

**CHAMBER OF THE BOARD OF CITY COMMISSIONERS
YANKTON, SOUTH DAKOTA
FEBRUARY 26, 2018**

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 Moser. City Attorney Den Herder and City Manager Nelson were also present. Absent: Commissioner Miner. Quorum present.

Action 18-51

Moved by Commissioner Gross, seconded by Commissioner Knoff, to approve the Minutes of the regular meeting of February 12, 2018 and Special Meeting of February 16, 2018.

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.

Action 18-52

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

1. Work Session

Setting date of March 26, 2018, at 6:00 pm in Room #114 of the Regional Technical Education Center for the next work session of the Yankton City Commission to discuss Downtown Events

2. Establish public hearing for sale of alcoholic beverages

Establish March 12, 2018, as the date for the public hearing on the request for a Special Malt Beverage (on-sale) Retailers License for 1 day, August 18, 2018, from Yankton Rodeo Association (Douglas O Hevle, President), Rodeo Grounds, 404 Paddle Wheel Drive, Yankton, S.D.

3. Naming of Fire Department Chaplain

Consideration of Memorandum #18-40 regarding approval of new Fire Department Chaplain per Workers' Compensation and SDCL requirements

Action 18-53

Moved by Commissioner Carda, seconded by Commissioner Knoff, to approve setting the date of March 26, 2018, at 6:00 pm in Room #114 of the Regional Technical Education Center for the next work session of the Yankton City Commission to discuss Downtown Events. (Consent Agenda Item No. 1)

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

Motion adopted.

Action 18-54

Moved by Commissioner Gross, seconded by Commissioner Johnson, to establish March 12, 2018, as the date for the public hearing on the request for a Special Malt Beverage (on-sale) Retailers License

for 1 day, August 18, 2018, from Yankton Rodeo Association (Douglas O Hevle, President), Rodeo Grounds, 404 Paddle Wheel Drive, Yankton, S.D. (Consent Agenda Item No. 2)

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

Motion adopted.

Action 18-55

Moved by Commissioner Gross, seconded by Commissioner Knoff, to recognize Jerry Webber as a volunteer firefighter in the position of Department Chaplain and include this in the minutes of the February 26, 2018 City Commission meeting. (Memorandum 18-40) (Consent Agenda Item No. 3)

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

Motion adopted.

Action 18-56

Moved by Commissioner Knoff, seconded by Commissioner Gross, to approve the application for a Special Malt Beverage (on-sale) Retailers License for 1 day, March 16, 2018, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, S.D. (Memorandum 18-29)

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

Motion adopted.

Action 18-57

Moved by Commissioner Johnson, seconded by Commissioner Moser, to approve the application for a Special Malt Beverage (on-sale) Retailers License and a Special (on-sale) Wine Retailers License for 1 day, March 3, 2018, from The Center (Christy Hauer, Executive Director), 900 Whiting Drive, Yankton, S.D. (Memorandum 18-30)

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

Motion adopted.

Action 18-58

Moved by Commissioner Knoff, seconded by Commissioner Gross, to adopt Resolution 18-08. (Memorandum 18-31)

RESOLUTION 18-08

WHEREAS, it appears from an examination of the plat of Lots 1A, 1B, 2A, & 2B of Block 2 of Westbrook Estates Addition to the City of Yankton, Yankton County, South Dakota prepared by Nicholas J. Johannsen, 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 18-59

Moved by Commissioner Johnson, seconded by Commissioner Carda, to adopt Resolution 18-09. (Memorandum 18-32)

RESOLUTION 18-09

WHEREAS, it appears from an examination of the plat of Lots 3A, 3B, 4A, & 4B of Block 3 of Westbrook Estates Addition to the City of Yankton, Yankton County, South Dakota prepared by Nicholas J. Johannsen, 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 18-60

Moved by Commissioner Knoff, seconded by Commissioner Gross, to adopt Resolution 18-10.
(Memorandum 18-33)

RESOLUTION 18-10

WHEREAS, it appears from an examination of the plat of Lots 1A, 1B, 1C, 1D, 2A, 2B, 2C, 2D, 4A, 4B, 4C, & 4D of Block 5 of Westbrook Estates Addition to the City of Yankton, Yankton County, South Dakota prepared by Nicholas J. Johannsen, 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 18-61

Moved by Commissioner Gross, seconded by Commissioner Johnson, to adopt Resolution 18-11.
(Memorandum 18-34)

RESOLUTION 18-11

WHEREAS, it appears from an examination of the plat of Applied Engineering Subdivision in the SE 1/4 of the SE 1/4 of Section 8, T93N, R56W of the 5th P.M., 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 18-62

Moved by Commissioner Knoff, seconded by Commissioner Ferdig, to adopt Resolution 18-12. (Memorandum 18-35)

RESOLUTION 18-12

WHEREAS, it appears from an examination of the plat of Lot 3, in Lewis and Clark Business Center, in the South 645 Feet Except for Lot H2, of the N. 1/2 of the N.E. 1/4, Section 16, T93N, R56W 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: All members present voting "Aye;" voting "Nay:" None.
Motion adopted.

Action 18-63

Commissioner Gross introduced and Mayor Hoffner read the title of Ordinance No. 1004, AN ORDINANCE AMENDING CERTAIN LANGUAGE IN IDENTIFIED SECTIONS OF CHAPTER 17, and set the date of the second reading and public hearing as March 12, 2018. (Memorandum 18-36)

Action 18-64

Moved by Commissioner Johnson, seconded by Commissioner Knoff, to authorize the Finance Officer to issue a manual check in the amount of \$84,948.55 to Slowey Construction, Inc. for Asphalt and Concrete Crushing Project. (Memorandum 18-38)

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

Action 18-65

This was the time and place to award the bid for WCLR reconstruction project from 9th Street to 31st Street. The following bids were received and opened on February 13, 2018: D&G Concrete, Inc., Sioux Falls, SD, \$2,298,162.77; Hulstein Excavation, Edgerton, MN, \$2,413,245.00; Knife River Midwest, LLC, Sioux City, IA, \$2,485,720.50; Masonry Components, Inc., Yankton, SD, \$2,534,940.90; Feimer Construction, Inc., Yankton, SD, \$2,588,131.55; BX Civil & Construction, Inc., Dell Rapids, SD \$2,612,000.00. (Memorandum 18-41) Moved by Commissioner Knoff, seconded by Commissioner Ferdig, to award the bid to D&G Concrete, Inc., Sioux Falls, SD for \$2,298,162.77.

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

Action 18-66

Commissioner Gross introduced and Mayor Hoffner read the title of Ordinance No. 1005, AN ORDINANCE CREATING A PROCESS TO CANCEL OR POSTPONE A REGULAR OR

SPECIAL MEETING OF THE BOARD OF COMMISSIONER FOR THE CITY OF YANKTON, and set the date of the second reading and public hearing as March 12, 2018. (Memorandum 18-39)

Action 18-67

Moved by Commissioner Gross, seconded by Commissioner Johnson, to adjourn into Zoning Board of Adjustment at 7:21p.m. to discuss **adjustment variance requests**.

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

Motion adopted.

The meeting for Zoning Board of Adjustment of the City of Yankton was called to order by Mayor Hoffner.

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

Action 18-68

Moved by Commissioner Moser, seconded by Commissioner Carda, to approve the Minutes of the regular meeting of January 22, 2018.

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

Motion adopted.

Action 18-69

Commissioner Gross introduced and lead the first reading of Memorandum 18-37, considering a variance request and set March 12, 2018 as the date of the second reading and public hearing.

Action 18-70

Moved by Commissioner Johnson, seconded by Commissioner Knoff, to adjourn the Zoning Board of Adjustment.

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 Moser. City Attorney Den Herder and City Manager Nelson were also present. Absent: Commissioner Miner. Quorum present.

Action 18-71

Moved by Commissioner Gross, seconded by Commissioner Carda, to adjourn at 7:23 p.m.

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

Motion adopted.

Jake Hoffner
Mayor

ATTEST:

Al Viereck
Finance Officer

Published March 3, 2018