

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
OCTOBER 23, 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 was also present. Absent: City Manager Nelson. Quorum present.

Action 17-308

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

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

Motion adopted.

City Manager's report was read by the City Finance Officer Viereck.

Action 17-309

Mayor Hoffner announced Consent Agenda Item No.1 and stated that Item Numbers 2, 3, and 4, would be moved from the Consent Agenda for individual consideration.

1. Meeting Date Change

Discussion to establish Friday, December 22, 2017, at 12:00 noon as the date and time for the second City Commission meeting in December.

2. Assessment Roll; Noxious Vegetation and Abatement, set public hearing

Consideration of Memorandum 17-220 and Resolution 17-49, recommending that November 27, 2017, be established as the date for a public hearing on the special assessment roll for removal of noxious vegetation and abatement.

3. Establishing public hearing for sale of alcoholic beverages – Special Event

Establish November 13, 2017, as the date for the public hearing on the request for a Special Events RETAIL (on-sale) Liquor License for one day, December 8, 2017, from Minerva's Grill & Bar, (Janelle Wieseler, Sales & Catering Director) d/b/a Minerva's Grill & Bar, NFAA, 800 Archery Lane, Yankton, South Dakota.

4. Establish public hearing for renewal of Alcoholic Beverage Licenses

Establish November 13, 2017, as the date for a public hearing and consideration of the applications for renewal of Alcoholic Beverage Licenses for the 2018 (January 1, 2018, to December 31, 2018) licensing period.

Action 17-310

Moved by Commissioner Johnson, seconded by Commissioner Carda, to establish November 27, 2017 as the date for a public hearing on the special assessment roll for removal of noxious vegetation and abatement. (Consent Agenda Item No.2) (Memorandum 17-220)

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

Motion adopted.

Action 17-311

Moved by Commissioner Moser, seconded by Commissioner Miner, to establish November 13, 2017, as the date for the public hearing on the request for a Special Events RETAIL (on-sale) Liquor License

for one day, December 8, 2017, from Minerva's Grill & Bar, (Janelle Wieseler, Sales & Catering Director) d/b/a Minerva's Grill & Bar, NFAA, 800 Archery Lane, Yankton, South Dakota. (Consent Agenda Item No.3)

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

Action 17-312

Moved by Commissioner Gross, seconded by Commissioner Johnson, to establish November 13, 2017, as the date for a public hearing and consideration of the applications for renewal of Alcoholic Beverage Licenses for the 2018 (January 1, 2018, to December 31, 2018) licensing period. (Consent Agenda Item No.4)

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

Action 17-313

This was the time and place for the public hearing on the license application for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, October 29, 2017, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota. (Memorandum 17-226) No one was present to speak for or against approval of the license application. Moved by Commissioner Ferdig, seconded by Commissioner Gross, to approve the license.

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

Action 17-314

This was the time and place for the public hearing on the license application for a Special Events Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for one day, April 21, 2018, from the Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, South Dakota. (Memorandum 17-227) No one was present to speak for or against approval of the license application. Moved by Commissioner Johnson, seconded by Commissioner Moser, to approve the license.

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

Action 17-315

This was the time and place for the public hearing on the license application for a transfer of ownership and location of a Retail (on-off sale) Malt Beverage License for July 1, 2017, to June 30, 2018, from R B Beer & Burgers, LLC d/b/a Rock Bottom (Toby Woehl, President), 2901 Broadway Suite C, to SHREE, LLC d/b/a Muggsys Sub Galley (Diapan Patel, Owner), 821 Broadway Avenue, Yankton, South Dakota. (Memorandum 17-228) 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 request.

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

Action 17-316

Moved by Commissioner Carda, seconded by Commissioner Gross, to approve the declaration of the

need for emergency repairs for the Sewer Collection System at intersection of 3rd Street and Burleigh Street as outlined in Memorandum 17-221.

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

Motion adopted.

Action 17-317

Moved by Commissioner Gross, seconded by Commissioner Johnson, to adopt Resolution 17-54. (Memorandum 17-223)

RESOLUTION 17-54

WHEREAS, it appears from an examination of Parcel No. 6 and Parcel No. 7 in Lot 6, Block 1 of Slaughter’s Subdivision in the NE 1/4 of the NE 1/4 of Section 12, T93N, R56W of the 5th P.M., City of Yankton, Yankton County, South Dakota prepared by Brett R. Kennedy, 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 17-318

Moved by Commissioner Johnson, seconded by Commissioner Carda, to approve Resolution 17-55. (Memorandum 17-224)

RESOLUTION 17-55

WHEREAS, it appears from an examination of Parcel 1 and Parcel 2 of Tract B of Lot 5, Railroad Subdivision, 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 17-319

Moved by Commissioner Carda, seconded by Commissioner Gross, to adopt Resolution 17-56. (Memorandum 17-225)

RESOLUTION 17-56

WHEREAS, it appears from an examination of Lot 8, Block 1, East 50 Industrial Park, In Government Lot 3, Section 16, T93N, R55W of the 5th. P.M., Yankton County, 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: Members present voting “Aye;” were Carda, Ferdig, Gross, Johnson, Maibaum, Miner, Moser and Hoffner; voting “Nay:” None. Abstain: Commissioner Knoff.
Motion adopted.

Action 17-320

Moved by Commissioner Johnson, seconded by Commissioner Moser, to adopt Resolution 17-57. (Memorandum 17-229)

RESOLUTION 17-57

A Resolution Authorizing the Establishment of Disability Parking Spaces – 328 walnut street

WHEREAS, the City of Yankton desires to provide vehicle parking spaces for persons with physical disabilities within the community, and;

WHEREAS, in order to provide convenient parking for persons with disabilities, designated parking stalls need to be established, and;

WHEREAS, said parking spaces shall be reserved for the parking of vehicles displaying a physically disabled parking permit or license plate, only;

NOW, THEREFORE IT BE RESOLVED, by the Board of City Commissioners of the City of Yankton, that two (2) disability parking stalls and an access aisle be designated, marked and maintained at the following location:

328 Walnut Street (Dakota Theatre)

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

Action 17-321

Moved by Commissioner Ferdig, seconded by Commissioner Carda, to adopt Resolution 17-58. (Memorandum 17-230)

RESOLUTION 17-58

A Resolution Authorizing the Establishment of Disability Parking Spaces – 12th Street South of Crane Youngworth Field

WHEREAS, the City of Yankton desires to provide vehicle parking spaces, for persons with physical disabilities, within the community, and;

WHEREAS, in order to provide convenient parking for persons with disabilities, designated parking stalls need to be established, and;

WHEREAS, said parking spaces shall be reserved for the parking of vehicles displaying a physically disabled parking permit or license plate, only;

NOW, THEREFORE IT BE RESOLVED, by the Board of City Commissioners of the City of Yankton, that two (4) disability parking stalls, with (2) access aisles, be designated, marked and maintained at the following location:

12th Street South of Crane Youngworth Field

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

Action 17-322

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to adjourn at 7:19 p.m.

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

Jake Hoffner
Mayor

ATTEST:

Al Viereck
Finance Officer