

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
FEBRUARY 26TH, 2024**

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

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

Action 24-50

Moved by Commissioner Hunhoff, seconded by Commissioner Webber, to approve Minutes of regular meeting of February 12, 2024.

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

Motion adopted.

Action 24-51

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

A & B Business Equipment (Copier Lease) \$448.45; Action Electric (Parts & Labor) \$9,705.94; Allen Electric (Switch Replacement) \$1,470.84; A-Ox Welding Supply (Propane) \$241.89; Blackstrap (Road Salt) \$24,397.47; Book Systems (Annual Subscription) \$3,195.00; Bow Creek Metal (Playground Maintenance) \$2,050.00; Building Sprinkler (Fire Sprinkler Testing) \$330.00; Butler Machinery (Parts) \$46.55; Cedar Knox (Electricity) \$1,459.62; Cengage (Books) \$666.34; CHS (Bulk Def) \$180.00; City Of Yankton-Parks (Landfill) \$108.94; Collision Center (Repair, Labor, Parts) \$2,144.00; Credit Collection (Util Coll Jan 2024) \$644.85; Equipment Blades (Blades) \$20,530.50; Fair MFG (Parts & Labor) \$3,789.70; Ferguson Enterprises (Water Meter Project) \$33,225.00; Gerstner (Oil) \$47,059.95; Hanson Briggs (Envelopes) \$175.98; Hawkins (Chemicals) \$1,431.44; Heartland Humane Society (Rental/Holding Fees) \$20,000.00; Hunhoff/Elizabeth (Refund) \$66.49; J&H Cleaning (Janitorial Services) \$2,400.00; Kiesler's Police Supply (Ammunition) \$1,647.81; KLJ Engineering (North Taxiway) \$11,332.36; KYNT (Centennial Bridge Ads) \$1,025.00; Lumacurve (Airfield Sign) \$3,751.70; Marquardt-Skyway (Diamond Field) \$3,088.41; Midwest Tape (AV) \$28.49; Millenium Recycling (Fee) \$2,513.35; Missouri Valley Shopper (Bridge Centennial Ads) \$500.00; Modern Marketing (Badge Stickers) \$1,206.00; Observer (Ads) \$48.00; One Office (E-Ticket Paper) \$59.00; Overhead Door (Commercial Opener) \$5,095.00; Peterson/Sharlotte (Swimsuit) \$100.00; Poet Pure (CO₂) \$712.92; Pool Trainers (Certification Classes) \$800.00 Rhomar Industries (Parts) \$2,571.24; Sanitation Products (Sweeper Repair) \$28,537.12; Thrive (Special Appropriation) \$115,000.00; Titan Machinery (Snow Blade Attachment) \$4,680.40; Ulrich/Donna (Repurchase Cemetery Lot) \$2,250.00; Wagon Train Tours (Bridge Centennial) \$8,750.00; Yankton Fire (Annual Inspection) \$1,262.25; Yankton School (Capital Expenses) \$123,531.80; Yankton Transit (Special Appropriation) \$22,500.00.

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.

There were no public appearances at that time.

Action 24-52

Moved by Commissioner Villanueva, seconded by Commissioner Webber, to approve the following consent agenda item:

- 1) Establish March 11, 2024 as the date for the public hearing for a Special On-sale Liquor License for one day, June 8, 2024, from Rock ‘N’ Rumble, Inc., d/b/a Yankton Ribfest, at the following location: The block of 3rd Street between Cedar Street and Walnut Street, plus one-half block West on 3rd Street to the alley, plus one-half block of Walnut Street to the alley and one half block North and South on Walnut and 3rd Streets.

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

Motion adopted.

Action 24-53

This was the time and place for the public hearing on the application for transfer of ownership and location of a Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2023 to June 30, 2024 from Chuck Stop LLC d/b/a Chuck Stop (Charles Rezac, Owner) 800 Summit Street, Yankton, South Dakota to Diggers, Inc. d/b/a The Fox Den (Larry Olson, Owner), 511 West 4th Street. Suite C, Yankton, South Dakota. This alcohol license number RB-3406 is endorsed with video lottery.

(Memorandum 24-24) No one was present to speak for or against the application. Moved by Commissioner Brunick, seconded by Commissioner Johnson, to approve the license.

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

Motion adopted.

Action 24-54

This was the time and place for the public hearing on the application for a Special On-sale Malt Beverage Retailers License and a Special On-sale Wine Retailers License for one day, April 10, 2024, from Mount Marty University – Fresh Ideas, 1105 W. 8th Street, Yankton, South Dakota.

(Memorandum 24-38) No one was present to speak for or against the application. Moved by Commissioner Benson, seconded by Commissioner Webber, to approve the license.

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

Motion adopted.

Action 24-55

This was the time and place for the public hearing on the application for a new Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2023 to June 30, 2024 from Chuck Stop LLC d/b/a Chuck Stop (Charles Rezac, Owner), 800 Summit Street, Yankton, South Dakota. This alcohol license is not endorsed with video lottery. (Memorandum 24-39) No one was present to speak for or against the application. Moved by Commissioner Benson, seconded by Commissioner Webber, to approve the license.

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

Motion adopted.

Action 24-56

This was the time and place for the public hearing on the application for a new Package (off-sale) Liquor License for January 1, 2024 to December 31, 2024 from 6th Meridian, LLC d/b/a Farm House Food Co. (Michelle Donnor & Ryan Heine, Owners), 2503 Fox Run Parkway, Suite 1, Yankton, SD. This application was submitted with a \$500 check on November 16, 2023. (Memorandum 24-46) No one was present to speak for or against the application. Moved by Commissioner Johnson, seconded by Commissioner Webber, to deny the application based on the following reasons: the applicant did not submit an eligible bid in accordance with the process established so it is an improper bid format, late submission, and an insufficient bid amount. Also, because there is no license to issue given that no eligible bids were received when bidding was closed, thus the license was currently unavailable for issuance to anyone without a new round of sealed bidding under terms set by the Commission.

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

Action 24-57

Moved by Commissioner Hunhoff and seconded by Commissioner Johnson to set the minimum bid amount at \$50,000 for a new round of sealed bidding regarding the sale of the new 12th package off-sale liquor license. Commissioner Hunhoff moved to amend his motion in order to include a non-refundable application fee of \$100 in his motion. Commissioner Johnson seconded Commissioner Hunhoff’s amended motion. (Memorandum 24-44)

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

Action 24-58

Moved by Commissioner Brunick, seconded by Commissioner Webber, to approve Resolution 24-11. (Memorandum 24-40)

RESOLUTION #24-11

REVISING TRANSFER STATION TIRE DISPOSAL RATES

WHEREAS, the City of Yankton accepts tires of different sizes for disposal from commercial and non-commercial customers for a fee; and

WHEREAS, the cost per ton for the Transfer Station to dispose of tires collected has increased significantly over the past year; and

WHEREAS, an increase in the fee per tire and fee per ton of bulk tires dropped off by commercial and non-commercial customers at the Yankton Transfer Station is necessary to avoid having other landfill operations and fees subsidize the Transfer Station’s costs to dispose of the tires.

NOW, THEREFORE, BE IT RESOLVED that the Board of City Commissioners of Yankton, South Dakota do hereby approve on the 26th day of February 2024 to amend the tire disposal fee effective April 1, 2024 to be:

<u>Tire size or quantity</u>	
Car	\$4.00 per tire
Truck (17" – 22.5")	\$11.00 per tire
Truck (>22.5")	\$16.00 per tire
Construction/Farm Equipment	\$21.00 per tire
Bulk Tires	\$250.00 per ton

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

Action 24-59

Moved by Commissioner Benson, seconded by Commissioner Villanueva, to approve a one-time contribution of \$30,000 from the Bed, Board and Booze (BBB) fund for the Mead Museum, and direct the City Manager and staff to continue conversations with the Mead Executive Director, the Mead Museum Board and other community partners regarding the operation of the Mead Museum. (Memorandum 24-42)

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

Action 24-60

Moved by Commissioner Benson, seconded by Commissioner Webber, to consider the agreements with the Yankton County Office of Emergency Management for providing facility space at City Hall, Fire Station #3, and The Center in the event of a mass care emergency. (Memorandum 24-49)

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

Action 24-61

Moved by Commissioner Johnson, seconded by Commissioner Brunick, to approve Resolution 24-12. (Memorandum 24-43)

RESOLUTION #24-12

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

NOW, THEREFORE, BE IT RESOLVED that the following personal property be declared no longer necessary 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 TRADED IN

Year	Description	Division
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2016	Kubota F2690 with serial number ending: 11010	Parks
2015	Kubota F2690 with serial number ending: 10068	Parks

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

Action 24-62

This was the time and place for the bid opening of the abatement of asbestos in the ceilings, pipe fitting, and various other applications in Sacred Heart Church and Link Auditorium. The City of Yankton is the pass-through only, and will not be responsible for any costs associated with the project other than minor grant administration tasks. Planning and Development District III is performing the bulk of the grant administration work on the project, and GeoTek, working on behalf of DANR, is overseeing the abatement process and supervising the abatement contractor. The following bids were received and opened on February 15, 2024 at 3:00pm.: Horsley Specialties, Rapid City, SD, \$311,400. VCI Environmental, Lino Lakes, MN, \$177,000. (Memorandum 24-47) Moved by Commissioner Benson, seconded by Commissioner Brunick, to award the contract to VCI Environmental in the amount of \$183,700.

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

Action 24-63

Moved by Commissioner Benson, seconded by Commissioner Webber, to approve Resolution 24-13. (Memorandum 24-48)

RESOLUTION #24-13

WHEREAS, the City of Yankton desires to acquire a 50-foot strip of land in Lot 2 of East Cornerstone Subdivision to the City of Yankton, Yankton County, South Dakota containing 0.42 acres more or less, and

WHEREAS, if approved by the Board of City Commissioners, the recorded legal description of the newly platted parcel will be Lot 2A, of East Cornerstone Subdivision to the City of Yankton, Yankton County, South Dakota, and

WHEREAS, Yankton Thrive will offer to purchase the described property from the current owner for the amount described in the associated Memorandum #24-48, and

WHEREAS, Yankton Thrive will transfer the described property to the City of Yankton for the amount described in the associated Memorandum #24-48.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, hereby agrees to acquire the described property as herein identified, and

BE IT FURTHER RESOLVED that the City Manager is authorized to execute all documents associated with the described transfer of:

A 50-foot strip of land in Lot 2 of East Cornerstone Subdivision to the City of Yankton, Yankton County, South Dakota as depicted on the attached “Exhibit A” to be platted and known in the future as Lot 2A, of East Cornerstone Subdivision to the City of Yankton, Yankton County, South Dakota

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

Graham Forbes, auditor with Williams & Co. P.C., gave an informational presentation and review of the 2022 City of Yankton Comprehensive Annual Financial Reports (CAFR). No official action was taken at this time.

Action 24-64

Moved by Commissioner Webber, seconded by Commissioner Benson, to adjourn into Executive Session at 8:04 p.m. to discuss contractual 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, Villanueva, and Webber. City Attorney Den Herder, City Manager Leon, and Finance Officer Yardley were also present. Absent: Commissioners Miner and Schramm. Quorum present.

Action 24-65

Moved by Commissioner Johnson, seconded by Commissioner Benson, to adjourn at 8:26 p.m.

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

Stephanie Moser
Mayor

ATTEST:

Lisa Yardley
Finance Officer

February 26th, 2024

Page 7

Published on March 5, 2024