

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
SEPTEMBER 25TH, 2023**

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

Roll Call: Present: Commissioners Benson, Brunick, Hunhoff, Johnson, Miner, Schramm, Villanueva, and Webber. City Attorney Den Herder, City Manager Leon and Interim Finance Officer Lisa Yardley were also present. Quorum present.

Action 23-244

Moved by Mayor Moser, seconded by Commissioner Brunick, to approve the Minutes of the regular City Commission meeting of September 11th, 2023.

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

Motion adopted.

Action 23-245

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

A-Ox Welding – Propane - \$159.85; Beckman/Leah – Books - \$28.00; Boller Printing – Printing - \$137.50; Cedar Knox Public Power – Electricity - \$1,416.37; Centurylink - Phone - \$1,165.74; CHS - Bulk Def - \$230.00; City Of Yankton-Central Garage - Solid Waste - \$32.50; City Of Yankton-Parks - Solid Waste - \$353.36; City Of Yankton-Solid Waste - Solid Waste - \$20,815.49; City Of Yankton-Water – Solid Waste - \$81.76; Dakota Pump - Pump Repair - \$551.02; DANR - Fiscal Office - Surface Water Fee - \$600.00; Den Herder Law - Legal Services - \$4,198.10; Fejfar Plumbing - Sprinklers-Westside Park - \$3,478.58; General Traffic Controls - School Crossing Flasher - \$10,025.00; Gerstner Oil - Jet Fuel - \$66,062.24; Hancock Concrete - Storm Sewer Covers - \$18,509.94; Hanson Briggs - Envelopes - \$265.95; Hawkins - Chemicals - \$13,653.71; Hillcrest Pro-Am – Advertisement - 200.00; Jack's Uniforms - Duty Weapon - \$429.00; Jebro - Asphalt - \$24,384.81; K-Scale - Service Scale - \$677.40; Merkel Electric - 15th & Bdwy Street Light - \$5,170.60; Midwest Alarm - Alarm Testing - \$171.00; Morman/Jolene - Refund Serv Charge - \$30.00; Motorola - Body Camera Cords - \$80.00; Music Services - Summer Reading Program - \$100.00; Observer – Advertisements - \$48.00; One Office – Supplies - \$10.38; Power Source Electric - Service Repair - \$3,500.00; Powerphone - training - \$329.00; Press & Dakotan – Legal Publication - \$681.05; Pro Track And Tennis - Tennis Court Project - \$40,800.00; Ron's Auto Glass - Windshield Replacement - \$550.00; Sign Solutions – Signs - \$156.86; Sweeney Controls - Lift Station Repairs - \$1,041.00; Traffic Control - Signs - \$6,589.00; United States Postal Service – Postage - \$669.28; Yankton Janitor Supply - Cleaning Supplies - 48.00; Yankton Police Department - Petty Cash - \$98.18; Yankton Vol Fire Department - State Fire Premium - \$67,838.10

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.

Mayor Moser read a proclamation recognizing the GFWC Women's Club, and presented said proclamation to its President Liz Lynch.

Citizen Clint Brockmoller, manager of Unclaimed Freight Furniture in Yankton, was present and explained his concerns about the City of Yankton's Code of Ordinance restricting signs (specifically Code 27-77 - Media Prohibitions). He would like the Commission to discuss this at a future work session or regular city commission meeting.

Action 23-246

Moved by Commissioner Benson, seconded by Commissioner Villanueva, to approve the following consent agenda items:

1. Establishing Public Hearing for Location Transfer of Alcoholic Beverages License

Establish October 9, 2023 as the date for the public hearing on the request for the transfer of location of a Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2023 to June 30, 2024 from DBC, LLC d/b/a Bro Brgr Bar (Lauren Soukup, Owner), 304 W 3rd Street, Yankton, South Dakota to DBC, LLC d/b/a Bro Brgr Bar (Lauren Soukup, Owner), 2101 Broadway Avenue, Suite 40, Yankton, South Dakota

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

Action 23-247

This was the time and place for the public hearing on the application for Special Events Malt Beverage (on-sale) Retailers License for 1 day, October 20, 2023 from Yankton Area Arts, (Rose Hauger, Executive Director), 508 Douglas Avenue, Yankton, SD 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 wants. The applicant is in compliance with all building and fire codes. No one was present to speak for or against the application.

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

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

Action 23-248

This was the time and place for the public hearing on the application for Special Events Retail (on-sale) Liquor License for 1 day, November 4, 2023 from Stripes, Inc. d/b/a Mojo's (Jeff Dayhuff, President), 106 E. 3rd Street, Yankton, SD 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 wants. The applicant is in compliance with all building and fire codes. No one was present to speak for or against the application.

Moved by Commissioner Benson, seconded by Commissioner Miner, to approve the license.

Roll Call: Members present voting “Aye;”: Commissioners Benson, Brunick, Johnson, Miner, Schramm, Villanueva, Webber and Mayor Moser; voting “Nay:”: Commissioner Hunhoff.
Motion adopted.

Action 23-249

This was the time and place for the public hearing on the application for Special Events Retail (on-sale) Liquor License for 1 day, December 1, 2023 from Stripes, Inc. d/b/a Mojo’s (Jeff Dayhuff, President), 106 E 3rd Street, Yankton, SD 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 wants. The applicant is in compliance with all building and fire codes. No one was present to speak for or against the application.

Moved by Commissioner Miner, seconded by Commissioner Benson to approve the license.

Roll Call: Members present voting “Aye;”: Commissioners Benson, Brunick, Johnson, Miner, Schramm, Villanueva, Webber and Mayor Moser; voting “Nay:”: Commissioner Hunhoff.
Motion adopted.

Action 23-250

This was the time and place for the public hearing on the application for Special Events Malt Beverage (on-sale) Retailers License and a Special Events (on-sale) Wine Retailers License for 1 day, October 6, 2023 from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

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 wants. The applicant is in compliance with all building and fire codes. No one was present to speak for or against the application. No one was present to speak for or against the application.

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

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

Action 23-251

This was the time and place for the public hearing on the application for Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 1 day, December 31, 2023 from The Center (Kriss Thury, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

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 wants. The applicant is in compliance with all building and fire codes. No one was present to speak for or against the application.

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

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

Motion adopted.

Mayor Moser stated that IV. New Business, Item No. 7 was pulled by the Applicant and; therefore, IV. New Business, Item No. 7 was removed from the agenda.

Action 23-252

Moved by Commissioner Benson, seconded by Commissioner Miner, to approve The Health Insurance Committee’s, with input from the City of Yankton employees, recommendation, which includes the following:

- Renew with the same health insurance carrier, Avera Health Plans, with a blended decrease of 6.72%. Avera will offer the same Low Deductible Health Plan traditional coverage plan and two High Deductible Health Plans Health Savings Account plan for 2024.
- Renew The Standard vision insurance plan with a 6.91% increase.
- Switch carriers to The Standard for a dental insurance plan with a slight decrease.
- Continue the Avera EAP plan with no cost change for 2024.
- Continue with the City paying 100% of the single dental insurance plan, 100% of the single employee health insurance plan, as well as 100% of the premium for the \$15,000 life insurance policy for each employee.
- Offer a complimentary 2024 seasonal pass to the Huether Family Aquatics Center for full time employees.
- Extend the contract with Well365 for another year through February 2025.
- Allocate \$5,000 to the Wellness Program for prizes.

Roll Call: Members present voting “Aye”: Commissioner Benson, Brunick, Hunhoff, Miner, Schramm, Villanueva, and Webber; Voting “Nay”: None; “Abstain”: Commissioner Johnson and Mayor Moser

Motion adopted.

Action 23-253

City Manager Leon explained Memorandum #23-184 from Brittany Orr, Director of Human Resource and Employee Engagement, as well as the Tuition Reimbursement Policy attachment and AFSCME

letter attachment. Commissioner Hunhoff commented on his concerns about the lack of transparency with the policy. Commissioner Hunhoff then moved that the following sentence be added to our Tuition Reimbursement Policy. “Any City employee receiving tuition reimbursement will be informed of the second sentence in Subdivision 7 SDCL 1-27-1.5 and sign a release form of understanding that their name and the amount received will be published with other City Commission claims in the City Commission minutes”.

Motion failed for Lack of a Second.

Commissioner Hunhoff then moved that City departments with employees receiving tuition reimbursement will be published with other claims in the city commission minutes. Commissioner Brunick seconded the motion. After more Commission input and discussion, roll call was taken.

Roll Call: Member present voting “Aye”: Commissioner Brunick and Commissioner Hunhoff: Voting “Nay”: Commissioners Benson, Johnson, Miner, Schramm, Villanueva, Webber, and Mayor Moser. Motion failed.

Action 23-254

Moved by Commissioner Benson, seconded by Commissioner Johnson to approve Resolution #23-46. (Memorandum #23-186)

Resolution #23-46

A Resolution Establishing Base Salary Adjustments at 4.0%, and a one-step increase on the pay plan for Non-Union Represented Eligible City Employees of the City of Yankton, South Dakota

WHEREAS, adequate monies have been provided for in the adopted 2024 budget for the remuneration of services rendered by City of Yankton employees; and

WHEREAS, the City Commission wishes to provide a base adjustment for all Non-Union represented eligible City employees of 4.0% and a one-step increase on the pay plan;

NOW, THEREFORE, BE IT RESOLVED by the Board of City Commissioners that starting with hours worked on January 1, 2024, the City Manager shall implement a base adjustment of 4.0% for all Non-Union regular full-time employees who are at or below the maximum of their respective pay range, and a one-step increase on the pay plan for all Non-Union regular full-time employees who are eligible and are below the maximum of their respective pay range.

Roll Call: voting “Aye;” Commissioners Benson, Brunick, Hunhoff, Johnson, Miner, Schramm, Villanueva and Webber. voting “Nay:” None. Abstain: Mayor Moser. Motion adopted.

Action 23-255

Moved by Commissioner Benson, seconded by Commissioner Miner, to approve Resolution #23-55. (Memorandum #23-177)

RESOLUTION #23-55

WHEREAS, SDCL 6-13-1 requires a municipality owning personal property which is no longer necessary, useful, or suitable for municipal purposes shall, by resolution, declare it surplus and may, by resolution, order the sale, trade, destruction or other disposal of said personal property.

NOW, THEREFORE, BE IT RESOLVED that the following personal property be declared no longer necessary, useful, or suitable for municipal purposes and said property shall be disposed of in accordance with SDCL 6-13-1, et sequential:

SURPLUS PROPERTY TO BE SOLD, TRADED, OR DONATED

Central Garage

- 1) Lincoln bumper jack
- 2) Castair I110212HC2-S air compressor SN# 1001072207
- 3) Coats 950S tire balancer SN# 3303816
- 4) Coats 5065EX tire machine SN# 4104780
- 5) RMI semi tire lift

Parks:

- 1) 2011 Chevrolet Tahoe VIN# 1GNSK2E08BR307848
- 2) 2008 Ford F150 VIN# 1FTRF12W78KD60766
- 3) Nebraska State flags (Qty 15)

Police Department:

- 1) 4- CF-53 Gamber -Johnson docking stations for mobile computers
- 2) 4-Sound Off Signal Lightbar switch
- 3) Whelen Light bar switch
- 4) 2-Sound Off Signal ghost recess lights
- 5) 2011 Chevy Silverado center console mount
- 6) 2015 Ford Explorer Center Console mount
- 7) Code 3 Arrow Stick switch
- 8) 4- LED light bars

Solid Waste:

- 1) Homemade trailer with water tank
- 2) 2002 Cor-tech recycle trailer VIN# 1C9RG35272L050162
- 3) 2002 Chevrolet 3500 flat bed pickup with cage VIN# 1GBJK34172F134141
- 4) 1996 Cor-tech recycle trailer VIN# 1C9RB32222TL050106

Streets:

- 1) Sweeper brooms – Qty 7

SURPLUS PROPERTY TO BE DESTROYED

Central Garage:

- 1) 2000 Gas Boy fuel system software and hardware

Public Works:

- 1) Handheld Motorola radios

Model	Serial Number
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AAH01JDC9JC2AN	7521YU0067
AAH01JDC9JC2AN	7521SW3889
AAH50KDC9AA1AN	D18TMLV604
AAH01JDC9JC2AN	7521SW3900
AAH84KDJ8AA1AN	0278KV7566
AAH84KDJ8AA1AN	0278GW0732
AAH50KDC9AA1AN	D18TPUW930
P93YQT210G2AA	777FZLL652
P93ZRC90A2AA	475FZYF463
P43QLC20E2AA	188FSQ3684
P93ZRC90A2AA	475FZY9755
P93ZRC90A2AA	475FZWA513
AAH01JDC9JC2AN	752IRU1718
AAH50KDC9AA1AN	018TMLV608
AAH01JDC9JC2AN	752IRU1713
AAH01JDC9JC2AN	752IRY5245
AAH01JDC9JC2AN	752ISW3899
AAH01JDC9JC2AN	752ISW3887
AAH01JDC9JC2AN	752IRY5259
AAH50KDC9AA1AN	018TPAA966
P43QLC20E2AA	475FZYF461
P43QLC20E2AA	475FZY9766
P93ZRC90A2AA	475FZY9754
P43QLC20E2AA	188FSS1624
P93ZED90C2AA	475FZY1171

2) Mobile Motorola Radios

Model	Serial Number
P93ZRC90A2AA	475FZY9750
AAM01JQC9JC1AN	751IRE1988
M33DGC90E2AA	869FBG7192
AAM01JQC9JC1AN	751ISQ1009
AAM01JQC9JC1AN	751ITU1001
AAM01JQC9JC1AN	751ITU1002

AAM01JQC9JC1AN	922TNN5946
D43MJA7DA5CK	428ARW0471
M33DGC90E2AA	869YDY2933
AAM01JQC9JC1AN	751ISQ1004
AAM01JQC9JC1AN	751IRE1986
M21KSM9PW1AN	518CKB0036
AAM01JQC9JC1AN	751ISQ1006
AAM01JQC9JC1AN	751RE1950
M33DGC90E2AA	869FZG0386
AAM01JQC9JC1AN	751ITU1007
AAM01JQC9JC1AN	922TMG1430
AAM01JQC9JC1AN	751IRE1987
AAM01JQC9JC1AN	922THS5976
AAH50KDC9AA2AN	018TFWR233

Streets:

- 1) Miscellaneous plow attachments
- 2) Motorola radio chargers and microphones
- 3) HHW battery recycle

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

Action 23-256

Moved by Commissioner Johnson, seconded by Commissioner Brunick, to approve Change Order No. 1, accept the completed construction project along 15th Street, and authorize the Finance Officer to issue a manual check to D&G Concrete Construction, Inc. in the amount of \$6,010.00. (Memorandum #23-187).

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

Action 23-257

Moved by Commissioner Brunick, seconded by Commissioner Benson, to approve Resolution #23-57 (Memorandum #23-188)

RESOLUTION #23-57

Permanent and Temporary Utility Easements
for
The Gehl Drive Utility Project

WHEREAS, the City of Yankton Gehl Drive Utility Project is a critical trunk line infrastructure improvement project that will serve a large area in the eastern portion of the community, and

WHEREAS, said utility project requires the dedication and acceptance of easements for the utility corridor, and

WHEREAS, with the approval of this resolution, the Yankton Board of City Commissioners authorizes the City Manager to execute the easements as described in the associated easement documents known as “E1 – E14.”

NOW THEREFORE BE IT RESOLVED, that the described Gehl Drive Utility Project easements “E1 – E14” are hereby dedicated and accepted on the property as legally described in the associated easement documents, and

BE IT FURTHER RESOLVED, the City Manager is hereby authorized to execute all documents associated with the easements.

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

Action 23-258

Moved by Commissioner Villanueva, seconded by Commissioner Johnson, to adjourn into Executive Session at 8:15 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, Hunhoff, Johnson, Miner, Schramm, Villanueva, and Webber. Quorum present.

Action 23-259

Moved by Commissioner Johnson, seconded by Commissioner Villanueva, to adjourn at 9:06 p.m.

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

Stephanie Moser
Mayor

ATTEST:

Al Viereck
Finance Officer

September 25th, 2023

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