

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS  
YANKTON, SOUTH DAKOTA  
DECEMBER 11, 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, and Miner. City Attorney Den Herder, Mayor Hoffner and City Manager Nelson were also present. Absent: Commissioner Moser. Quorum present.

Action 17-344

Moved by Commissioner Carda, seconded by Commissioner Miner, to approve the Minutes of the regular meeting of November 27, 2017.

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

Motion adopted.

Action 17-345

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

A-Z Vacuumbags-Vacuum Repair Supplies-\$31.85;Accucut, LLC-Recreation Supplies-\$125.00;ALS Technologies-Ammunition-\$1,286.00;Amazon Mktplace-Books-\$247.79;Amazon-Books-\$157.34; Amazon.Com-Dvds-\$54.65;APA Memberships-APA Membership Dues-\$513.00;Appeara-Towels-\$272.22;Armor-Swat Balistic Plates-\$1,857.00;AT&T-Wireless Access-\$336.00;Autozone-Direct Ignition Coil-\$489.46;AWWA.Org-Handbook/Training Manual-\$620.53;Baker-Taylor-Books-\$9,592.16;Battery Exchange-Battery Exchange-\$150.00;Bomgaars-Floor Dry, Washer Fluid-\$1,267.09;Brenntag Great Lakes-Ferric Chloride-\$1,656.00;Broadway Chrysler Dodge-Repair Sensors-\$799.92;California Contractors-Oil Absorbent Pads-\$300.90;Carhartt-Uniform Pants-\$92.91;Carls Place-Recreation Supplies-\$815.95;Caseys-Staff Appreciation-\$21.48;Caseys-Staff Appreciation-\$7.16;Cedar County Veterinar-K9 Medical Care-\$89.66;Clarks Rentals Custom-Equipment Rental-\$846.00;Coffee Cup-Fuel-\$22.76;Comfort Inn-Travel Expense-\$86.39;Cox Auto Supply-Equipment Repair-\$735.19;Crescent Electric-Ballast Kit And Starter-\$380.11;Danko Emergency Equip-Flashlight-\$114.73;Dayhuff Enterprises-Janitorial Supplies-\$138.40;Demco Inc-Book Tape-\$130.68;Dennis Supply Company-Mau Control-\$522.64;Draftingsteals LLC-Office Supplies-\$129.87;DX Service-Salt-\$5,345.66;Ehresmann Engineering-Repair Parts-\$57.36;Emerson Manufacturing-Jack-\$1,146.59;Etsy.Com-Special Events-\$20.95;Facebk-Advertising-\$24.43;Factoryoutletstore.Com-Camera Batteries-\$29.80;Fargo Control-Repair Parts-\$170.43;Fastenal Company-Nuts And Bolts-\$305.26;Fiberbuilt Manuf-Recreation Supplies-\$240.00;Fred Haar Company Yank-Starter Motor-\$401.65;Girton Adams Co-Pilot Sensor-\$172.00;Glock Professional Inc-Conference-\$250.00;Hach Company-Lab Supplies-\$314.74;Hedahls-Truck Repairs-\$46.86;Hobby-Lobby-Adult Craft Night-\$23.87;Holiday Inn-Conference Lodging-\$287.38;Hy Vee-Teen Event Supplies-\$7.98;Hy Vee-Retirement Reception-\$434.65;Independence Waste-Porta Potty-\$646.79;Creative Prod-Dare Items-\$46.50;Northern Light-Christmas Lights-\$1,653.25;Midwest Alarm-Alarm System-\$63.00;J.J.Benji-Uniform-\$1,647.50;Jack S Uniforms & Equi-Uniforms-\$682.85;JCL Solutions-Cleaning Supplies-\$842.36;Jimmy Johns-Staff Appreciation-\$69.90;Jimmy Johns-Brookings SRP Showcase-\$8.25;Kaiser Refrigeration-Equipment Repair-\$6.99;KC Supply Co-Lime Silo Gaskets-\$74.43;Koletzky Implement Inc-Filters-\$170.91;Kopetskys Ace Hdwe-Dare Items-\$1,594.31;Locators And Supplies-Locate Supplies-\$196.53;Marks Machinery Inc-Batteries-\$967.12;Marshall Bond Pumps-ODS Mac Valve-\$753.56;Mead Lumber Yankton-Park Supplies-\$70.53;Med-Vet-Sharps Containers-\$432.00;Menards-Clarifier Hose Repair-\$1,350.95;Midamerica Books-Books-\$1,043.80;Midwest Laboratories-Nutrients/Biosolids Test-\$699.62;Minervas Grill And Bar-Staff Appreciation-\$275.00;Mitchell Holiday Inn-Safety Committee Meeting-\$121.49;National Recreation-Yearly Membership-\$170.00;Nebraska PGA-Membership Dues-\$55.00;Oconnor Company-Blower-\$665.38;Olsons Pest Technician-Contracted Service-\$81.00;One Office Solution-Cash Register-\$522.98;Orbitz-Travel Expense-\$272.25;Oreilly Auto-Truck Work Lights-\$261.25;Overdrive Dist-Ebooks-\$1,517.92;Postage Refill-Postage Refill-\$200.00;Prandomhouse-Cd Books-\$273.75;Priceline-Conference Hotel-\$176.22;Printsource Network In-Copies-\$12.50;Quill-Tables-\$249.96;Rayallen.Com-K9 Vehicle Repair-\$270.99;Red Lion-Gbt Digital Control-\$130.52;Riverside Hydraulics-Hose, Ends, Fittings-\$524.45;RTC Manufacturing-School Timer Switch-\$676.00;SD Property Management-Flags-\$184.16;Shell Oil-Brookings SRP Showcase-\$25.60;Sherwin Williams-Riverside Baseball Maint-\$141.45;Shur-Co-D-Ring And Roll Tube-\$85.15;Esafety Supplies-Rubber Gloves-\$241.25; State Hygienic Lab-Source Water Testing-\$493.00;Sturdevants-Creeper-\$147.21;Tabor Lumber-Chemicals-\$549.00;Tessman Company Sioux-Chemicals-\$1,070.12;Thermoasheville-Lab Still Heat Element-\$747.36;UPS Store-Drug Take Back

Postage-\$109.28;Thomas & Means Law Fir-Conference-\$200.00;Tma Yankton-Tires-\$7,174.24;Truck Trailer-Motor-\$254.88;United-Travel Expense-\$470.60;Vermillion Ace Hdwe-Park Supplies-\$59.96;Viddler Inc-Video Hosting-\$41.35;VWR International Inc-Sulfuric Acid-\$572.53;Vzwrlls-Internet Access-\$516.16;Wal-Mart-Basketballs-Member Use-\$466.19;Wal-Mart-Dvds-\$49.88;Walgreens-K9 Reno Rx-\$53.48;Walmart.Com-Chairs-\$367.92;Wilson's Lodge Oglebay-Conference-\$1,969.14;WM Supercenter-Office Supplies-\$540.08;WW Grainger-Janitorial Supplies-\$327.00;Yankton Medical Clinic-Firefighter Physicals-\$6,914.50;Pizza Ranch-Meeting-\$44.00;Yankton Winnelson Co-Drinking Fountain-\$3,622.12;AFSCME Council-Employee Deductions-\$1,304.78;American Family Life Corp-Cancer & ICU Premiums-\$7,235.33;Anderson/Dee Rhonda-Replace Lost Check-\$60.00;Any Border, LLC-Hanger Refund-\$931.91;Brandt/Todd-Training-\$236.00;Connections Inc-EAP Insurance-\$390.60;Dakota Rock Farms-Sludge Hauling-\$28,682.20;Dather, Roger-Training-\$200.00;Dept Of Enviromental-Exam Fee-\$10.00;Dept Of Social Services-Employee Deductions-\$1,697.50;First Natl Bank South Dakota-Employee Deduction-\$1,297.56;Hastreiter, Gerry-Pay Check Re-Issue-\$103.55;Howey-Fox/Wanda-Damage Reimbursement-\$231.78;Kasseburg Canine Training Ctr-K9 Training Bite Suit-\$2,800.00;Kline/David-Gate Card Refund-\$10.00;Vast Broadband-Phone Bill-\$1,614.92;Larsen Carpet-Carpeting-\$950.00;Masonry Components Inc-WCLR Pavement-\$32,815.96;Retirement, SD-SD Retirement-\$70,812.82;Retirement, SD System-401pay-\$10,363.46;Ron's Auto Glass Repair-Window Replacement-\$295.92;SDSRP-Employee Deductions-\$18,545.44;Sivertsen, Robert-Holiday Festival Lights-\$400.00;Sun Life Financial-Vision Ins-\$899.66;Vast-Internet Services-\$2,294.13;Wellmark-Health Ins-\$92,347.09;YAPG-Tid Reimbursement-\$20,637.63.

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

#### SALARIES NOVEMBER 2017

Administration-\$38,176.40; Finance-\$36,472.33; Community Development-\$21,134.11; Police/A.C./Dispatch-\$156,031.77; Fire-\$13,192.08; Engineering / Sr. Citizens-\$40,092.90; Streets-\$43,940.30; Snow & Ice-\$1,291.40; Traffic Control-\$3,409.12; Library-\$28,496.72; Parks / Sac-\$62,077.84; Marne Creek-\$3,648.47; Water-\$38,181.05; Wastewater-\$39,237.90; Cemetery-\$3,562.63; Solid Waste-\$20,220.05; Landfill / Recycle-\$17,793.13; Golf Course-\$17,169.79; Central Garage-\$7,093.94.

#### PERSONNEL CHANGES & NEW HIRES:

New Hires: Bailey Matthews-\$16.15 hr.-Dispatch; Brooke Goeden-\$16.78 hr.-Comm Dev.; Samantha Altwine-\$9.65 hr.-Rec Div; Jessica Cameron-\$17.39 hr.-Finance; Amanda Stucky-\$17.39 hr.-Finance; Hannah Williams-\$9.85 hr.-Rec Div; Lindsey Jaixen-\$20.00 hr.-Rec Div; Corey Roach-\$9.50 hr.-Rec Div; Austin Wagner-\$9.50 hr.-Rec Div; Emma Haberman-\$9.65 hr.-Rec Div; Steven Smith-\$8.55 hr.-Rec Div; Samuel Stewart-\$11.50 hr.-Streets Dept.

Wage Change: Dawn Bergeson-\$10.25 hr.-Rec Div; Collin Bertram-\$10.00 hr.-Rec Div; Karie Forman-\$12.50 hr.-Rec Div; Brianna Geigle-\$10.25 hr.-Rec Div; Courtney Gould-\$9.65 hr.-Rec Div; Tyler Hudson-\$13.55 hr.-Rec Div; Reid Hunhoff-\$10.25 hr.-Rec Div; Ryan Moderegger-\$9.75 hr.-Rec Div; Robert Noble-\$10.25 hr.-Rec Div; Tanner Noble-\$9.75 hr.-Rec Div; Andrew Peitz-\$10.85 hr.-Rec Div; Roy Reichle-\$12.50 hr.-Rec Div; Kylie Roth-\$9.50 hr.-Rec Div; Patty Schieffer-\$11.50 hr.-Rec Div; Kelsey Sutera-\$10.50 hr.-Rec Div; Amber Thompson-\$10.10 hr.-Rec Div; Lisa Utech-\$17.61 hr.-Finance; Maggie Wallis-\$11.75 hr.-Rec Div.

City Manager Nelson submitted a written report giving an update on community projects and items of interest.

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

#### Action 17-346

Moved by Commissioner Carda, seconded by Commissioner Johnson, that Consent Agenda Item No. 1, renewal of applications for Pawn Broker License for 2018 be approved. (Memorandum 17-264)

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

#### Action 17-347

Moved by Commissioner Miner, seconded by Commissioner Gross, that Consent Agenda Item No. 2, renewal of applications for Private Collector of Refuse Licenses for the year 2018 (January 1, 2018 –

December 31, 2018) licensing period. (Memorandum 17-265)

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

Action 17-348

Moved by Commissioner Johnson, seconded by Commissioner Knoff, that Consent Agenda Item No. 3, renewal of applications for 2018 City Dance Licenses. (Memorandum 17-266)

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

Action 17-349

Moved by Commissioner Knoff, seconded by Commissioner Miner, that Consent Agenda Item No. 4, renewal of applications for a Peddler’s License for Huber Home Improvement, 44254 292<sup>nd</sup> Street, Irene, SD, to go door-to-door for the purpose of sales and installation of home improvement items. (Memorandum 17-267)

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

Action 17-350

Moved by Commissioner Knoff, seconded by Commissioner Miner, that Consent Agenda Item No. 5, renewal of applications for a Peddler’s License for Dennis Schumacher, 55287 888 Rd Crofton, NE 68730, to go house to house to do tree stump removal. (Memorandum 17-268)

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

Action 17-351

Moved by Commissioner Johnson, seconded by Commissioner Carda, that Consent Agenda Item No. 6, renewal of applications for a Peddler’s License for Edward Jones Company to go house-to-house to offer services as a Financial Advisor. (Memorandum 17-269)

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

Eric Ambrosen, Community Development Specialist with District III, conducted the public progress hearing on the RTEC/CNC Robotics Project. (Memorandum 17-273) No official action was taken.

Action 17-352

This was the time and place for the public hearing to consider adoption of Ordinance No. 1001, the second supplement to the 2017 annual appropriation Ordinance #989 and public hearing of said Ordinance. Moved by Commissioner Carda, seconded by Commissioner Knoff, to adopt Ordinance No. 1001. (Memorandum 17-262)

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

Action 17-353

Moved by Commissioner Johnson, seconded by Commissioner Knoff, to approve Resolution 17-63. (Memorandum 17-252)

**RESOLUTION #17-63**

WHEREAS, the City of Yankton and Yankton County have entered into an agreement for the provision of library services for residents living outside the corporate limits of the city; and,

WHEREAS, the current agreement is slated to expire December 31, 2017; and,

WHEREAS, Yankton County has contracted with the City for library services since 1993; and,

NOW, THEREFORE BE IT RESOLVED by the Board of City Commissioners of the City of Yankton, South Dakota, that the Agreement for the Provision of Library Services between the City and Yankton County be extended for the term January 1, 2018, through December 31, 2018.

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

Action 17-354

Moved by Commissioner Knoff, seconded by Commissioner Miner, to adopt the Fox Run fees as proposed for 2018 by the Recreation Department and the Golf Advisory Board. (Memorandum 17-271)

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

Action 17-355

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to award the contract for fuel at the Chan Gurney Municipal Airport to Gerstner Oil. (Memorandum 17-278)

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

Action 17-356

Moved by Commissioner Gross, seconded by Commissioner Miner, to have the Finance Officer supplement the 2018 budget using BBB carryover funds for the purpose of the previously approved Riverboat Days Building Project. John Kraft from the Riverboat Days Committee was present to answer questions and request that funding be supplemented in the 2018 budget. (Memorandum 17-286)

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

Action 17-357

Moved by Commissioner Carda, seconded by Commissioner Johnson, to authorize City Manager Nelson to negotiate an agreement and bring back to the city for future consideration. Todd Dvoracek, Middle School Principal, Wayne Kindle, Superintendent of Yankton School District 63-3, Tony Beste, Assistant Yankton High School Principal and Dr. Jennifer Johnke, Yankton High School Principal were present to support the consideration of negotiating an agreement with the Yankton School District to share in the cost of a full time School Resource Officer.

**Roll Call:** Members present voting "Aye" were Carda, Gross, Johnson, Knoff, Maibaum, Miner, and Ferdig; Members present voting "Nay:" None; Abstain: Commissioner Mayor Hoffner.  
Motion adopted.

Action 17-358

Moved by Commissioner Gross, seconded by Commissioner Knoff, to approve the Agreement with McGrath North for the purposes of assisting the City Manager and City Attorney with the process of the potential formation of a collective bargaining unit for the Yankton Police Department. (Memorandum 17-283)

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

Action 17-359

Moved by Commissioner Johnson, seconded by Commissioner Knoff, to authorize an additional \$10,000 be allocated to Yankton Transit from the General Fund Carryover, bringing the total amount of the City of Yankton's allocation to \$40,000.

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

Action 17-360

This was the time and place to award the bid for the annual supply of chemicals for the water and wastewater treatment plants. Moved by Commissioner Gross, seconded by Commissioner Knoff, to award the chemical bids for the Water and Wastewater Treatment Plants as detailed in Memorandum 17-270.

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

Action 17-361

Moved by Commissioner Johnson, seconded by Commissioner Knoff, to approve Change Order No. 2 and that the project be accepted and that the City Finance Officer be authorized to issue a manual check in the amount of \$24,679.75 to Slowey Construction, Inc. (Memorandum 17-275)

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

Action 17-362

Moved by Commissioner Gross, seconded by Commissioner Miner, to approve Change Order No. 2 and that the project be accepted and that the City Finance Officer be authorized to issue a manual check in the amount of \$89,669.14 to D & G Concrete Construction, Inc. (Memorandum 17-276)

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

Motion adopted.

Action 17-363

Moved by Commissioner Knoff, seconded by Commissioner Johnson, to approve the Business Improvement District No. 1 Expenditure Recommendation to the Convention and Visitor’s Bureau. (Memorandum 17-279)

**Roll Call:** Members present voting “Aye” were Carda, Gross, Johnson, Knoff, Maibaum, Miner, and Mayor Hoffner; Members present voting “Nay:” None; Abstain: Commissioner Ferdig.

Motion adopted.

Action 17-364

Moved by Commissioner Carda, seconded by Commissioner Knoff, to approve the write-off of Uncollectible Utility Accounts in the amount of \$5,363.64 as uncollectible per SDCL 9-22-4. (Memorandum 17-274)

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

Motion adopted.

Action 17-365

Moved by Commissioner Knoff, seconded by Commissioner Miner, to adopt Resolution 17-66. (Memorandum 17-284)

**RESOLUTION #17-66**

WHEREAS, it appears from an examination of the Plat of Tract 1 of Yaggie’s Addition in the N 1/2, SE 1/4, Section 35, Township 94 North, Range 56 West of the 5<sup>th</sup> P.M., Yankton County, South Dakota, prepared by Joshua R. Vanderwerf 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 17-366

Moved by Commissioner Johnson, seconded by Commissioner Miner, to adopt Resolution 17-67. (Memorandum 17-285)

**RESOLUTION #17-67**

WHEREAS, it appears from an examination of the plat of Tract B in Lot 1 of W. G. & A. 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 17-367

Moved by Commissioner Knoff, seconded by Commissioner Gross, to approve Change Order No. 1, accept the completed reconstruction of the 2<sup>nd</sup> Street Calmers, and authorize the Finance Officer to issue a manual check to Masonry Components, Inc., in the amount of \$8,730.50. (Memorandum 17-287)

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

Action 17-368

Moved by Commissioner Johnson, seconded by Commissioner Knoff, to approve Change Order No. 1, accept the completed reconstruction on Maple Street from 4<sup>th</sup> Street to 6<sup>th</sup> Street, and authorize the Finance Officer to issue a manual check to Feimer Construction, Inc., in the amount of \$111,975.32. (Memorandum 17-288)

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

Action 17-369

Moved by Commissioner Miner, seconded by Commissioner Johnson, to approval of Change Orders 2 and 3 and that the project be accepted and that the City Finance Officer be authorized to issue a manual check in the amount of \$117,613.00 to Gridor Construction, Inc. (Memorandum 17-277)

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

Action 17-370

Moved by Commissioner Gross, seconded by Commissioner Johnson, to adjourn into Executive Session at 7:52 p.m. to discuss **personnel and contractual 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 Hoffner.

**Roll Call:** Present: Commissioners Carda, Ferdig, Gross, Johnson, Knoff, Maibaum, and Miner. Commission Moser entered at 8:00 p.m. City Attorney Den Herder and City Manager Nelson were also present. Absent: None. Quorum present.

Action 17-371

Moved by Commissioner Ferdig, seconded by Commissioner Miner, to adjourn at 8:48 p.m.

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

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Jake Hoffner  
Mayor

ATTEST: \_\_\_\_\_  
Al Viereck  
Finance Officer