by Commissioner Knoff, to approve the license application.
Roll Call: All members present voting "Aye;" voting "Nay:" None.
Motion adopted.

Action 16-103

This was the time and place for the public hearing on the application for transfer of ownership of a Retail (on-off sale) Wine License for January 1, 2016, to December 31, 2016, from Charlies Pizza House, Inc. (Steve Slowey, President) dba Charlie's Pizza House to Chuck Stop, LLC (Robert Rezac, President), dba Charlie's Pizza, 804 Summit Street, Yankton, South Dakota. (Memorandum 16-87) No one was present to speak for or against approval of the license. Moved by Commissioner Sommer, seconded by Commissioner Knoff, to approve the license application.
Roll Call: All members present voting "Aye;" voting "Nay:" None.
Motion adopted.

Action 16-104

This was the time and place to award the bid for the Annual Supply of Liquid Asphalt for the Department of Public Works, Street Division. The following bid was received and opened on March 17, 2016: Jebro, Inc., Sioux City, Iowa-AC PG 58-28 Grade Asphalt Cement-\$372.00/ton; MC 70 Grade Asphalt-\$2.42/gal.; RC 800 Grade Asphalt-\$2.54/gal.; Demurrage Cost per hour over 3 hours-\$75.00. (Memorandum 16-79) Moved by Commissioner Gross, seconded by Commissioner Johnson, to award the bid to the only bidder, Jebro, Inc., Sioux City, Iowa, for AC PG 58-28 Grade Asphalt Cement for \$372.00 per ton; MC 70 Grade Asphalt for \$2.42 per gallon; RC 800 Grade Asphalt for \$2.54 per gallon and demurrage cost per hour over 3 hours of \$75.00.
Roll Call: All members present voting "Aye;" voting "Nay:" None.
Motion adopted.

Action 16-105

This was the time and place to award the bid for the Annual Supply of Bituminous Mix. The following bid was received and opened on March 17, 2016: Concrete Materials, Sioux Falls, South Dakota (Mission Hill Plant)-\$65.00/ton. (Memorandum 16-80) Moved by Commissioner Sommer, seconded by Commissioner Johnson, to award the bid to the only bidder, Concrete Materials, Sioux Falls, South Dakota, for \$65.00 per ton.

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

Action 16-106

This was the time and place to award the bid for the Lift Station. The following bids were received and opened on March 17, 2016: Gridor Construction, Buffalo, Minnesota-\$2,396,000.00; Welfl Construction-\$2,908,400.00; Industrial Process Technology, Inc., Mitchell, South Dakota-\$3,379,000.00; Rice Lake Construction, Deerwood, Minnesota-\$3,384,400.00. (Memorandum 16-89) Moved by Commissioner Knoff, seconded by Commissioner Gross, to award the bid to the low bidder, Gridor Construction, Buffalo, Minnesota, for \$2,396,000.00 subject to concurrence of the South Dakota Department of Environment and Natural Resources and the United States Economic Development Administration.

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

Action 16-107

Moved by Commissioner Gross, seconded by Commissioner Ferdig, to adopt Resolution 16-19. (Memorandum 16-82)

RESOLUTION 16-19

WHEREAS, it appears from an examination of the plat of Lot 5, Blakey’s Addition, in the NW 1/4 of the NW 1/4, Section 16, T93N, R55W of the 5th. P.M., Yankton County, South Dakota prepared by Thomas Lynn Week, 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 16-108

Moved by Commissioner Knoff, seconded by Commissioner Gross, to adopt Resolution 16-20. (Memorandum 16-83)

RESOLUTION 16-20

WHEREAS, it appears from an examination of the plat of Debra Boulevard and Dedicated

Public Right-of-Ways in the S1/2 of the E1/2 of the W1/2 of the NW1/4, Section 15, T93N, R56W of the 5th. P.M., Yankton County, South Dakota, prepared by Thomas Lynn Week, 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 16-109

Moved by Commissioner Knoff, seconded by Commissioner Ferdig, to approve the purchase of property necessary for completion of the East Highway 50 reconstruction project from John Justra described as Lots H1 and U1 in Lot 201, NE 1/4 of the SW 1/4 of the NW 1/4, Section 17, T93N R55W, Yankton County, South Dakota, for \$10,350.00 with the City's share being two-thirds and the South Dakota Department of Transportation's share of the costs being one-third; and to also authorize the City Manager to execute the associate documents. (Memorandum 16-81)

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

Motion adopted.

Action 16-110

Moved by Commissioner Knoff, seconded by Commissioner Hoffner, to approve the request from Habitat for Humanity, Yankton County, to place a modular home at 703 John Street. (Memorandum 16-88)

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

Motion adopted.

Action 16-111

Moved by Commissioner Sommer, seconded by Commissioner Johnson, to adjourn at 7:25 p.m.

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

Motion adopted.

David Carda
Mayor

ATTEST:

Al Viereck
Finance Officer

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