

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
JUNE 26, 2017**

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

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

Action 17-178

Moved by Commissioner Johnson, seconded by Commissioner Knoff, to approve the Minutes of the regular meeting of June 12, 2017.

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.

Commissioner Maibaum distributed a handout from Forward Yankton.

Action 17-179

This was the time and place for the public hearing on Resolution 17-17 approving the 2017 Special Assessment Roll for removal of noxious vegetation and abatement. No one was there to speak for or against adoption of Resolution 17-17. (Memorandum 17-144) Moved by Commissioner Gross, seconded by Commissioner Knoff, to adopt Resolution 17-17.

RESOLUTION 17-17

**A RESOLUTION APPROVING THE 2017 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 11, 2017, 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 17-180

This was the time and place for the public hearing on the application for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, July 8, 2017, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota. (Memorandum 17-138) 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: All members present voting “Aye;” voting “Nay:” None.
Motion adopted.

Action 17-181

This was the time and place for the public hearing on the application for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, July 29, 2017, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota. (Memorandum 17-139) No one was present to speak for or against approval of the license application. Moved by Commissioner Ferdig, seconded by Commissioner Knoff, to approve the license.

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

Action 17-182

This was the time and place for the public hearing on the application for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, July 30, 2017, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota. (Memorandum 17-140) No one was present to speak for or against approval of the license application. Moved by Commissioner Knoff, seconded by Commissioner Gross, to approve the license.

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

Action 17-183

This was the time and place for the public hearing on the application for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, December 31, 2017, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota. (Memorandum 17-141) Moved by Commissioner Carda, seconded by Commissioner Knoff, to approve the license.

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

City Attorney Den Herder provided an overview of rules and regulations set forth in City of Yankton Code and South Dakota State Statute regarding the City Commission form of government; roles and responsibilities of the Mayor and City Commission; roles and responsibilities of the City Manager;

public meetings, special meetings, and Executive Session protocol; conflict of interest; social media use; and Ex Parte Communication. (Memorandum 17-142)

Action 17-184

Moved by Commissioner Knoff, seconded by Commissioner Gross, to retain local attorney Heather LaCroix as Deputy City Attorney on an hourly basis at the rate of \$150.00 per hour to represent the City only in those cases in which City Attorney Den Herder or Deputy City Attorney Hovden are unable, due to a conflict of interest. (Memorandum 17-145)

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

Action 17-185

The request from Yankton Regional Aviation Association (YRAA) for funding in the amount of \$5,000.00 to be utilized to assist with the promotion of the 75th birthday celebration of Chan Gurney Municipal Airport in 2018 was considered. Steve Hamilton and Jim Cox were present to support the request. (Memorandum 17-143) Moved by Commissioner Gross, seconded by Commissioner Maibaum, to table action on the request from YRAA at this time.

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

Action 17-186

This was the time and place to award the bid for the street and watermain reconstruction project on Maple Street from 4th Street to 6th Street. The following bids were received and opened on June 13, 2017: Feimer Construction, Inc., Yankton, South Dakota-\$294,621.10; Masonry Components, Inc., Yankton, South Dakota-\$299,490.00. (Memorandum 17-147) Moved by Commissioner Knoff, seconded by Commissioner Johnson, to award the bid to the low bidder Feimer Construction, Inc., Yankton, South Dakota, in the amount of \$294,621.10.

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

The request from the Fire and Iron Motorcycle Club to hold a public fireworks display within the city limits on July 1, 2017, was pulled from the agenda at the request of the applicant. (Memorandum 17-146)

Action 17-187

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to adopt Resolution 17-20. (Memorandum 17-148)

RESOLUTION 17-20
Bon Homme County PSAP MOU

WHEREAS, the City of Yankton has from time to time provided 911 call answering services for Bon Homme County, and

WHEREAS, the City of Yankton and Bon Homme County propose to formalize the arrangement with a Memorandum of Understanding (MOU), then

NOW, THEREFORE BE IT RESOLVED, that the Yankton City Commission duly authorizes the negotiation and execution of the Memorandum of Understanding with Bon Homme County for Emergency 911 call answering services, and

BE IT FURTHER RESOLVED, that the City Manager be authorized to negotiate and execute the Memorandum of Understanding.

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

Action 17-188

Moved by Commissioner Johnson, seconded by Commissioner Carda, to adjourn into Executive Session at 7:56 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 Hoffner.

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

Action 17-189

Moved by Commissioner Carda, seconded by Commissioner Maibaum, to adjourn at 9:25 p.m.

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

Jake Hoffner
Mayor

ATTEST:

Al Viereck
Finance Officer