

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
MAY 28, 2024**

The regular meeting of the Yankton City Commission was called to order by Mayor Schramm at 7:00 p.m.

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

Action 24-156

Moved by Commissioner Miner, seconded by Commissioner Webber, to approve Minutes of Regular Meeting of May 13, 2024 and Special Commission Meeting of May 20, 2024. All present voted aye; motion carried, 8-0.

Action 24-157

Moved by Commissioner Moser, seconded by Commissioner Webber, that the Schedule of Bills be approved and warrants be issued as listed below. All present voted aye; motion carried, 8-0.

A&B Business Sol (Copier Lease) \$395.67; Active Network (Refund) \$71.00; A-Ox Welding Supply (Propane) \$132.02; Avera Heart Hospital (AED Batteries/Pads) \$256.00; Banner Associates (Cedar St Bridge) \$16,075.88; Bies/Brad (Travel Reimbursement) \$313.56; Brunken/Jeff (League Refund) \$300.00; Cedar Knox Public Power (Electricity) \$1,099.67; Chesterman Company (Concessions) \$1,064.65; City Of Yankton-Parks (Landfill) \$524.88; City Of Yankton-Police (Petty Cash) \$15.00; Civicplus, (Annual Fee) \$23,390.00; Clark's Rental (Saw Blades) \$313.00; Clay County Sheriff's Office (Officer Equipment) \$500.00; Design Solutions (Scada Work) \$3,277.50; Emerson Manufacturing (Axle Jack) \$4,790.70; Ferguson Enterprises (Water Meter Project) \$125,765.10; Geotek Eng & Testing (WWTP Concrete Testing) \$1,807.75; Gerstner Oil (Fuel) \$26,378.18; Graymont (Lime) \$8,066.50; Hanson Briggs (Printing) \$288.00; Hawkins (Chemicals) \$22,522.94; HDR Engineering (WWTP Improvements) \$1,063,184.98; Heatec (Boiler Repairs) \$6,713.45; Kiesler's Police Supply (Ammunition) \$378.00; Kleins Tree Service (Tree Work) \$2,800.00; Knife River (Concrete) \$7,326.00; Masonry Components (Walkway) \$9,894.00; Mayer Signs (Signs) \$350.00; Merkel Electric (Walnut St Light) \$2,275.60; Midwest Alarm Company (Inspections) \$450.00; Midwest Petroleum (Parts) \$546.07; Nihca-National Ind (Membership Dues) \$199.00; OPIS (Reports) \$276.00; Overhead Door (Remotes) \$810.00; Power Source Electric (Antenna Work) \$7,560.16; Powerphone (Maintenance) \$299.70; Press & Dakotan (Election Ballot) \$1,503.48; RDG Planning (Comprehensive Plan) \$2,500.00; Sanitation Products (Sweeper Parts) \$4,682.75; Security Shredding (Containers) \$120.00; Shur-co (Tarp) \$799.50; Sign Solutions (Signs) \$678.60; Stanley Petroleum Maintenance (Fuel Pump) \$6,755.65; Subsurface Solutions (Repairs) \$55.82; Transource (Parts) \$750.79; Truck Trailer (Parts) \$2,599.43; Truist Governmental (Sales Tax Bond) \$14,156.94; White Cap (Sprayer) \$451.91; Yankton Fire & Safety (Extinguisher Repair) \$45.00; Yankton Thrive (Title Fee) \$455.00; Zoo Man's Attractions (Library Event) \$350.00.

Mayor Schramm read a proclamation and declared June 5th & June 6th as Yankton's Mental Awareness Conference dates. Dr Tom Stange expressed his thanks as well as gave an update on the construction of their new consolidated facility.

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

Kriss Thury, Executive Director of The Center, gave a heartfelt thank you for the City's support and told a recent success story on helping a gentleman receive 7 free meals per week.

Action 24-158

Moved by Commissioner Miner, seconded by Commissioner Webber, to approve the consent agenda item listed below. All present voted aye; motion carried, 8-0.

1. Establish June 10, 2024 as the date 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 1 day, July 27, 2024, from The Center, 900 Whiting Drive.

Action 24-159

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 1 day, June 29, 2024, from The Center, 900 Whiting Drive. (Memorandum 24-114) No one was present to speak for or against the application. Moved by Commissioner Moser, seconded by Commissioner Villanueva to approve the license. All present voted aye; motion carried, 8-0.

Action 24-160

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 July 4, July 5, and August 8, 2024 from Ben's Brew Station, 719 Walnut Street at Riverside Park. (Memorandum 24-115) No one was present to speak for or against the application. Moved by Commissioner Villanueva, seconded by Commissioner Miner to approve the license. All present voted aye; motion carried, 8-0.

Action 24-161

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 the following dates: July 11, July 18, July 25, and August 1, 2024 from Ben's Brew Station, 719 Walnut Street for Music at the Meridian. The events will take place at The Lawn - Parking Lot and Green Space Westside of Meridian Bridge & the enclosed area of Levee Street. (Memorandum 24-116) No one was present to speak for or against the application. Moved by Commissioner Webber, seconded by Commissioner Benson to approve the license. All present voted aye; motion carried, 8-0.

Action 24-162

This was the time and place for the public hearing on the application for a Special On-sale Liquor License for one day, June 7, 2024, from O'Malley's Irish Pub, 204 W. 3rd Street. (Memorandum 24-117) No one was present to speak for or against the application. Moved by Commissioner Benson, seconded by Commissioner Villanueva to approve the license. All present voted aye; motion carried, 8-0.

Action 24-163

This was the time and place for the public hearing on requests for transfer of ownership of a Restaurant Retail (On-sale) Liquor License and transfer of ownership of a Retail (On-sale) Liquor License from Bernard Properties, LLC to Riverfront Brewery, Inc. (Memorandum 24-118) Moved by Commissioner Hunhoff, seconded by Commissioner Carda to approve the transfers. All present voted aye; motion carried, 8-0.

Action 24-164

This was the time and place for the second reading and public hearing for Ordinance #1079, AN ORDINANCE AMENDING “AMUSEMENT” LICENSING. (Memorandum 24-121) No one was present to speak for or against the amendment. Moved by Commissioner Webber, seconded by Commissioner Miner to adopt Ordinance #1079. All present voted aye; motion carried, 8-0.

Action 24-165

This was the time and place for the second reading and public hearing for Ordinance # 1080, AN ORDINANCE AMENDING CHAPTER 3 ALCOHOLIC BEVERAGES. (Memorandum 24-122) No one was present to speak for or against the amendment. Moved by Commissioner Miner, seconded by Commissioner Webber to adopt Ordinance #1080. All present voted aye; motion carried, 8-0.

Action 24-166

Move by Commissioner Carda, seconded by Commissioner Benson to delay the requirement for sidewalk installation at the new Trailhead Learning Center on East 31st Street. (Memorandum 24-119) All present voted aye; motion carried, 8-0.

Action 24-167

This was the time and place for the bid opening for pavement marking installation. The following bids were received and opened on May 16, 2024 at 3:00 p.m.: Dakota Traffic Services, LLC from Tea, South Dakota bid \$71,800.00 and Traffic Solutions Inc. from Harrisburg, South Dakota bid \$54,077.00. (Memorandum 24-120) Moved by Commissioner Moser, seconded by Commissioner Benson to award the Pavement Marking Installation contract to Traffic Solutions Inc. of Harrisburg, South Dakota in the amount of \$54,077.00. All present voted aye; motion carried, 8-0.

Action 24-168

Move by Commissioner Moser, seconded by Commissioner Webber to approve Resolution #24-26. (Memorandum 24-123) David Hosmer spoke in front of the Commission on the Phase 3 project and noted an acreage distinction. All present voted aye; motion carried, 8-0.

RESOLUTION #24-26

WHEREAS, the City of Yankton owns approximately 2.16 acres, the area identified as Phase 3 of Lot 3 in Block 1 of Mead’s Addition to the City of Yankton, and

WHEREAS, Corner Kick, LLC. desires to assign their previously approved Option for the Phase 3 area including a right of first refusal to purchase the property for \$50,000 per acre to the “Origin Initiative Group, LLC, and

WHEREAS, the Yankton Board of City Commissioners desires to allow the assignment of the

previously approved 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 approve the assignment of the Option to Purchase the described Phase 3 property and authorize the City Manager to execute all associated documents including subsequent transfer documents associated with the sale of the property to the Origin Initiative Group, 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.

Action 24-169

Moved by Commissioner Villanueva, seconded by Commissioner Webber, to adjourn at 7:34 p.m. All present voted aye; motion carried, 8-0.

Mason Schramm, Mayor

ATTEST:

Lisa Yardley, Finance Officer

Published on June 6, 2024