

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
JULY 24, 2017**

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

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

Action 17-207

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to approve the Minutes of the special meeting of July 10, 2017, and to approve the minutes of the regular meeting of July 10, 2017, with Action 17-200 amended to read as follows, . . . *Prior to a vote being taken, it was moved by Commissioner Johnson, seconded by Commissioner Knoff, to amend the motion to increase Yankton Transit by \$10,000.00 for a total amount of \$40,000.00, and to decrease Onward Yankton by \$10,000.00 for a total amount of \$10,000.00. . .*

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.

Don Kettering, Chair of the Yankton County Commission, was present regarding West City Limits Road.

Citizen Edward Gleich was present and addressed the Commission.

Action 17-208

At the request of Mayor Hoffner Consent Agenda items were considered separately.

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to approve Consent Agenda Item No. 1, establishing August 14, 2017, as the date for the public hearing on the application for a transfer of location of a Retail (on-sale) Liquor License for January 1, 2017, to December 31, 2017, from VFW Post No. 791, 209 Cedar Street, adding Sidewalk and Parking Lot, Yankton, South Dakota.

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

Motion adopted.

Action 17-209

Moved by Commissioner Carda, seconded by Commissioner Ferdig, to approve Consent Agenda Item No. 2, establishing August 14, 2017, as the date for the public hearing on the application for a Special Events Malt Beverage (on-sale) Retailers License and a Special Retail (on-sale) Wine Dealers License for one day, Saturday, October 28, 2017, from Czeckers, Inc. (Jean Hunhoff, President), between 2nd and 3rd Street on Walnut, Yankton, South Dakota.

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

Action 17-210

Moved by Commissioner Knoff, seconded by Commissioner Carda, to approve Consent Agenda Item No. 3, establishing August 14, 2107, as the date for the public hearing on the application for a transfer of ownership and location of a Retail (on-off sale) Malt Beverage & SD Farm Wine License for July 1, 2017, to June 30, 2018, from SHREE LLC dba Muggsy’s Sub Galley (Dipan Patel, President), 821 Broadway Avenue to the Fox Stop, Inc. (James Grotenhuis, owner), 1316 W 30th Street, Yankton, South Dakota.

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

Action 17-211

This was the time and place for the public hearing on the application for a Special Events Malt Beverage (on-sale) Retailers License and Special Retail (on-sale) Wine Dealers license for one day, Saturday, August 12, 2017, from Lewis & Clark Theatre Company (Jessica Cameron, Treasurer), 328 Walnut, Yankton, South Dakota. (Memorandum 17-154) No one was present to speak for or against approval of the license application. Moved by Commissioner Johnson, seconded by Commissioner Carda, to approve the license.

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

Action 17-212

This was the time and place for the public hearing on the application for a Special Events Malt Beverage (on-sale) Retailers License and Special Retail (on-sale) Wine Dealers license for one day, Friday, August 25, 2017, from Lewis & Clark Theatre Company (Jessica Cameron, Treasurer), 328 Walnut, Yankton, South Dakota. (Memorandum 17-155) No one was present to speak for or against approval of the license application. Moved by Commissioner Carda, seconded by Commissioner Moser, to approve the license.

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

Action 17-213

This was the time and place for the public hearing on the application for a Special Events Malt Beverage (on-sale) Retailers License and Special Retail (on-sale) Wine Dealers license for one day, Saturday, November 4, 2017, from Lewis & Clark Theatre Company (Jessica Cameron, Treasurer), 328 Walnut, Yankton, South Dakota. (Memorandum 17-156) 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 17-214

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 License for July 1, 2017, to June 30, 2018, from Hillcrest Golf & Country Club (Warren Muller, General Manager), 2206 Mulberry to South Point (Kirby Muilenburg, Owner) 1101 Broadway, Suite 111C, Yankton, South Dakota. (Memorandum 17-157) No one was present to speak for or against approval of the license application. Moved by Commissioner Carda, seconded by Commissioner Ferdig, to approve the license.

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

Motion adopted.

Action 17-215

This was the time and place for the public hearing on the application for a New Retail (on-off sale) Wine License for January 1, 2017, to December 31, 2017, from YC Library, LLC (Garrett J. Horn, President), 401 Capitol Street, Yankton, South Dakota. (Memorandum 17-158) 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 17-216

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 License for July 1, 2017, to June 30, 2018, from YASS, Inc. (Dipan Patel, President), 401 Picotte to YC Library, LLC (Garrett J. Horn, President) 401 Capitol, Yankton, South Dakota. (Memorandum 17-159) No one was present to speak for or against approval of the license application. Moved by Commissioner Moser, seconded by Commissioner Johnson, to approve the license.

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

Motion adopted.

Action 17-217

This was the time and place for the public hearing on the application for transfer of ownership of a Retail (on-off sale) Malt Beverage License for July 1, 2017, to June 30, 2018, from King Buffet Mongolian Grill, Inc. (Yu Jin Guo, Owner), to King Buffet Mongolian Grill Restaurant, Inc. (Ting Wong, Owner) 3013 Broadway, Suite 5, Yankton, South Dakota. (Memorandum 17-161) 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 17-218

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to adopt Resolution 17-22. (Memorandum 17-162)

RESOLUTION 17-22

WHEREAS, it appears from an examination of the plat of Lot B and Lot Y, being a replat of Lots 9, 10 and 11, Tramp's Third Addition to the City and County of Yankton, South Dakota prepared by Thomas Lynn Week, 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 17-219

Moved by Commissioner Knoff, seconded by Commissioner Ferdig, to adopt Resolution 17-23. (Memorandum 17-163)

RESOLUTION 17-23

WHEREAS, it appears from an examination of the Replat of Ranch 2, Ranch Estates, in the W 1/2 of Section 4, T93N, R56W of the 5th P.M., Yankton County, South Dakota, and a portion of the W 1/2 of Section 4, T93N, R56W of the 5th P.M, Yankton County South Dakota;

Hereafter to be known as Ranch 2A, Ranch Estates, in the W 1/2 of Section 4, T93N, R56W of the 5th P.M., Yankton County, South Dakota, prepared by John L. Brandt, 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 17-220

Moved by Commissioner Johnson, seconded by Commissioner Miner, to adopt Resolution 17-24. ((Memorandum 17-164))

**Resolution 17-24
Special Events Parking Request**

WHEREAS, the City Commission adopted an Ordinance allowing for no parking designation for special events within the City of Yankton; and

WHEREAS, this Resolution would authorize the City of Yankton to tow vehicles that are parked in the defined area or areas at times specified for Special Events; and

WHEREAS, the Meridian District has made a request to enact this no parking zone for their Crazy Days event on July 29, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves the Special Event Parking Request on 3rd Street between Broadway and Capitol, keeping intersections open starting at 7:00 am until 7:00 pm on Saturday, July 29th.

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

Action 17-221

Moved by Commissioner Ferdig, seconded by Commissioner Johnson, to adopt Resolution 17-25. (Memorandum 17-165)

**Resolution 17-25
Special Events Parking Request**

WHEREAS, the City Commission adopted an Ordinance allowing for no parking designation for special events within the City of Yankton; and

WHEREAS, this Resolution would authorize the City of Yankton to tow vehicles that are parked in the defined are or areas and times specified for Special Events; and

WHEREAS, the Riverboat Days committee has made a request to enact this no parking zone for their event on August 18-20, 2017.

NOW, THEREFORE, BE IT RESOLVED that the Board of Commissioners of the City of Yankton, South Dakota hereby approves the Special Event Parking Request on Levee Street from Douglas to Pearl Street, Mulberry Street from Levee to 2nd Street and Pearl Street from Levee to 2nd Street during the three day event and the designated parking lots.

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

Action 17-222

Moved by Commissioner Knoff, seconded by Commissioner Miner, to accept the donation of a bear

sculpture from Riverwalk Sculpture Project to be installed to the west of the fountain in the Meridian Plaza. (Memorandum 17-166)

Prior to a vote being taken, moved by Commissioner Knoff, seconded by Commissioner Ferdig, to amend the original motion to approve the request from Riverwalk Sculpture Project to accept the donation of the sculpture under the condition that the City will determine the location for the sculpture.

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

Motion adopted.

Roll call was then taken on the original motion.

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

Motion adopted.

Action 17-223

Moved by Commissioner Johnson, seconded by Commissioner Maibaum, to adjourn into Executive Session at 7:34 p.m. to discuss personnel, litigation, 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, Johnson, Knoff, Maibaum, Miner, and Moser. City Attorney Den Herder and City Manager Nelson were also present. Absent: Commissioner Gross. Quorum present.

Action 17-224

Moved by Commissioner Carda, seconded by Commissioner Johnson, to adjourn at 7:57 p.m.

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

Motion adopted.

Jake Hoffner
Mayor

ATTEST:

Ann L. Clough
Deputy Finance Officer

