

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
JANUARY 23, 2017**

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 17-06

Moved by Commissioner Johnson, seconded by Commissioner Carda, to approve the Minutes of the regular meeting of January 9, 2017.

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

Action 17-07

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

AMG Occupational Medicine-CDL Drug Testing-\$31.50; Avera Sacred Heart Hospital-CDL Drug Testing-\$81.00; Banner Associates Inc-Scale Site Const-\$6,109.12; Bartlett & West Inc-Lift Station Const-\$151,891.60; Brosz Engineering Inc-Pine St Bridge-\$13,980.00; Buhl's Laundry Cleaners Inc-Uniform Alteration-\$15.00; Cedar County News-Advertisement-\$58.20; Cedar Knox Public Power Dist-Elect-Dec-\$1,352.94; City of Yankton-Landfill Garbage-\$12.00; City of Yankton-Parks Landfill Charges-\$96.64; D & G Concrete Const. Hwy 50-Phase 2-\$50,234.13; Dakota Beverage Co Inc-Beer-\$44.38; Danko Emergency Equipment-Smoke Machine-\$389.00; Dept of Corrections-DOT Work Program-\$733.79; Design Solutions & Integration-Trouble Shooting-\$920.25; Dougherty & Company LLC-Service Fee-\$700.00; First Dakota Nat'l Bank Corp-Agency Fee-\$1,000.00; Flexible Pipe Tool Company-Nozzle-\$535.40; Geotek Eng & Testing Serv Inc-Testing-\$240.00; Gridor Construction, Inc-Lift Station Const-\$79,339.52; Hawkins Inc-Chemicals-\$630.70; HDR Engineering Inc-Collector Well-\$14,169.02; Jim Tramp Construction-Sidewalk-\$1,680.90; KVHT Radio Station-Advertisement-\$20.00; Light and Siren-Spotlights-\$344.00; Lobepro Rotary Pumps-Rotary Pump-\$5,869.30; Long's Propane Inc-Propane-\$503.10; Maximum Solutions Inc-Software-\$13,750.00; McLaury Engineering Inc-Hwy 50-Construction-\$25,104.75; MidAmerican Energy-Fuel-Dec-\$7,934.71; Northern Truck Equipment Corp-Flasher Light Bar-\$993.20; Observer-Christmas Concert Ads-\$408.00; Press Dakota Mstar Solutions-Ads/Notices-\$1,397.25; RDO Equipment Company-Service Call-\$288.55; Schmidt/Willard-Lime Removal-\$40,250.00; Schroeder/Brenda-Refund-\$77.40; South Dakota One Call-Message Fee-\$511.35; Stern Oil Co Inc-Fuel-\$23,900.40; Sweeney Controls Company-Computer Upgrade-\$15,000.00; TAC View Inc-TAC View-\$6,022.00; Titleist-Golf Balls-\$25.50; Todd Inc-Signs-\$1,991.48; Truck Trailer Sales Inc-Repairs-\$1,778.27; Water & Env Eng Research Ctr-Testing-\$211.00; Welfl Construction Corp-Fill Station-\$32,161.82; Xerox Corporation-Copier Lease-\$209.37; Xerox Corporation-Copier Lease-\$505.62; Yankton Area Ice Association-2016 Final Payment-\$2,399.39; Yankton County Auditor-Safety Center Share-\$9,206.37; Yankton Janitor Supply Inc-Cleaning Supplies-\$274.98.

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.

City Manager Nelson solicited volunteers for a Government Transparency Committee. Commissioners Ferdig, Johnson, and Maibaum volunteered to serve on the Committee.

Action 17-08

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

1. Work Session
Setting date of February 27, 2017, at 6:00 pm in Room 114 of the Regional Technical Education Center for the next work session of the Yankton City Commission to discuss outside agencies.
2. Establish public hearing for sale of alcoholic beverages
Establish February 13, 2017, as the date for the public hearing on the request for a Special Events (on-sale) Liquor License for one day, February 18, 2017, from Drotzmann & Portillo, LLC (Steve Drotzmann, Partner), dba Rounding 3rd Bar and Casino, NFAA, 800 Archery Lane, Yankton, South Dakota.
3. Establish public hearing for transfer of ownership – Off Sale Liquor
Establish February 13, 2017, as the date for the public hearing on the request for the transfer of ownership and location of a Package (off-sale) Liquor License for January 1, 2017, to December 31, 2017, from Pure Ice Partners, LLC dba Pure Ice Company (Carla Anderson, Partner), 101 Capital Street to The Fox Stop, Inc. dba The Fox Stop, Inc. (James Grotenhuis, President), 1316 W. 30th Street, Yankton, South Dakota.
4. Establishing public hearing for sale of alcoholic beverages
Establish February 13, 2017, as the date 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, March 4, 2017, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota.

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

Motion adopted.

Action 17-09

Moved by Commissioner Johnson, seconded by Commissioner Sommer, to adopt Resolution 17-04. (Memorandum 17-03)

RESOLUTION 17-04

WHEREAS, Section 16-23 of the Yankton Code of Ordinances permits the discharge of arrows at an approved location determined to be an archery range meeting the requirements of the National Field Archery Association, provided that the inspected, official archery range has been approved by the board of City Commissioners; and

WHEREAS, NFAA is interested in having an off-site archery range event to be held during Business Expo in Laddie Cimpr Arena on the campus of Mount Marty College on January 27, 2017; and

NOW THEREFORE, BE IT RESOLVED that the City Commission hereby authorizes the NFAA to hold an off-site archery range event on January 27, 2017, on the campus of Mount Marty College during the Business Exp.

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

Action 17-10

Moved by Commissioner Knoff, seconded by Commissioner Ferdig, to approve the “Affiliate Agreement” between GL Management, LLC, Sioux Falls, South Dakota, and the City of Yankton, South Dakota, to allow GL members to have certain golf privileges at Fox Run Golf Course from January 2, 2017, through December 31, 2017. (Memorandum 17-04)

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

Action 17-11

Moved by Commissioner Johnson, seconded by Commissioner Knoff, to approve the “City of Yankton, City Commission Planning Advance Priorities” document. (Memorandum 17-16)

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

Action 17-12

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to approve the purchase of a 2017 Chevrolet Silverado Three-Quarter Ton Extended Cab Truck for the Department of Parks and Recreation from Beck Motors, Pierre, South Dakota, for a cost of \$29,933.00 under the State Bid price. (Memorandum 17-07)

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

Action 17-13

Moved by Commissioner Johnson, seconded by Commissioner Knoff, to approve the “Maintenance and Financial Agreement Between South Dakota Department of Transportation and City of Yankton” for the Airport Pavement Maintenance Project at the Chan Gurney Municipal Airport for an estimated cost of \$27,929.18, with the State’s share of the project costs being 95 percent and the City’s share being 5 percent, or approximately \$1,396.46. (Memorandum 17-08)

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

Action 17-14

This was the time and place to award the bid for supplying and installing seven rear load tippers on City-owned garbage trucks for the Public Works Department, Solid Waste Division. (Memorandum 17-09) The following bids were received and opened on January 12, 2017: Custom Truck and Equipment, Sioux Falls, South Dakota-\$44,080.80; Northern Truck & Equipment, Sioux Falls, South Dakota-\$48,498.00; Sanitation Products, Inc., Sioux Falls, South Dakota-\$51,466.00. Moved by Commissioner Knoff, seconded by Commissioner Johnson, to award the bid to the low bidder, Custom Truck and Equipment, Sioux Falls, South Dakota, in the amount of \$44,080.80.

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

Action 17-15

This was the time and place to award the bid for 9,000 new 95 Gallon Universal Automated Containers for the Department of Public Works, City of Yankton/Solid Waste Department. (Memorandum 17-10) The following bids were received and opened on January 12, 2017:

Rehrig Pacific Company, Pleasant Prairie, Wisconsin: Cost of carts-\$434,250.00, Alt. #1 Supplier Distribute and Assemble Carts-\$37,350.00, Alt. #2 Radio Frequency Identification Device (RFID) Tags-\$.75/cart, Alt. #3 "Keep Yankton Beautiful" insignia-no charge. Total cost \$471,600.00.

Northern Truck & Equipment, Sioux Falls, South Dakota: Cost of carts-\$437,175.00, Alt. #1 Supplier Distribute and Assemble Carts-\$36,350.00, Alt. #2 Radio Frequency Identification Device (RFID) Tags-no charge, Alt. #3 "Keep Yankton Beautiful" insignia-no charge. Total Cost \$473,175.00.

Sanitation Products, Sioux Falls, South Dakota: Cost of carts-\$457,830.00, Alt. #1 Supplier Distribute and Assemble Carts-\$36,450.00, Alt. #2 Radio Frequency Identification Device (RFID) Tags-\$.75/cart, Alt. #3 "Keep Yankton Beautiful" insignia-no charge. Total Cost \$494,280.00.

The bids from Rehrig Pacific Company and Northern Truck & Equipment did not meet specifications, and were, therefore, not considered.

Moved by Commissioner Knoff, seconded by Commissioner Carda, to award the bid to the qualified bidder, Sanitation Productions, Inc., Sioux Falls, South Dakota, for 9,000 new 95 gallon Universal Automated containers for \$457,830.00, Alternative #1 Supplier Distribute and Assemble Carts for \$36,450.00, and Alternate #3 "Keep Yankton Beautiful" insignia on each cart at no charge, for a total cost of \$494,280.00.

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

Motion adopted.

Action 17-16

This was the time and place to award the bid for a new Steel Transfer Station Walking Floor Trailer for the Department of Public Works, City of Yankton/Solid Waste Department. (Memorandum 17-11)

The following bids were received and opened on January 12, 2017: Wilkens Industries, Morris, Minnesota-\$67,879.00 with delivery in July 2017; Northern Truck & Equipment, Sioux Falls, South Dakota-\$66,284.00 with delivery in 32 to 34 weeks; J&J Trailer Manufacturing, Somerset, Pennsylvania-\$79,600.00 with delivery in May 2017. Because delivery date specifications were not met by Wilkens Industries and Northern Truck & Equipment, the bids were not considered. Moved by Commissioner Hoffner, seconded by Commissioner Johnson, to award the bid to the only bidder meeting both design and delivery date specifications, J&J Trailer Manufacturing, Somerset, Pennsylvania, for \$79,600.00.

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

Motion adopted.

Action 17-17

This was the time and place to award the bid for a new Steel Transfer Station Walking Floor Trailer for the Department of Public Works, City of Yankton/Joint Powers Department. (Memorandum 17-12)

The following bids were received and opened on January 12, 2017: Northern Truck & Equipment, Sioux Falls, South Dakota-\$64,679.00 with delivery in approximately 32 to 34 weeks; Wilkens Trailers, Morris, Minnesota-\$67,879.00 with delivery in July 2017. Moved by Commissioner Knoff, seconded by Commissioner Johnson, to reject all bids because the bids did not meet delivery specifications and to rebid at a later date.

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

Motion adopted.

Action 17-18

Moved by Commissioner Johnson, seconded by Commissioner Knoff, to approve Change Order No. 2, from Feimer Construction, Yankton, South Dakota, for the Raw Water Line Project, a decrease in cost of \$189,886.07 for a new contract total of \$2,050,822.43; to accept the project as complete; and to authorize the City Finance Officer to issue a manual check in the amount of \$179,111.45 to Feimer Construction as final payment for the project. (Memorandum 17-13)

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

Action 17-19

Moved by Commissioner Knoff, seconded by Commissioner Carda, to adopt Resolution 17-02. (Memorandum 17-14)

RESOLUTION 17-02

WHEREAS, it appears from an examination of the Plat of Lot 1 of Parcel 3 of Quarry Pines Addition in the NW 1/4 of the NW 1/4 of Section 16, T93N, R56W of the 5th P.M., Yankton County, 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 for the above described property is hereby approved.

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

Action 17-20

Moved by Commissioner Knoff, seconded by Commissioner Sommer, to adopt Resolution 17-03. (Memorandum 17-15)

RESOLUTION 17-03

WHEREAS, it appears from an examination of the Replat of Lots 3 and 5, Block 2, Kaiser Overlook Subdivision and a portion of the NE 1/4 of the NW 1/4, all in Section 15, T93N, R56W of the 5th P.M., Yankton County, South Dakota;

Hereafter to be known as Lot 6, Block Kaiser Overlook Subdivision and a Portion of the NE 1/4 of the NW 1/4, all in Section 15, T93N, R56W of the 5th P.M., Yankton County, 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 for the above described property is hereby approved.

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

Motion adopted.

Action 17-21

Commissioner Johnson introduced and Mayor Gross read the title of Ordinance No. 993, AN ORDINANCE AMENDING ORDINANCE NO. 989, THE 2017 ANNUAL APPROPRIATION ORDINANCE OF THE CITY OF YANKTON, S.D., and set February 13, 2017, as the date for the second reading and public hearing.

Action 17-22

Moved by Commissioner Johnson, seconded by Commissioner Sommer, to adjourn into Executive Session at 7:40 p.m. to discuss contractual and litigation 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, Ferdig, Hoffner, Johnson, Knoff, Maibaum, Miner, and Sommer. City Attorney Den Herder and City Manager Nelson were also present. Absent: None. Quorum present.

Action 17-23

Moved by Commissioner Miner, seconded by Commissioner Carda, to adjourn at 8:10 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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