

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
NOVEMBER 27, 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 17-325

Moved by Commissioner Gross, seconded by Commissioner Johnson, to approve the Minutes of the regular meeting of November 13, 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.

City Manager Nelson publicly acknowledged participants at the charity basketball event, "Battle of the Badges," so as to be included on work comp eligibility. Playing on the Yankton Police Department team are Samantha Bruening, Jason Foote, Preston Crissey, Joe Erickson, Brandon Frey, Brian Neumeyer, Jeremy McNinch, Pat Nolz, Jeremy Olson, Kyler Pekarek, Javier Murguia, and Caitlin Boetger. Playing on the Yankton Fire Department team are Ethan Smith, Larry Nickels, Sam Harris, Brad Moser, Daniel Prendable, Levi Rhode, Brandon Frick, Mike Schaub, Brad Binde, Kasey Hofer, Andy Haas and Mike Villanueva.

Action 17-326

Mayor Hoffner stated that Consent Agenda items would be separated for individual consideration.

1. Renewal of Mobile Home Park Licenses  
Consideration of Memorandum 17-255 recommending approval of the renewal of Mobile Home Park licenses for the 2018 licensing period.
2. RTEC CNC Robotics Project, set progress hearing  
Consideration of Memorandum 17-261, recommending that December 11, 2017, be established as the date for a progress hearing on the RTEC CNC Robotics Project.

Action 17-327

Moved by Commissioner Knoff, seconded by Commissioner Carda, to approve the renewal of Mobile Home Park licenses for the 2018 licensing period. (Consent Agenda Item No.1)

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

Motion adopted.

Action 17-328

Moved by Commissioner Gross, seconded by Commissioner Ferdig, to establish December 11, 2017 as the date for a progress hearing on the RTEC CNC Robotics Project. (Consent Agenda Item No. 2)

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

Motion adopted.

Action 17-329

Moved by Commissioner Miner, seconded by Commissioner Knoff, to adopt Resolution 17-49 approving the 2017 special assessment roll for Nuisance Vegetation and Nuisance Abatement. (Memorandum 17-254)

**RESOLUTION 17-49**

**A RESOLUTION APPROVING THE 2017 SPECIAL ASSESSMENT ROLL FOR ABATEMENT OF NUISANCES AND NOXIOUS VEGETATION**

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 nuisances and noxious vegetation 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 28, 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 17-330

Moved by Commissioner Knoff, seconded by Commissioner Carda, to adopt Resolution 17-59, regarding the public hearing on the alley assessment for 13<sup>th</sup> Street to 14<sup>th</sup> Street between Pearl Street & Picotte Street. (Memorandum 17-238) Residents Mary Silvernail, James Starr and Karen Starr were present to express concerns about the workmanship and finished product.

**RESOLUTION 17-59**

**A RESOLUTION APPROVING THE 2017 SPECIAL ASSESSMENT ROLL FOR ALLEY CONSTRUCTION FROM 13<sup>TH</sup> STREET TO 14<sup>TH</sup> STREET BETWEEN PEARL STREET AND PICOTTE STREET**

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 alley construction from Thirteenth Street and Fourteenth Street between Pearl Street and Picotte Street 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. Said assessment may be paid in ten (10) annual installments and shall be collected under Plan Two "Collection by City Finance Officer", as provided in SDCL 9-43.

The above assessments may be paid without interest to the City Finance Officer on or before December 28, 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 17-331

Moved by Commissioner Carda, seconded by Commissioner Moser, to approve the transfer of location of a Retail (on-off sale) Wine License for January 1, 2018, to December 31, 2018, from Willa B's LLC, d/b/a Willa B's LLC (Chauntel Wright, Partner) 215 W. 3<sup>rd</sup> Street, Suite A to 114 Douglas Ave., Suite 2, Yankton, SD. (Memorandum 17-256)

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

Action 17-332

Moved by Commissioner Johnson, seconded by Commissioner Miner, to approve the transfer of location of a Retail (on-off sale) Malt Beverage License for July 1, 2017, to June 30, 2018, from Willa B's LLC, d/b/a Willa B's LLC (Chauntel Wright, Partner) 215 W. 3<sup>rd</sup> Street, Suite A to 114 Douglas Ave., Suite 2, Yankton, SD. (Memorandum 17-257)

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

Action 17-333

This was the time and place for the public hearing on the application for the Special Events Retail (on-sale) Liquor License for 1 day, January 13, 2018, from Boomer's Inc., (Gary W. Boom, President) d/b/a Boomer's Lounge, NFAA, 800 Archery Lane, Yankton, South Dakota. No one was present to speak for or against approval of the license. Moved by Commissioner Moser, seconded by Commissioner Miner, to approve the license. (Memorandum 17-258)

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

Action 17-334

Moved by Commissioner Miner, seconded by Commissioner Ferdig, to retain KLJ as the consultant for engineering and planning services at Chan Gurney Municipal Airport for up to the next five years. (Memorandum 17-251)

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

Action 17-335

Moved by Commissioner Ferdig, seconded by Commissioner Johnson, to approve the proposal from Stockwell Engineers for Meridian District Streetscape Improvements. (Memorandum 17-235) Jon Brown of Stockwell Engineers was present to answer questions about the Engineering Contract. Steve Sager, Vice President of Onward Yankton, was present in support of the project.

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

Action 17-336

Moved by Commissioner Gross, seconded by Commissioner Carda, to approve the 2018 Lease Agreement between the City of Yankton and the Yankton Area Senior Citizens Center. (Memorandum 17-260)

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

Action 17-337

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to adopt Resolution 17-65. (Memorandum 17-272)

**RESOLUTION 17-65**

WHEREAS, it appears from an examination of the Replat of Lot 4 and Lot 5, Block 3, Mayer’s Addition located in the NW 1/4 of the SW 1/4 of Section 22, Township 93 North, Range 56, West of the 5th P.M., Yankton County, South Dakota, hereafter to be known as: Lot 4A, Block 3, Mayer’s Addition located in the NW ¼ of the SW 1/4of Section 22, Township 93 North, Range 56, West of the 5<sup>th</sup> P.M., Yankton County, South Dakota, prepared by Brian J. Benson, a registered land surveyor in the State of South Dakota, and

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 17-338

Moved by Commissioner Johnson, seconded by Commissioner Knoff, to approve the following:

Reject bids for the 1988 Oshkosh Snow Plow and sell through online public auction the Snow Plow and the 1995 International 4700 Oil Distributor which received no bids.

It is further recommended that the following surplus vehicle and mower bids be awarded to the highest bidders: The 1972 Chevrolet Custom 30 Chassis to Gregory Gusso of Yankton, SD for \$52.00; the 1994 Chevrolet 1-Ton Truck with dump box to Donnie Robinson of Yankton, SD for \$585.00; the 1997 International 4700 Truck with dump box to Bob Ryken of Yankton, SD for \$3,000.00; the 2012 Chevrolet Caprice-VIN 4297 to Baybridge Motors/Yousef Dabbagh of Island Lake, IL for \$4,308.00; the 2013 Chevrolet Caprice-VIN 5237 to Baybridge Motors/Yousef Dabbagh of Island Lake, IL for \$4,008.00; and the 2002 Zetron ‘Brat’ Country Clipper Lawn Mower to H & L Truck Repair of Yankton, SD for \$250.00. (Memorandum 17-250)

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

Action 17-339

Moved by Commissioner Knoff, seconded by Commissioner Miner, to approve reimbursement of \$1,449.14 to Riverside Baseball Concession Stand. Expenditures are to come out of the General Fund. (Memorandum 17-253)

**Roll Call:** Members voting “Aye,”: Commissioners Ferdig, Gross, Johnson, Knoff, Maibaum, Miner, and Moser; Members voting “Nay”: Commissioner Carda; Abstaining: Commissioner Hoffner. Motion adopted.

Action 17-340

Moved by Commissioner Gross, seconded by Commissioner Ferdig, to approve that Public Appearances are for the public, not for Commissioners to add to the agenda items. (Memorandum 17-259)

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

Action 17-341

Commissioner Gross introduced and Mayor Hoffner read the title of Ordinance No. 1001 and set the date of the second reading and public hearing as December 11<sup>th</sup>, 2017.

Action 17-342

Moved by Commissioner Carda, seconded by Commissioner Knoff, to adopt Resolution 17-64 and authorize the trade in of the surplus radio equipment. (Memorandum 17-263)

**RESOLUTION 17-64**

WHEREAS, SDCL 6-13-1 requires a municipality owning personal property which is no longer necessary, useful, or suitable for municipal purposes shall, by resolution, declare it surplus and may, by resolution, order the sale, trade, destruction or other disposal of said personal property.

NOW, THEREFORE, BE IT RESOLVED that the following personal property be declared no longer necessary, useful, or suitable for municipal purposes and said property shall be traded in in accordance with SDCL 6-13-1, et sequential:

**SURPLUS PROPERTY TO BE TRADED IN**

Thirty-one (31) portable radios and batteries and sixteen (16) mobile radios.

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

Action 17-343

Moved by Commissioner Carda, seconded by Commissioner Miner, to adjourn at 8:27p.m.

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

Motion adopted.

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Jake Hoffner  
Mayor

ATTEST:

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Al Viereck  
Finance Officer

Published December 9, 2017