

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
JUNE 27, 2016**

Regular meeting of the Board of City Commissioners of the City of Yankton was called to order by Mayor Gross.

Roll Call: Present: Commissioners Carda, Ferdig, Hoffner, Johnson, Knoff, Maibaum, Miner, and Sommer. City Attorney Den Herder and City Manager Nelson were also present. Absent: None. Quorum present.

Action 16-188

Moved by Commissioner Carda, seconded by Commissioner Knoff, to approve the Minutes of the regular meeting of June 13, 2016.

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

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

Action 16-189

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

1. Dance License

Consideration of Memorandum 15-154 regarding Application from City of Yankton (Brittany LaCroix, City Events & Promotions Coordinator) has applied for a license to hold a special events dance on the following dates: June 30, July 7, July 14, July 21 & July 28, 2016 in the Parking Lot and Green Space Westside of Meridian Bridge & the enclosed area of Levee Street, Yankton, South Dakota.

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

Action 16-190

This was the time and place for the public hearing on Resolution 16-34, approving the 2016 Assessment Roll–Noxious Vegetation and Tree Trimming. (Memorandum 16-146) No one was present to speak for or against adoption of the Resolution. Moved by Commissioner Knoff, seconded by Commissioner Sommer, to adopt Resolution 16-34.

RESOLUTION 16-34

A RESOLUTION APPROVING THE 2016 SPECIAL ASSESSMENT ROLL FOR
ABATEMENT OF NUISANCE VEGETATION AND STREET TREE TRIMMING.

BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota:

SECTION 1. That the special assessment roll for the assessment of the property assessable for the abatement of nuisance vegetation and street tree trimming in the City of Yankton, South Dakota, is hereby approved and the assessments as set out in said special assessment roll approved this date are hereby levied against such property upon filing of said special assessment roll in the office of

the City Finance Officer.

SECTION 2. The assessments set forth in the assessment role will become due and payable in one (1) annual installment together with interest at a rate prescribed by the Board of City Commissioners, by resolution, per annum, in accordance with SDCL 9-43.

The above assessments may be paid without interest to the City Finance Officer on or before December 12, 2016, thereafter, the entire assessment may be paid with interest from the date of filing with the City Finance Officer at the rate established by resolution of the Board of City Commissioners.

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

Action 16-191

This was the time and place for the public hearing on the request for a Special Malt Beverage (on-sale) Retailers License for one day, June 30, 2016, from City of Yankton (Brittany LaCroix, City Events & Promotions Coordinator), Parking Lot and Green Space Westside of Meridian Bridge and the enclosed area of Levee Street, Yankton, South Dakota. (Memorandum 16-149) No one was present to speak for or against approval of the license application. Moved by Commissioner Johnson, seconded by Commissioner Ferdig, to approve the license.

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

Action 16-192

This was the time and place for the public hearing on the request for a Special Malt Beverage (on-sale) Retailers License for one day, July 7, 2016, from City of Yankton (Brittany LaCroix, City Events & Promotions Coordinator), Parking Lot and Green Space Westside of Meridian Bridge and the enclosed area of Levee Street, Yankton, South Dakota. (Memorandum 16-150) No one was present to speak for or against approval of the license application. Moved by Commissioner Ferdig, seconded by Commissioner Sommer, to approve the license.

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

Action 16-193

This was the time and place for the public hearing on the request for a Special Malt Beverage (on-sale) Retailers License for one day, July 14, 2016, from City of Yankton (Brittany LaCroix, City Events & Promotions Coordinator), Parking Lot and Green Space Westside of Meridian Bridge and the enclosed area of Levee Street, Yankton, South Dakota. (Memorandum 16-151) No one was present to speak for or against approval of the license application. Moved by Commissioner Johnson, seconded by Commissioner Miner, to approve the license.

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

Action 16-194

This was the time and place for the public hearing on the request for a Special Malt Beverage (on-sale) Retailers License for one day, July 21, 2016, from City of Yankton (Brittany LaCroix, City Events & Promotions Coordinator), Parking Lot and Green Space Westside of Meridian Bridge and the enclosed

area of Levee Street, Yankton, South Dakota. (Memorandum 16-152) No one was present to speak for or against approval of the license application. Moved by Commissioner Ferdig, seconded by Commissioner Sommer, to approve the license.

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

Action 16-195

This was the time and place for the public hearing on the request for a Special Malt Beverage (on-sale) Retailers License for one day, July 28, 2016, from City of Yankton (Brittany LaCroix, City Events & Promotions Coordinator), Parking Lot and Green Space Westside of Meridian Bridge and the enclosed area of Levee Street, Yankton, South Dakota. (Memorandum 16-153) No one was present to speak for or against approval of the license application. Moved by Commissioner Carda, seconded by Commissioner Johnson, to approve the license.

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

Action 16-196

This was the time and place for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, July 9, 2016, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota. (Memorandum 16-155) No one was present to speak for or against approval of the license application. Moved by Commissioner Ferdig, seconded by Commissioner Carda, to approve the license.

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

Action 16-197

This was the time and place for the public hearing on the request for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, July 16, 2016, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota. (Memorandum 16-156) No one was present to speak for or against approval of the license application. Moved by Commissioner Johnson, seconded by Commissioner Hoffner, to approve the license.

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

Action 16-198

This was the time and place for the public hearing on the request for a renewal of a Retail (on-off sale) Malt Beverage License for July 1, 2016, to June 30, 2017, from San Jose, Inc., dba Mexico Viejo, 1809 Broadway, Yankton, South Dakota. (Memorandum 16-145) No one was present to speak for or against approval of the license application. Moved by Commissioner Sommer, seconded by Commissioner Ferdig, to approve the license.

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

Action 16-199

This was the time and place for the public hearing on the request for a Special Events (on-sale) Liquor License for September 13, 2016, from Chamber of Commerce, (Carmen Schramm, Director) dba Chamber of Commerce, Avera Professional Office Pavilion, 409 Summit Street, Yankton, South

Dakota. (Memorandum 16-160) No one was present to speak for or against approval of the license application. Moved by Commissioner Knoff, seconded by Commissioner Carda, to approve the license.

Roll Call: Members present voting “Aye:” Commissioners Carda, Hoffner, Johnson, Knoff, Maibaum, Miner, Sommer, and Mayor Gross; voting “Nay:” None; Abstaining: Commissioner Ferdig. Motion adopted.

Action 16-200

This was the time and place for the public hearing on the request for a Special Events (on-sale) Liquor License for July 12, 2016, from Chamber of Commerce, (Carmen Schramm, Director) dba Chamber of Commerce, The Landing, 104 Capitol Street, Yankton, South Dakota. (Memorandum 16-161) No one was present to speak for or against approval of the license application. Moved by Commissioner Johnson, seconded by Commissioner Knoff, to approve the license.

Roll Call: Members present voting “Aye:” Commissioners Carda, Hoffner, Johnson, Knoff, Maibaum, Miner, Sommer, and Mayor Gross; voting “Nay:” None; Abstaining: Commissioner Ferdig. Motion adopted.

City Attorney Den Herder provided an overview of rules and regulations set forth in City of Yankton and South Dakota State Statute regarding the City Manager form of government. (Memorandum 16-157)

Action 16-201

Moved by Commissioner Sommer, seconded by Commissioner Johnson, to adopt Resolution 16-37. (Memorandum 16-159)

RESOLUTION 16-37

WHEREAS, it appears from an examination of the Plat of Outlot 1, Lots 9 – 17 of Block 2 and Lots 1 – 3 of Block 3, Summit Heights Addition to the City of Yankton, South Dakota prepared by Travis J. Kropuenske, 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.

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the plat and associated amendment to the Subdivider’s Agreement for the above described property is hereby approved.

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

Action 16-202

The request from the Yankton Baseball Association for funding from the City in the amount of \$38,900.00, to be taken from the BBB Fund, for installation of power for light poles as part of the Riverside Baseball Field Lighting Project was considered. (Memorandum 16-147) Moved by Commissioner Johnson, seconded by Commissioner Ferdig, to approve the request for funding. Following further discussion on where funding should come from, Commissioner Carda moved,

seconded by Commissioner Knoff, to table consideration of the request for funding at this time.

Roll Call: Members present voting “Aye:” Commissioners Carda, Ferdig, Johnson, Knoff, Maibaum, Miner, and Mayor Gross; voting “Nay:” Commissioners Hoffner and Sommer.
Motion to table adopted.

Action 16-203

This was the time and place for the Bid Award for the Maple Street and Watermain Reconstruction from 6th Street to 8th Street Project. The following bids were received and opened on June 14, 2016: Feimer Construction, Inc., Yankton, South Dakota-\$249,663.60; Masonry Components, Inc., Yankton, South Dakota-\$260,308.00. (Memorandum 16-163) Moved by Commissioner Knoff, seconded by Commissioner Carda, to award the bid to the low bidder Feimer Construction, Inc., Yankton, South Dakota, in the amount of \$249,663.60.

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

Action 16-204

Moved by Commissioner Ferdig, seconded by Commissioner Johnson, to approve the Agreement between the City of Yankton and the South Dakota Department of Transportation for rehabilitating the Railroad Crossing on 21st Street, which includes installation of crossing signals and gates and installation of precast concrete crossing materials, for an estimated cost of \$435,698.32 with the City’s share being 10 percent or approximately \$43,569.83. In addition, the City will provide construction signing and will remove and replace asphalt and curb and gutter as necessary for an approximate total cost of \$45,685.32. (Memorandum 16-162)

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

Action 16-205

This was the time and place to award the Procurement Bids for the Reverse Osmosis Membrane Equipment, Water Treatment Plant Improvements. The following bids were received and opened on June 2, 2016: Harn R/O Systems, Inc., Venice Florida-20 yr. Present Worth—\$4,716,176.00 (capitol cost \$2,251,665.00); H2O Innovations, Ontario, Canada-20 yr. Present Worth—\$4,788,269.00 (capitol cost \$1,785,497.00). (Memorandum 16-158) Moved by Commissioner Johnson, seconded by Commissioner Sommer, to award the bid to the low bidder, based on the lowest Present Worth bid, Harn R/O Systems, Inc., Venice, Florida, for the capitol cost of \$2,251,665.00, subject to concurrence of the South Dakota Department of Environment and Natural Resources (SD DENR).

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

Action 16-206

This was the time and place to award the bid for the Water Fill Station, Water Treatment Plant Project. The following bids were received and opened on June 16, 2016: Gridor Construction, Inc., Buffalo, Minnesota-\$359,000.00 (Base Bid), \$11,744.00 (Alternate 1 or 2), \$2,000.00 (Alternate 3-Optional); Welfl Construction, Corp., Yankton, South Dakota-\$244,457.22 (Base Bid), \$5,486.68 (Alternate 1 or 2), \$540.00 (Alternate 3 Optional). (Memorandum 16-164) Moved by Commissioner Knoff, seconded by Commissioner Sommer, to award the bid to the low bidder, Welfl Construction Corp., Yankton, South Dakota, in the amount of \$250,483.90 for the base bid, alternate 1, and bid alternate 3, subject to concurrence of the SD DENR.

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

Action 16-207

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to approve the Contract with Bartlett & West, Inc., Topeka, Kansas, for Lift Station Construction Management Services for a not-to-exceed amount of \$162,620.00. (Memorandum 16-165)

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

Action 16-208

Moved by Commissioner Johnson, seconded by Commissioner Carda, to adjourn into Executive Session at 7:59 p.m. to discuss personnel and 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 Gross.

Roll Call: Present: Commissioners Carda, Hoffner, Johnson, Knoff, Maibaum, Miner, and Sommer. City Attorney Den Herder and City Manager Nelson were also present. Absent: Commissioner Ferdig. Quorum present.

Action 16-209

Moved by Commissioner Carda, seconded by Commissioner Maibaum, to adjourn at 9:15 p.m.

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

C.N. Gross
Mayor

ATTEST:

Al Viereck
Finance Officer

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